

November 2, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Also present was Public Safety Building Committee members George Cronin, Chairman and Police Chief Charles Stone and Fire Chief Coleman Bushnell. Arlie Sterling, Chairman of the Advisory Board was also present.

Jim Lehan opened the meeting at 7 p.m. Jack Hathaway read the agenda contents.

Jim Lehan introduced members of the Public Safety Building Committee which included himself and Jack Hathaway. Chief Bushnell narrated a presentation on the Public Safety building and project which included a slide show. George Cronin spoke and explained the purpose of the Public Safety Building Committee and the work the Committee has done to work toward a new building.

Jack explained the financials to the project.

### **BALLOT QUESTIONS**

Jack explained to the Board that the primary will be held December 8<sup>th</sup>. We should vote to do the ballot questions on that day. The Town Clerk needs 35 days from December 8<sup>th</sup>, which would be tomorrow. Jack said the Board needs to vote tonight. He read the 3 questions that should be voted to appear on the ballot: Shall the Town of Norfolk be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds or notes issued in order to replace, furnish and equip the elementary school located at 70 Boardman Street? (2) Shall the Town of Norfolk be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds or notes issued in order to fund the renovation, replacement, or a combination of renovation and new construction of the Norfolk Public Safety Building, located at 117 Main Street? (3) Shall the Town of Norfolk be allowed to assess an additional two hundred thousand dollars (\$200,000) in real estate and personal property taxes for the purposes of funding the road maintenance stabilization fund for the fiscal year beginning July 1, 2009?

Jim Tomaszewski moved to approve three (3) questions for the ballot on December 8<sup>th</sup> as read by Jack Hathaway. Rob Garrity seconded, and it was **so voted**.

## **TOWN ADMINISTRATOR REPORT**

### **Action Items**

Rob Garrity moved to vote to borrow \$140,000 for Planning, Public Safety Building as authorized by June 16, 2009 town meeting, Article #13, per Treasurer-Collector Cheryl Kelley. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the popcorn sales at the Transfer Station by the Cub Scouts for two Saturdays, October 24 and 31<sup>st</sup> from 8 a.m. to 4 p.m. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the NCL Jingle Bell Run/Walk on Saturday, December 12<sup>th</sup> at 11 a.m. with the usual route. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to open the public comment period for the water and solid waste rates. Rob Garrity seconded, and it was **so voted**.

### **New Business**

Jack Hathaway talked about the state cuts. The Board briefly discussed the impact to our budget.

Jim Tomaszewski congratulated NCL/Norfolk Lions on their successful Haunted Train Ride.

Jim also congratulated St. Jude's Church on celebrating their 60<sup>th</sup> anniversary.

Rob congratulated the KP band for taking first place at the USSBA in Connecticut and now headed to Annapolis.

Jack congratulated the KP Girls Hockey team for a successful year and heading to the playoffs against Barnstable.

At 8:40 p.m., being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of November 2, 2009.

  
 \_\_\_\_\_  
 James M. Tomaszewski, Clerk

November 16, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7 p.m. Jack Hathaway read the agenda.

### **JOINT POLE HEARING – SEEKONK STREET**

Present was Remo R. Vito, DPW Director. Jack Hathaway read the petition notice.

This was a joint petition from Verizon New England, Inc. and Boston Edison Company to replace a pole on Seekonk Street, on the easterly sideline, to place new stub Pole No. 71S approximately 33 feet east of existing Pole No. 71. One JO stub pole to be replaced.

Butch Vito explained this was an emergency. A tree went down and took the pole with it. It was a corner pole that needed an anchor. He told him to go ahead and repair it and do the hearing later.

Rob Garrity moved to allow the placement of a new stub pole No. 71S on Seekonk Street per the petition. Jim Tomaszewski seconded, and it was **so voted**.

### **ACTION ITEMS**

Rob Garrity moved to approve the following liquor licenses for 2010: Restaurant All Alcoholic - Eagle Brook Saloon, Guido's Restaurant, Horse 'n Carriage Restaurant and Café Pesto – Café Pesto is contingent upon returning an application by November 30<sup>th</sup> and passing a police inspection; Package Store All Alcoholic – Norfolk Fine Wine & Spirits, Provo Discount Liquors, and Linda's Variety Store; Package Store Wine and Malts – Norfolk Food Mart; and On-Premise Wine and Malts – Fore Kicks. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to approve a one-day entertainment license for Guido's Restaurant, 218 Dedham Street for Wed., November 25<sup>th</sup> from 9 p.m. to midnight, contingent upon approval of Chief Stone. Entertainment will be a DJ. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the Girl Scouts selling cookies at the Transfer Station every Saturday from January 31<sup>st</sup> through March 7<sup>th</sup> from 9 a.m. to 2 p.m. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to approve ACT NOW to hold signs in support of the new school at the Transfer Station on Saturdays, November 21, November 28 and

December 5 from 9 a.m. to 3 p.m. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Mark Henney, 32 Robin Road to the Affordable Housing Trust, term to expire June 30, 2011. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve the Santa Parade (Norfolk Lions) and Town Hill Celebration (Norfolk Recreation) for Sunday, December 6, 2009, beginning at 3:30 p.m. Rob Garrity seconded, and it was **so voted** by Jim Lehan and Rob Garrity. Jim Tomaszewski recused himself as he is involved in the event.

Jim Tomaszewski moved to award contracts to bidders for various SERSG DPW Materials and Services for a twelve month period commencing on January 1, 2010 per the attached document. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to waive all fees connected with the affordable housing project at 7 Leland Road. Rob Garrity seconded, and it was discussed that we should waive the fees and work with them given the strained budget. It was **so voted**.

Jim Tomaszewski moved to vote to convey the Leland Road property to the Affordable Housing Trust, and sign the deed. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to approve a request from the Boy Scouts to hand out flyers at the Transfer Station on Saturday, December 19<sup>th</sup> from 8 a.m. to 4 p.m. to advertise their Christmas tree pickup. Jim Tomaszewski seconded, and it was **so voted**.

### **OLD BUSINESS**

Jack said he has spent the last months preparing for town meeting. He said there will be two separate ballots at the December 8<sup>th</sup> election. One will be the school, public safety and road maintenance stabilization. The second will be the U.S. Senate primary.

### **NEW BUSINESS**

Jack reviewed a meeting with Howard Bailey regarding his subdivision Paddocks and Corrals. The Board discussed the town bylaw regarding use of town owned property for horses.

Jack reported that we are still negotiating with Comcast. The question is the INET. Comcast doesn't want to maintain it anymore. It has been 10+ years, and they either maintain it or buy out. There are other options because we have fiber connections with Verizon. We'd need a bigger bandwidth.

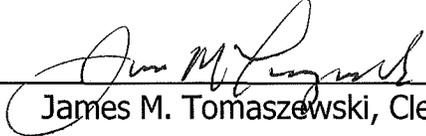
Jack gave a brief update on different departments. He said the Assessors are struggling without a Data Collector, and would like possibly an Assistant Collector. The Town Clerk has lost a 10 hour person and have a heavy fall load.

Planning has lost 1.5 positions and is catching up on a backlog of work not done. Bob and Jack will discuss the Conservation Agent position. DPW cut the Foreman position, and has lost 3 positions in 3 years. Jack said he is overworked with no assistance. Jim Lehan said the Board members could help him out with projects.

At 7:55 p.m., Rob Garrity moved to go into executive session for collective bargaining purposes. Jim Tomaszewski seconded, and it was a roll call vote: Jim Tomaszewski, **aye**; Jim Lehan, **aye**; and Rob Garrity, **aye**. The Board will return to open session only to adjourn the meeting.

At 8:17 p.m., being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of November 16, 2009.

  
James M. Tomaszewski, Clerk

December 7, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan opened the meeting at 7 p.m. Jack Hathaway read the agenda.

### **NORFOLK AUTO, 38 Main Street – CLASS III HEARING**

Present was Kevin Roche, representing Norfolk Auto.

Jim Lehan opened the public hearing and noted that this was an annual hearing on the Class III license of Norfolk Auto as required by law.

The Board noted that Norfolk Auto has been in compliance of the license, and that no abutters were present. The Board has received no complaints, noted no violations, and there were no comments from the Building Commissioner.

Jim Tomaszewski moved to approve the Class III license for Norfolk Auto for 2010. Rob Garrity seconded, and it was **so voted**.

### **ECONOMIC DEVELOPMENT COMMITTEE**

Present were Bob Nicodemus and Walter Byron, EDC members.

Bob Nicodemus told the Board they wanted to give a first hand report and progress on the Southwood property. The property has unknown characteristics that are making them nervous. He is looking into grant money for unknown contamination. The deadline is February 10<sup>th</sup>. HUD grant may be something they could potentially acquire. The only commitment that involves the town is the HUD grant application. Southwood is okay with grants, but not okay with loans. Rob suggested checking the ZBA files regarding this issue.

The Board asked if we were to apply, are we liable for the contamination? Bob said he is not sure yet. The Board told him that is critical – we do not want to indirectly become liable.

### **ACTION ITEMS**

Rob Garrity moved to approve a stop sign on Pennacook Street at the intersection of Chicatabut Avenue. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the foregoing Conservation Restriction to the Massachusetts Audubon Society from John and Janet Fuller, 97 North Street,

as being in the public interest pursuant to M.G.L. chapter 184, Sections 31-33. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to extend the hours on New Year's Eve to 2 a.m. for liquor license establishments; Eagle Brook Saloon, Horse 'N Carriage Restaurant, and Guido's Restaurant. Jim Tomaszewski seconded, and it was **so voted**.

### **OLD BUSINESS**

Jack told the Board he is working on Comcast negotiations. He is working on the INET and hopefully will have something for the Board at their next meeting.

Jack told the Board they are sending 3<sup>rd</sup> notice letters to residents with a water leak and we will shut off the water in 30 days. We want to know their plans and try to work with them. We have to track all our water per DEP requirements.

Jack reported that Police negotiations are ongoing.

Jack mentioned a letter regarding prison funds cut. No one was notified prior to this happening – even our reps and senators were unaware. Everyone is frustrated and trying to get it reinstated. Jack showed the budget as prison mitigation and 9C cuts work.

Jack Hathaway will work with board members and schedule a weekly work session. All 3 members will work on the budget. Jim L. and Jim T. will work on organizational planning. Jim T. and Rob will work on policies and grants.

### **NEW BUSINESS**

Rob Garrity moved to appoint Jim Tomaszewski to the Design Review Coordinating Committee. Jim Lehan seconded, and it **was voted** by Rob Garrity and Jim Lehan. Jim Tomaszewski abstained from voting.

Jack reported that as Fire Marshal for the town, he and Chief Bushnell conducted a hearing for 3 teens that had a campfire near Bush Pond. The initial fee was \$100, but after the hearing, he reduced the fine to \$25 each. All fees go into a training budget for the Fire Department.

Jack reported that a house was moved on Leland Road. The house will be done by Habitat for Humanity.

Jack said they are working on the tax rate. They are hoping for a preliminary tax rate for the end of December. If we have to make 9C cuts, we may need to have a town meeting to set the tax rate.

At 8:23 p.m. being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of December 7, 2009.

  
\_\_\_\_\_  
James M. Tomaszewski, Clerk

## SPECIAL MEETING

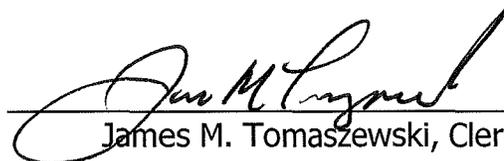
December 15, 2009

Present was Robert J. Garrity, James M. Tomaszewski, and Marian Harrington.

The purpose of the meeting was to review the Selectmen's policies and see which ones need looking at. We want to look at the ADA Compliance policy, update and clean up the Comp Time policy, review the Personnel bylaw, review the drug and alcohol testing policy, review the Employee Relations policy and look at the Correspondence policy and look at the 4 week response time. We would like to update the Signage policy, look at the Liquor License Violation Policy, Board of Health No Smoking policy needs to be updated and made current. Drop the Quarterly Financial Reporting Policy. Drop the Reserve Officer Appointment. Look at the Sexual Harassment Policy. Look at the Street Naming Policy. Review the Work Hours policy. Look at groups that are allowed to have meetings on town property. Look at no meetings on town meeting dates. Look at the approval for soliciting at the transfer station being moved from the Selectmen to the Town Administrator. Discussed the Nepotism policy. Looked at the Roundabout Policy. Looked at Political Signs and Standing Out policy and Email policy.

We went through all the bylaws and should look at holiday lights and the amount of time people should be allowed to have holiday lights up, and will there be any fines or not.

We will get together at a future date to review these and make recommendations.

  
James M. Tomaszewski, Clerk

## SPECIAL MEETING

December 15, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

The Board discussed the organizational issues of the reporting structure under the Town Administrator. Jack reviewed the current structure, and the Board discussed possible issues of how to change reporting and the main understanding was to try to look at the workload of Jack and see how it would be helpful to have some type of reorganization. The Board looked at issues such as the future retirement of the DPW Director, and some issues of the individuals in Accounting and Treasurer's, and see whether, at some point in time, we could have an Asst. Town Administrator or some other title underneath to help in the development, and future backup for Jack as well as take some of the work load away as he is getting overburdened.

One of the questions that came up was to do an analysis of the organizational structure of some of the comparable towns around us in terms of size and structure and also look at the possibility of this person being a town planner, town engineer or town inspector, and how that would work into the DPW structure.

The meeting ended with no conclusion, but the Board will have another meeting going forward.

  
\_\_\_\_\_  
James M. Tomaszewski, Clerk

December 21, 2009

Present were James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7 p.m. Jack Hathaway read the agenda.

### **SPECIAL TOWN MEETING**

Jim discussed State cuts with the town departments. We need to make some transfers which cannot happen without the consent of the Town residents. Therefore, we need to have a Special Town Meeting.

Jack reiterated that we have been cut by the state primarily in the State prison mitigation funds. We don't get tax revenue from the State for all the state land we have in town. We also have all the prisons. Jack said they did send a letter to the Governor, and Rep. Ross and Senator Brown also wrote letters.

In order to set the tax rate, we have to hold a special town meeting.

The Board discussed a tentative date of January 12<sup>th</sup>. We will check with Town Clerk and Moderator to be sure that this date will work for them.

Jim Tomaszewski moved to open the warrant. Rob Garrity seconded, and it was **so voted**. Jim said this will be a one article warrant to reduce the budgets and balance the budget. Jim Tomaszewski moved to close the warrant. Rob Garrity seconded, and it was **so voted**.

### **ANNUAL LICENSE RENEWALS**

Jim Tomaszewski moved to approve the following Common Victualer licenses for 2010: Eagle Brook Saloon; Guido's Restaurant; Horse 'N Carriage Restaurant; Fore Kicks; Norfolk Town Pizza; Bourque's Restaurant; Dunkin' Donuts; and Center Ice, Inc. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the following Class I licenses for 2010: Cliff's Cycles; LVJ Trailers & Equipment, LLC; and MPG Motorsports, Inc. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the following Class II licenses for 2010: Auto Clinic; Norfolk Auto Brokers; Norfolk Auto, Inc.; and Mitch's Repair Service. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to remove Mitch's Repair Service license from the approved Class II licenses as it has recently changed hands and there are concerns that need to be worked out. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the following Entertainment licenses for 2010: Eagle Brook Saloon – Live Music – Secular Days and Sundays 1-5 Instruments, 8 p.m. to 1 a.m.; Fore Kicks – Eleven coin operated arcade machines – Secular Days and Sundays – Winter Hours: 4 p.m. to 9 p.m., Mon-Fri; 8 a.m. to 10 p.m., Sat., Sun and Summer – 9 a.m. to 10 p.m., Mon-Sun; and Norfolk Rink Management Co., Inc., Six coin operated arcade machines – Secular Days and Sundays – Mon-Sun – 7 a.m. to midnight. Rob Garrity seconded, and it was **so voted**.

### **ACTION ITEMS**

Jim Tomaszewski moved to approve a one-day entertainment license for Guido's Restaurant for New Year's Eve (12/31/09) from 5 p.m. to 2 a.m. for a DJ. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve an annual entertainment license for Guido's Restaurant – Live Music - Single Entertainer only, or a DJ. Secular days and Sunday. Hours 8 p.m. to 1 a.m. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to accept Chapter 183 of the Acts of 2009 to extend the time for mailing the actual tax bills for fiscal year 2010 until January 30, 2010. Rob Garrity seconded, and it was **so voted**.

At 7:43 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of December 21, 2009.

  
 \_\_\_\_\_  
 James M. Tomaszewski, Clerk

## SPECIAL MEETING

December 28, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway. Town Administrator.

Department heads present were Bob Bullock, Don LeClerc, Arlie Sterling, Robin Glasser, Charles Stone, Butch Vito, Julie Siewko, Cheryl Kelley, John Neas and Gail Bernardo.

Jim Lehan called the meeting to order at 7 p.m.

Jim Lehan started out explaining that we need to finalize the tax rate, which we cannot do until we have a balanced budget. Jim would like everyone's input.

Jack had a handout that he explained. He went through the figures. The state has cut the prison mitigation funds, which cut our budget \$192,000.

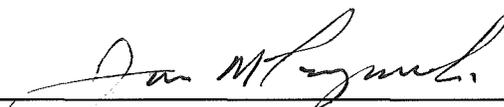
The Board mentioned the land sale. Don LeClerc said he could come up with half a percent now; maybe \$43,000. Gail Bernardo is already overspent. Cheryl Kelley is worried about the Stabilization Fund. Chief Stone said he would rather do the 1% now, than have to find it later in the budget when it would be impossible to do.

The overall consensus is not to touch the Stabilization Fund, and do the one percent cut and do the land sale.

With respect to a DPW matter, Jim Tomaszewski moved to give the authority for deciding on payment plans of 5 to 10 years for water leaks to Jack Hathaway and Butch Vito. Rob Garrity seconded, and it was **so voted**.

At 8:40 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of December 28, 2009.

  
James M. Tomaszewski, Clerk

## SPECIAL MEETING

January 4, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

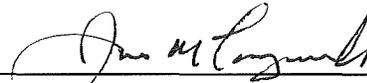
Jim Lehan called the meeting to order at 7 p.m.

The Selectmen met briefly with members of the Advisory Board to review the budget and discuss the upcoming special town meeting on January 12<sup>th</sup>.

Jim Tomaszewski moved to deficit spend the Snow and Ice Account. Rob Garrity seconded, and it was **so voted**.

At 7:40 p.m., being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of January 4, 2010.



---

James M. Tomaszewski, Clerk

January 11, 2010

Present were James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7 p.m. Jack Hathaway read the agenda contents.

### **TAX RATE HEARING**

Present was John Neas, Chief Assessor.

Jim Lehan opened the hearing and read the hearing notice. Jim Tomaszewski moved to open the hearing. Rob Garrity seconded, and it was **so voted**.

John Neas spoke on behalf of the Board of Assessors. He had a Classification PowerPoint that he displayed and spoke to.

Proposed tax rate is \$14.08. John explained the split tax rate.

Jim Tomaszewski moved to keep the tax rate at 100%. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to close the hearing. Rob Garrity seconded, and it was **so voted**.

### **ROBIN GLASSER, LIBRARY DIRECTOR**

Robin Glasser was present to discuss a community reading program. She said she would like the town to participate in the program and all be on the same page – Norfolk Reads Together. The kickoff program was today. Monies come from a grant that will directly affect the community. Robin said she had to choose a book and was impressed by Nathaniel Philbrick, who is a Massachusetts author. She chose *In the Heart of the Sea*. Robin said it is the story that Moby Dick was based on.

Robin presented a book to the Board members, Jack Hathaway and Marian Harrington and asked that we read the book. The community is encouraged to do the same.

### **TOWN MEETING PREP**

Present was Pat Snead, Vice Chairman of the Advisory Board.

Jack reviewed the budget, to discuss the one article for tomorrow night's town meeting.

The Board discussed reductions in the budget and how it will be handled at town meeting.

**RICHARD ROBBAT, KP SUPERINTENDENT**

Supt. Robbat wanted to give the Board an update on where KP is.

He said on January 30<sup>th</sup>, they will hold a public hearing on the budget. It will be at 10 a.m. in the high school Library. On February 1<sup>st</sup>, he will make his recommendation on his budget. Feb 8<sup>th</sup> the school committee will recommend the budget.

Supt. Robbat said he will present a level services budget. This will inform you of the needs of the school district. Level services are contractual obligations. A \$2.8 million reduction is what they are looking at. 34.2% assessment for Norfolk based on enrollment.

**NEW BUSINESS**

Jack told the Board that he received an email from Chief Bushnell that Officer Mark Vendetti and Sgt. Kevin Roake assisted in a birth over the weekend at the Meda residence on Leland Road. The Board recognized this achievement and will send commendation letters.

Jack said we received a request from Habitat for Humanity for a waiver of water connection fees. Jack said he wants to talk to Butch Vito before the Selectmen votes. He suggested they ask the Affordable Housing Trust to pay the fee for affordability. Jim will talk to the committee tomorrow at their meeting.

Rob Garrity moved to open the warrant for the FY10 annual town meeting. Jim Tomaszewski seconded, and it was **so voted**.

Jack reported that Berry Insurance will hold our liability rates for another year. He said not so good news for health insurance.

Rob Garrity asked that we re-open the Everett Street situation at some point now that the events are over.

At 9:35 p.m. being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of January 11, 2010.

  
 \_\_\_\_\_  
 James M. Tomaszewski, Clerk

January 25, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan opened the meeting at 5:00 p.m.

### **OLD BUSINESS**

Jack gave a Public Safety Building Committee update. There is still a need in the eyes of the committee. They won't come back with another ballot until after the spring budget. Jim Lehan said that they will come back with this in the fall. Anxious to see what happens with the budget override in the spring.

Butch Vito and Jack Hathaway met with developers of Paddocks & Corrals to update changes on Maple St. as a result of the Planning Board. They actually wanted to meet with the Selectmen, but Jack told them it was more Butch they needed to speak with.

Jack reported on the MMA meeting they all attended this weekend. They were told Chapter 70 would remain level. Jack said that at the MMA meeting, they heard the Governor and he plans to remain a level funded budget. Lottery would be level a well. It is more optimistic than they expected.

Rob said we should plan a cut budget for next year, and then it's easier to add stuff back in. Jim L. said we are taking a fiscally responsible view on the budget.

Jim T. would like a representative from Retirement come out to see us and talk about issues. A good part of our payments are the early retirement in 2003.

### **NEW BUSINESS**

A Norfolk Board member offered to hold a seminar for departments with respect to the upcoming changes to the Open Meeting Law in July. There will be substantial changes.

### **AVOCA VILLAGE SUBDIVISION**

Per the request of Butch Vito, Jim Tomaszewski moved to recall bond being held under Town of Norfolk Street Opening Permit #06-08 in the amount of \$9,774.54 Bond Held Revenue Account #7403.48300 and use the funds to complete the work within the Park Street Right of Way in conjunction with the Avoca Village Subdivision. Rob Garrity seconded, and it was **so voted**.

### **TOWN ADMINISTRATORS MEETING**

Jack talked about meeting with the Town Administrators from Wrentham and Plainville, and the KP budget. He hopes to see some benefit on the minimum contribution this year. Wrentham asked for a level funded budget and a budget with 5% down. Plainville knows they have a problem. We are all in the same boat. We should see a budget from KP around February 15.

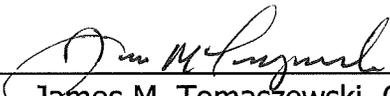
Jim said they have been talking with Butch about the B1 district and would like at one of our meetings, we talk about this in the open. The Board suggested February 22<sup>nd</sup> meeting.

John Olivieri questioned the access road, and is this school property? The Board said no, town property. John said there isn't congestion at Boardman Street. The Board disagreed, saying there is congestion at Boardman St. and Route 115.

At 5:53 p.m., Jim Tomaszewski moved to go into executive session for purposes of negotiations. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan, **aye**; and Jim Tomaszewski, **aye**. The Board will not return to open session except to adjourn the meeting.

At 6:23 p.m., Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of January 25, 2010.

  
\_\_\_\_\_  
James M. Tomaszewski, Clerk

February 8, 2010

Present was James C. Lehan, Rob Garrity, Jim Tomaszewski and Jack Hathaway.

Jim Lehan opened the meeting at 7 p.m. Jack Hathaway read the agenda.

**HORSE N' CARRIAGE RESTAURANT, LIQUOR LICENSE VIOLATION  
PUBLIC HEARING**

Present was Kevin O'Boy, owner of the Horse N' Carriage Restaurant; his attorney Robert Allan; Chief Charles H. Stone, Jr. and Detective Nate Fletcher of the Norfolk Police Department.

Detective Fletcher explained that on November 29, 2009, he conducted an alcohol compliance check on liquor establishments in town in accordance with ABCC guidelines. He used an undercover operative, Garin Eisele.

Detective Fletcher said his operative entered the bar area of the Horse N' Carriage and sat down at the bar. The bartender, Sean Byrne, asked the operative what he'd like. He ordered a Sam Adams on draught. The bartender served the operative and then walked to the other end of the bar. The operative left the restaurant. Detective Fletcher then went back inside with the operative and asked the bartender if he served him, and he said he did.

Rob Garrity said this was the Horse N' Carriage's first violation in eight years. He said to Detective Fletcher - you caught no other establishment? Detective Fletcher replied no.

Robert Allan, attorney for Kevin O'Boy said they acknowledge there was a violation. They are not here to argue the merits. They plan to move forward and make sure it doesn't happen again.

Atty. Allan said the area was a black eye to the community until Kevin O'Boy purchased it. He has had one violation in the 27 years he owned the property, and that occurred 8 years ago. He doesn't usually have a young crowd. Sean Byrne has bartended for 35 yrs.; he is 65 yrs. of age and has been with the Horse N' Carriage for 24 yrs. Kevin wasn't sure how to reprimand him. His employees stay. He doesn't have much turnover. This is a testament to how he treats employees and runs his business. Kevin will close business on 3/29 and bring in a TIPS instructor to train all personnel, even though they have already been trained previously. Sunday is a busy night for them.

Atty. Allan said the bartender wanted to be present tonight to explain his remorse, and particularly for letting Kevin down, but he couldn't be here.

Rob Garrity said that the Selectmen's policy is bar profits, a fine, or closure of the establishment.

Jim Tomaszewski said it should be a donation of profits. We should be consistent with the policy. Possibly profits from a Saturday.

Jim Lehan said the Norfolk Airport incident has heightened sensitivity because of underage drinking. He said there has to be a very strong message sent that underage drinking cannot be tolerated. Jim said he knows we have a policy, but there is leeway. He appreciates aggressiveness in training. Jim is not personally inclined to pull their license. He is more inclined to impose a fine. Jim said he would like to suggest to the Board a fine to DARE. Jim Tomaszewski felt we need to add this to the list. Jim Lehan prefers a fine, rather than stick with the policy as far as two consecutive Saturdays and loss of profits. Rob Garrity asked what a typical profit is. Kevin O'Boy said alcohol represents about 75% - maybe \$2,000 in gross sales. Kevin told the Board this is a family establishment. It doesn't have KENO. It doesn't stay open past 11. They are diligent - but not diligent enough. It is not an establishment that attracts young crowd.

The Board discussed policy and fines. Jim Lehan would like to propose a \$2000 fine to the Norfolk DARE program.

Rob Garrity asked Chief Stone if he is concerned about this establishment. Chief Stone replied that no, he is not concerned about them at all.

Rob Garrity asked if they do follow up checks. Chief Stone said no, they do not.

Robert Allan would like to work with Jack and get a better breakdown. He is not prepared tonight to give a figure of alcohol profits. He felt \$2000 seems high. Jim T. said he would be willing to work with him. He asked about other charities. Kevin O'Boy said he helps the Rodman Ride for Kids. He closes his restaurant and helps. Kevin praised his staff and said they deserve credit. They are better than 99% in all areas - no violations. Jim Lehan agrees, but said it is a violation and we can't disguise what it is. He recognizes you have been a good partner to the community, but it is still a concern. If the Board wants to consider a lesser amount, he will entertain that. Jim Lehan said he would like to resolve it tonight, but cannot disguise that it is a violation of underage drinking.

Robert Allan suggested a "suspended" sentence. Two days suspended, but if nothing happens within a year, it goes away. Kevin said he would gladly pay the \$2000 as it will be going to a good cause. He said a fine payable to DARE; he is okay with that. Kevin said he appreciates his attorney trying to protect his

interest. The money is educating kids. He did say that the underage drinking may be a problem, but underage drinking isn't at the Horse N' Carriage.

The Board will accept his offer. He will give a \$2,000 donation to the DARE program. TIPS certification will be on 3/29.

Kevin said he thought things should be erased. He felt eight years without a violation should mean something. Jim Lehan said that the policy is being rewritten. It was a previous Board years ago that wrote the policy. Chief Stone expressed the same.

Rob Garrity moved to assess a \$2000 donation to Norfolk DARE by the Horse N' Carriage for a second violation, and to require TIPS certification for the staff on March 29, 2010. Jim Tomaszewski seconded, and it was **so voted**.

### **ENERGY COMMITTEE**

Rita Advani, spoke for the Committee.

Rita discussed the Solar PV Project for the landfill. She said the committee felt the rebates and incentives offered by the State make this really worthwhile right now. They only have preliminary numbers. The Committee is very hopeful right now, and feels the project is worth exploring. It may save over 50% of the construction. They need to look at financing available. The price of solar panels has gone down. Rita said the next round of funding is in April and they would like to put this on the fast track and see if it's possible to look at the April time line.

There would need to be due diligence between the Town, Advisory Board and Energy Committee. They would need a financial analysis, and a topography analysis. There is less than 2 acres of landfill. They should explore funding options and costs. They haven't figured in administrative costs.

Jack said he wasn't sure his Finance staff could put the time into this right now. He suggested that members of the Advisory Board could possibly work on this. They have the Board's support and will try to bring this up again on the 22<sup>nd</sup>.

### **GAIL BERNARDO, TOWN CLERK**

Gail spoke with the Board about the upcoming elections. This is to replace the State Senate seat vacated by Scott Brown. The Primary is April 13th and the Election is May 11<sup>th</sup>. Gail thought possibly we could have the state and town elections on one day. It is \$7500 for one and could save \$5000. Right now our town election is May 4<sup>th</sup>, and the town meeting is May 11<sup>th</sup>. She suggests we move the election down a week to May 11th, and have the town meeting begin on May 18<sup>th</sup>.

Rob Garrity moved to move the town election to May 11, 2010. Jim Tomaszewski seconded, and it was **so voted**. The Board questioned if there would be two separate ballots, and Gail said yes.

### **ACTION ITEMS**

Rob Garrity moved to appoint John Wayne to the Zoning Bylaw Study Committee. Jim Tomaszewski seconded, and it was **so voted**.

Jack explained that Elizabeth Figueroa of Norfolk gave the Board information on Bina Farm. This is a therapeutic farm at Dana Hall. The Board would like them to come in and talk with us. They would like to come to Norfolk.

Jack mentioned a Stop & Shop meeting in which he, Jim Tomaszewski, Jim Lehan and Dave Roche, Chairman of the Planning Board attended. Jack said the conversation was based on the road. Stop & Shop doesn't want to build the road until they build the building. We need the road now for MBTA commuters, emergency vehicles, etc. Stop & Shop is going to Planning Board this week and will set a date as to when they will complete the roadway. They will put up a bond that we can take if they don't do the road by the agreed date.

### **BUDGET**

Jack said the Advisory Board wants to start as early as February 25. Jim would prefer March 4th. Rob would prefer that date as well.

Jack reviewed the budget with the Board.

Jack has asked for level funded. Should he get any other models?

Jim Lehan said we may need a 5% cut, and ask for impact statements that they had one format with all that data. Not a narrative, but bullets and numbers and not over one page.

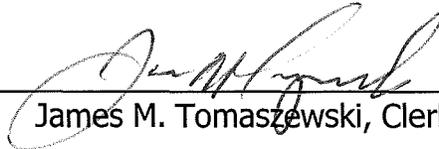
### **OTHER BUSINESS**

Jack gave information on the EDC. Jim T. would like to attend the meeting with Jack.

Jim read the letter from Mr. Cyr to Chief Bushnell regarding a heart attack he had, and to rave about his care from the paramedics.

At 8:48 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of February 8, 2010.



---

James M. Tomaszewski, Clerk

February 22, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Jim Lehan opened the meeting at 7 p.m. Jack Hathaway read the agenda.

### **B1 DISTRICT, ACCESS ROAD**

Jim Lehan noted that there were residents in attendance for the discussion on the access road. He said that the Board had a work session on Thursday in which many residents attended. Subject was the access road which is a roadway from Rockwood Road into the school property. This has been a topic of discussion since 1987 and an issue with public safety chiefs.

Jim said that the original proposal was to put a school on the Freeman/Centennial property, and part of the proposal was to put a road onto the Bicentennial Park area to have access to the property. Both Chiefs have had concerns over traffic patterns in that area and a secondary access. Jim said that, as you know, the school was not built on that property, but was what is now known as the H. Olive Day School, so the access road was never developed. Now the new school is being built and the issue of the access road has come up. The access road was in an original proposal by the School Building Committee, but was not funded by the MSBA and was excluded. The Chiefs still had concerns over areas associated with this and with the rec fields being heavily used and they wanted a secondary access.

Jim stressed that at no time was there intent to connect this access with Malcolm and Geneva. He told the residents that we understand their concern for privacy of their neighborhood.

The Board needs to do an updated traffic study which will take time. We found we need information before we can consider the access road. It will be well into the summer months before we receive this information.

Lynn Worley of Malcolm Street asked about comments in the Boomerang about sub-dividing the access road and the costs of the road that would be \$500,000 and a cut through to Geneva. They are concerned about their area being a high water level.

Jim Lehan said that there is no intent to connect to Geneva and Malcolm. As he stated, the road is not covered in funding by the MSBA, so we need to come up with funding without incurring further debt to the town. One idea was to sell the land to pay for this. Butch Vito only gave the \$500,000 figure as an estimate. If

we pursued the access road, we could pay for it by selling lots. Jim said again that this whole topic is tabled, and we have no plans at this time to discuss it.

Jim Tomaszewski reminded the residents that regarding the water level, before anything happens, it still has to go through the approval of the Planning Board, Conservation Commission, etc. like everything else. Jim Lehan said it may not even work. What perked 10 years ago, may not perk now.

Mr. Fenton, Malcolm Street asked where the houses will be located. Jim Lehan said there are no houses. Nothing is planned. It is just a conceptual plan. A "what if". He said it would be on the Bicentennial Park side, not Geneva.

Paul Muliero, Geneva Avenue said he didn't understand a conceptual plan. Rob said it is like a daydream. We show the bridge in the plan. But who knows if it will ever happen. Mr. Muliero wanted the Board to commit that nothing will ever happen on their end. Jim L. said that's impossible. Three years from now, none of them will probably be on the Board, and they will not commit another Board. Things change, and there could be a very valid reason why another Board may have to go the Geneva/Malcolm route.

Richard Morris, Malcolm Street. He read a letter that is part of the record.

Jim Lehan said that this concludes the discussion on the access road.

## **B1 DISTRICT**

Present was Remo Vito, DPW Director.

Jim Lehan said that there are many conceptual plans done on the B1 district. At some point, we need to take these and put them into phases. We need a step-by-step analogy with time frames and deadlines and cost analysis. Jim said he would like it within 30 days, and then start to get other boards and committees involved.

Butch Vito said we have had a short term opportunity to work out. One was the gas. They can give time frames and will talk with business owners.

The Board suspended this discussion to meet with the Energy Committee.

## **ENERGY COMMITTEE**

Present was Rita Advani, Bill Behling, Ray Angelone and Lynn Gilleland. Andy Bakinowski was also present.

Rita discussed work on the landfill project. She said they have met with Community Preservation, Butch Vito and the Advisory Board. Their objective is

to put an article on town meeting to let the voters decide on funding this and whether they even want to pursue it.

Ray Angelone discussed staff that would help get them data to assist him. He would need building energy information. Perhaps DPW and facilities. Ray said he would like someone to take ownership of the maintenance of data. He would hope Butch and Bob Bullock would assign someone. He asked if a formal reporting mechanism is premature. Jack said he would like to see training and tools. He said it's a good foal.

Ray and Rita said they would like to see the vacancy on the School Building Committee filled with someone with an energy background.

### **B1 DISTRICT (Continued...)**

The Board continued the discussion with Butch Vito.

They will meet with the Economic Development Committee to discuss storm water.

Butch wasn't sure if they need a bylaw to create a district, but will investigate.

They discussed the old town hall area. It is not included and needs to be rezoned. They will work with CPC. They wondered if they could use the funds to build a building. Jim L. said he didn't think you could build a building on land you own, but could buy land and build on that.

Jack discussed the school building project and said that the people who have an interest in becoming a member all have different agendas. Jack said we already have an energy person in Andy Bakinowski, who is a member.

The Board said they are working with Recreation to address the old town hall issue. In order to utilize the old town hall, they need to find a home for Recreation.

Butch said they need to address zoning, gas and storm water in the B1 district.

### **TOWN ADMINISTRATOR REPORT**

Jack discussed budgets briefly. He said we need to get an update from the Planning Board of projects they see on the horizon in the next three years. That way they can get a potential of revenue in the next 3 years. Hopefully, this next fiscal year is the bottom of the barrel.

### **Action Items**

Jim Tomaszewski moved to award a contract to Layne Christensen Company of Dracut, MA for construction services for the Spruce Road Replacement Well Pump and Pitless Adapter. Rob Garrity seconded, and it was **so voted**.

### **Old Business**

Jack said that Stop & Shop and Walgreens developer met with the Planning Board and it was a very successful meeting. They will build the road, lights and sidewalk and turn the building over to Walgreens who hopes to open on or about April first.

### **New Business**

Jack told the Board that budgets are due this week from department heads.

He also told them that our "new" ambulance is out of commission temporarily, and we are using ambulance 2 as the main ambulance. We have borrowed one from Franklin as a backup.

### **ACCEPTANCE OF MINUTES**

Jim Tomaszewski moved to accept the minutes of October 19, 2009; October 22, 2009; October 29, 2009; November 2, 2009; November 16, 2009- regular and executive session; December 7, 2009; December 15, 2009 – two special meetings; December 21, 2009; January 4, 2010; January 11, 2010; and January 25, 2010, regular and executive session. Rob Garrity seconded, and it was **so voted**.

At 9:37 p.m., Rob Garrity moved to go into executive session for pending litigation. The Board will not return to open session except to adjourn the meeting. Jim Tomaszewski seconded, and it was a roll call vote: Jim Tomaszewski, **aye**; Jim Lehan, **aye**; and Rob Garrity, **aye**.

At 9:52 p.m., Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of February 22, 2010.

  
James M. Tomaszewski, Clerk

THIS PAGE INTENTIONALLY LEFT BLANK.

Read by RM

My name is Richard Morris, I live at 7 Malcolm Street I request that my remarks be included in the minutes of this meeting. Recently we were notified by mail, as required by law, that one of our neighbors on Ware Drive requested a variance to add a carport to their home but they were denied that variance because the previously poured concrete slab was one 3 foot over the required distance to the property line of the abutting property. That was unfortunate because they have done a wonderful job remodeling that 50's ranch house. I speak as an emeritus Associate of the AIA, the 50's were not our best period of small house architecture. I live in one. They have needed a lot of improvements.

We have been listening to talk this evening about possible changes to Bicentennial Park on Rockwood Road to include (at some time in the future) an access road through the Park to the newly proposed elementary school which the town recently voted to erect. The Park land proposed for this access road is neither appropriate nor indeed feasible for such a purpose..

<sup>Zoning</sup>  
The bylaws of the Town of Norfolk clearly state that a street must have 60- feet for access which may, if issued a variance, be reduced to 50 feet. The Bicentennial Park property, deeded to the town in 1976 as open space for a park, has at its access on Rockwood Road precisely 40 feet, with 159.26 feet on its easterly boundry which is the Grange Hall historic property; and on its northerly boundary 200 feet of residential property. The entrance to Bicentennial Park was designed and meant to be a footpath into the Park, thus the very narrow strip of land at its entrance.

An Access Road into that Park area would require a 20 foot variance, 10 more than that already available, in order to be constructed. A family in this same neighborhood which abuts Bicentennial Park could not get a one foot variance to build a simple car port.. Thank you.



March 8, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7:03 p.m. Jack read the agenda contents.

### **WATER RATE HEARING**

Present was Remo Vito, DPW Director and Bob McGhee, DPW Superintendent.

Jim Lehan read the public hearing notice. Rob Garrity moved to open the public hearing. Jim Tomaszewski seconded, and it was **so voted**.

Butch reviewed the water budget with the Board. The goal is to bring in a Superintendent and phase out the consultants.

The Board wants to see weaning the consultants and said it isn't showing a savings until FY12. They are concerned about this. There was much discussion.

The Board reviewed the budget and the rates with handouts from Butch.

Charles Jones, a resident in attendance said he would like to pay Walpole and not Norfolk for his water. Some of his property is in Walpole and some is in Norfolk. Walpole furnishes the water. Butch said Walpole doesn't have the power to lien, so they would rather bill Walpole and we add on an administrative fee. Mr. Jones has half of an acre in Walpole and they consider him a resident.

Jim said the policy has to be consistent with all residents and towns. Butch will review this with Walpole, because Daisy Drive residents have Walpole water, too.

Butch said rates that need to go up are anything to do with labor costs and insurance, etc. Any cost that increases. Butch said application fees, residential inspection, non-residential inspection, fire services, pressure testing, etc. He said fees haven't been increased since 2004. Butch said our fees are lower than other towns. Jim T. would like a survey done on the \$1650 and the \$800 fees to see how they compare with other towns.

Rob Garrity moved to continue the water rate public hearing to Monday, March 22, 2010 at 7 p.m. Jim Tomaszewski seconded, and it was **so voted**.

The Board discussed the Solid Waste budget.

Butch said he will not hire someone to replace Sonny (foreman of the Transfer Station), who retired. There is a \$35,000 reduction on this side. The new manager has taken over and they are going to try working with part timers instead of full time. Bob McGhee said he would like two compactors to crush plastics and cardboard which will reduce tonnage from taking one ton per trip to an increase of 6 tons per trip.

Bob felt we should get two compactors this year, and we would definitely save money. Compactors are being given away, and there are probably grants out there.

They discussed Fridays not being a productive day for landfill personnel. The Board discussed moving to town bags instead of bag stickers. It would be easier to spot a certain colored bag than look for the sticker.

Jim Tomaszewski moved to approve the solid waste budget. Rob Garrity seconded, and it was **so voted**.

#### **WARRANT**

The Board reviewed the draft warrant. The Board supports wage increases.

The Board agreed we cannot fund a Capital Budget, unless prison mitigation comes back.

#### **ACTION ITEMS**

Jim Tomaszewski moved to approve a request from the Historical Commission to use the Gazebo and Town Hill for their *History on the Hill* programs on Wednesdays, April 28, June 23 and August 25, 2010 at 7 p.m. (Rain dates will be in Room 214, Town Hall). Jim Lehan seconded, and it was **so voted**.

Jim Tomaszewski moved to approve a request from Norfolk Garden Club to use the Gazebo and Town Hill for their perennial plant sale on Saturday, May 22<sup>nd</sup> from 9 a.m. to noon. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to approve the annual Easter Sunrise Service for the Federated Church at Norfolk Cemetery on Sunday, April 4 from 6:15 to 7:30 a.m. Jim Tomaszewski seconded, and Jim Lehan abstained from voting. It was **so voted** by Rob Garrity and Jim Tomaszewski.

Jim Tomaszewski moved to approve the annual Norfolk Baseball parade at 12 noon on Saturday, April 24<sup>th</sup> – regular route with the provision that they contact Chief Stone for police details. Rob Garrity seconded, and it was **so voted**.

### **BUDGET DISCUSSION**

Arlie Sterling was present to hear the budget.

Jack reviewed the budget.

The Board discussed snow and ice. Arlie questioned why not \$300,000. Jack said he makes no promises that he will find the money in other budgets because he raided them all in January. Jack would like to see \$200,000 or \$225,000.

Jim said the Board needs to give Jack a start to building a balanced budget. Should the Board stipulate what is non-negotiable? Jack needs to build it from the basics up. Some people can't do 4%.

### **WARRANT**

Jim Tomaszewski moved to close the warrant. Rob Garrity seconded, and it was **so voted**.

At 9:57 p.m., Jim Tomaszewski moved to go into executive session for collective bargaining and litigation. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan, **aye**; and Jim Tomaszewski, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:15 p.m., Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of March 8, 2010.

  
James M. Tomaszewski, Clerk

## SPECIAL MEETING

March 18, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Also present was Fire Chief Coleman Bushnell, Building Commissioner Robert J. Bullock and George J. Hall, Town Counsel.

Jim Lehan called the meeting to order at 10 a.m.

Chief Bushnell spoke with the Board to discuss the possibility of future endeavors, none of which have taken place at this time, but wanted to inform the Board of what was going on.

At 10:10 a.m., Rob Garrity moved to go into executive session to discuss strategy with respect to collective bargaining or litigation. Jim Tomaszewski seconded, and it was a roll call vote: Jim Tomaszewski, **aye**; Jim Lehan, **aye**; and Rob Garrity, **aye**.

At 11:45 a.m., the Board returned to open session and continued discussions with Bob Bullock and Butch Vito. Also present was Bob McGhee.

The Board discussed the budgets of the building department, town hall, library, police/fire building and old town hall. Comments were made about energy usage between the various buildings, with the senior center having larger energy usage than any of the other buildings. Bob said his budget is very tight, especially with 4% below and will have to take monies out of housekeeping, because he has not budgeted much into maintenance, which is at risk if he has a major problem.

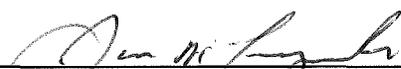
They then discussed the budget for the landfill. Bob McGhee also joined in. They reviewed the budgets at level funded and 4% below. There was a great deal of discussion about acquisition of additional containers to help with recycling, and help with the costs which will save a second trip which will help with gasoline and give us a higher payback on the recyclables. Bob will research further and get back to the Board.

Rob brought up zoning in the B1 district down close to the old town hall. There is talk of development of multi-units properties. After some discussion, it was decided not to push this for the spring town meeting, but rather delay for the fall

town meeting. Reasons given were to do more preparation with the various boards so to provide a united recommendation by the fall town meeting.

At 12:15 p.m., Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of March 18, 2010.



---

James M. Tomaszewski, Clerk

March 22, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan opened the meeting at 7 p.m. Jack Hathaway read the agenda contents.

Boy Scout Troop 80 was in attendance for a badge requirement. Scout Masters John Buchholz and Greg Mirliss accompanied them.

### **WATER RATE PUBLIC HEARING – Continuation**

At 7 p.m. Jim Lehan reopened the public hearing for water rates. Jim Tomaszewski moved to reconvene the water hearing. Rob Garrity seconded, and it was **so voted**.

Present was Remo Vito, DPW Director and Robert McGhee, Highway Superintendent.

Rob questioned when the rates go into effect. Butch said July 1st.

The Board questioned the betterments that just went out. Butch said it was for Park Street and Bush Pond Road - about 42 people.

Jim L. wants to minimize this. He wants to do 5% and not have a deficit. He said we can revisit it next year or in 3 years. He doesn't want to nickel and dime it.

Butch said there has been dropped revenue. Jim T. said we should go with 8% because the retained earnings are low. Jim L. wants to go with 5% and if we have to revisit it in a year, we can.

The Board is concerned about retained earnings being low as revenue has dropped. If we have a problem, there are no retained earnings. Rob prefers to do it yearly than to build it up.

Greg Linde, 24 Medway Street questioned about people on wells who have access to fire protection. Why aren't they charged anything? Jim Lehan said we have talked about it and he would say most people on wells do not have access to town water.

Rob Garrity moved to set the Fiscal 2011, 5% higher than the Fiscal 2010 rate. Jim Tomaszewski seconded, and it was **so voted**.

The Board discussed increasing fees. Jack said that our revenue is low, too. Jim Lehan moved to hold fees to current rate and adjust backhoe inspections to \$66. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to close the hearing. Jim Tomaszewski seconded, and it was **so voted**.

## **ENERGY COMMITTEE**

Present was Rita Advani and Bill Behling, Energy Committee members.

Rita gave the Board a handout on the Landfill Solar PV Project prices. She met with the State this morning, and it doesn't appear that the rebate will be available. If not, that makes this a marginal project. Jim asked if we bond this now, can we get the rebates in the future.

Rita said that they probably wouldn't go forward with the project, based on the information they found this morning. They do have an article on town meeting. Butch said to tailor the article contingent on a grant and go from there. Then we are aligned to go if something happens.

Rob said that if we were a green community, there is \$4 million out there we could go for.

## **DEPARTMENTAL BUDGET REVIEW**

### **Library**

Harvey Boulay, Library Trustee, and Robin Glasser, Library Director present. Harvey said they need help so they won't get decertified. This year they got a waiver. He said they have been working with the Energy Committee in trying to save energy. Their electric bill right now is \$45,000. They feel they can save.

Robin gave the Board a pie chart. They are one of the smallest budgets in town.

Robin said a 4% cut can only be hours. They would have to cut 7 hours. They would be 41 hours. 40 hours is minimum and 39.5 is decertified. The Library survives with volunteers.

### **Town Clerk**

Gail Bernardo present. There are not a lot of places to cut in her budget. She said she just lost a second assistant town clerk because the position isn't full time. Gail said she had to cut her office hours so that she can get work done. Her office has already been impacted, and she can't lose anymore staff. She said she can't be cut 4%. Elections budget is done by the state. Cutting assistant town clerk back to 20 hrs. It is not beneficial to cut training.

Gail said she doesn't have to offer passport services. It brings in \$5,000 to \$12,000 in revenue.

Gail said cutting the grade on the assistant town clerk from 9 to 8 only removes \$1,000. In most towns, offices are open 5 days, with a ½ day on Friday.

### **Fire Department**

Chief Coleman Bushnell gave a presentation on his budget and where they are.

Rob thanked the department for taking the wage freeze.

### **Police Department**

Chief Charles Stone said he has four budgets - Animal Control, Animal Inspector, Dispatch and Police.

Chief Stone has two budgets. He would have to cut \$169,000 which would mean he would have to cut two officers. He will try on the day shift not to replace and he and Jon are there.

Chief Stone said it was 1994 since he has had a new man. Three officers were laid off in 1996. Losing two men will put him back to 15 officers and 1985.

### **Department of Public Works**

Remo Vito, DPW Director and Robert McGhee, Supt. of Public Works present.

The Board reviewed the budget with Butch and Bob.

### **ACTION ITEMS**

Rob Garrity moved to approve the annual Connor's Fun Run for Sunday, May 23, 2010 beginning at 10 a.m. at the H. Olive Day School, contingent on Chief Stone's approval of police details. Jim Tomaszewski seconded, and it was **so voted**.

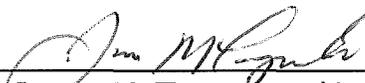
### **OLD BUSINESS/NEW**

The Board discussed the Myrtle Street intersection and the site distance issue. A resident requested putting up a mirror.

Chief Stone said a mirror is not a legal remedy and would discourage it. Butch Vito said they are working on that intersection to relieve the site distance problem.

At 10:50 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of March 22, 2010.

  
\_\_\_\_\_  
James M. Tomaszewski, Clerk

## SPECIAL MEETING

March 24, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

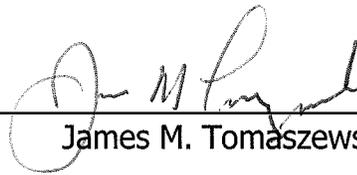
Jim Lehan called the meeting to order at 7:45 a.m. Rob Garrity moved to go into executive session to discuss strategy with respect to collective bargaining or litigation. Jim Tomaszewski seconded, and it was a roll call vote: Jim Tomaszewski, **aye**; Jim Lehan, **aye**; and Rob Garrity, **aye**.

After a brief break, at 10:30 a.m. the Board returned to open meeting.

The Board continued discussion of the budget issues. We agreed that since we are meeting with the Advisory Board on March 31<sup>st</sup> at 7:30 p.m., we need to get ready for that meeting and that would mean another meeting next week. We agreed to meet at 1 p.m. on Tuesday, March 30th. The Board and Jack discussed the potential of an override on a ballot this spring. This would mean an override budget and a balanced budget. The challenge is to put together the balanced budget which will be at a 4% decline. There will be a lot of discussion on how to build this budget. Instructions were given to Jack with some insight to build the balanced budget and to layer in a third pad for an override based on what he feels we need, and we will review that next Tuesday after 1 p.m.

At 11:45 a.m., being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of March 24, 2010.



---

James M. Tomaszewski, Clerk

April 5, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7 p.m. Jack Hathaway read the agenda contents.

### **BUDGET PRESENTATION**

Jack gave an FY11 budget presentation that was presented and discussed with the Advisory Board last Thursday. They hoped this would give the residents a detailed recap of the budget.

### **WARRANT**

The Board numbered the warrant. The meals tax article will go after the budget. The ZBSC article will go at the end of those articles.

### **TOWN ADMINISTRATOR REPORT**

Jack mentioned that he dealt with weather related issues last week due to the flood. He said he spent considerable time with the Fire Dept. to see what the extent of the damage was. Tucker Road is still closed. Miller Street is now open.

Jim L. said that he would like the Board to consider waiving transfer station fees to people who have to get rid of a television that was in their basement under 2 feet of water. Rob said he would be okay to waive the bulk fee, but leave the electronic fee alone. Jim L. suggested having one day at the transfer station that residents could get rid of bulk only. It doesn't matter if they have a sticker or not. Ray Angelone, a resident, mentioned that some of them have already gotten rid of their bulk. It doesn't seem fair to them, and what about contractors who will dump stuff that they charged residents for.

Jim L said they would like to do something on the 17<sup>th</sup>. Jack said he would hope the DPW would be lenient. Jim T. moved that this Sat. April 10<sup>th</sup> we open the Transfer Station to all Norfolk residents, stickers and not, to drop off items ruined in the flooding of the past week at a normal fee with discretion. Rob Garrity seconded, and it was **so voted**.

### **ACTION ITEMS**

Jim Tomaszewski moved to allow the Norfolk Grange to conduct their first Norfolk Clean & Green Campaign on May 1, 2010 and to use the Old Town Hall as collection site and to approve the cost of the disposal of litter collected during this event. Rob Garrity seconded, and it was **so voted**.

**OLD BUSINESS**

Jim said that he and Jack were to meet on Monday with Caritas to discuss cleanup of the Southwood property. The meeting was cancelled because Caritas sold the property to an Italian for-profit company. This will be a good thing for us, but everything with Caritas is now on hold.

**NEW BUSINESS**

Rob said that he was asked about the new boiler at the new school. Jack said the gas company wanted to charge and they want to charge \$211,000 to bring gas into that facility and the center of town. The Board felt that will be a win for the Town. It's a very good cost.

Rob asked if the access roads were discussed. Jack said he didn't make it to the meeting last week because he had a conflict. Jim L said they are talking of an alternate way to get equipment in, etc., but not in means of an access road per se. The Board was concerned about safety of the kids and parents because school will be in session while they do the work, and construction equipment in and out of there is terrifying without an alternate route.

Jack said some Town Administrators have been getting together in Walpole. They invited Selectmen to attend this Thursday, the 8<sup>th</sup>. Jim Lehan will attend.

At 8:07 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of April 5, 2010.



---

James M. Tomaszewski, Clerk

## SPECIAL MEETING

April 7, 2010

Present was Robert J. Garrity, James M. Tomaszewski and Marian Harrington, Executive Assistant.

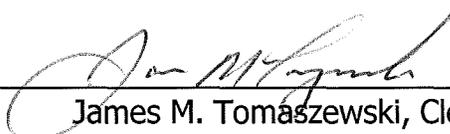
Also present was Scott Bragdon, formerly of the Personnel Board.

This meeting was to discuss Board of Selectmen policies. The meeting was scheduled for 9:30 a.m., but actually convened at 9:40 a.m.

We discussed a number of changes to the bylaws. Scott had done some prior work on this, and described his efforts up to that point. He stated the personnel bylaws needed no changes. His proposed nepotism policy is complete. He completed the roundabout policy, which involved no solicitation or stopping of vehicles. He stated we need the policy of the town center banners. Marian Harrington stated that we should incorporate the new open meeting law into the bylaws, at which point the new open meeting law was finalized. The section that we need to review and establish is a revised record retention policy. Subsequent to the issues with the Horse N' Carriage, review of the existing liquor violation policies and proposed changes were discussed.

At 10:20 a.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of April 7, 2010.

  
James M. Tomaszewski, Clerk

## SPECIAL MEETING

April 20, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Jim Lehan opened the meeting at 1:05 p.m.

Jim Lehan said that the purpose of this meeting was to open the town meeting warrant, review health insurance proposals and then go into executive session.

Rob Garrity asked about changing the wording of the solar article submitted by the Energy Committee. It currently says \$320,000. After discussion with the Advisory Board, he suggested changing the amount to \$500,000 to do a larger system and it would help with obtaining grant money. The Board will discuss this further later.

At 1:16 p.m., Rob Garrity moved to go into executive session to consider the discipline or dismissal of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual. Jim Tomaszewski seconded, and it was a roll call vote: Jim Tomaszewski, **aye**; Rob Garrity, **aye**; and Jim Lehan, **aye**. The Board will return to open session.

At 2:25 p.m., the Board returned to open session.

Rob Garrity moved to open the warrant. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan mentioned that a petition article had been received months ago, and needed to be put onto the warrant. The Town Clerk has certified all the signatures. It was agreed by all the Board members that this should go on the warrant and agreed to place it as Article 7.

Rob Garrity moved to amend Article 29 as written for discussion purposes. Jim Tomaszewski seconded, and it was **so voted**. Rob said that we need this amount (\$500,000) in order to be shovel ready for grants. They do not want to have to call a Special Town Meeting to get grants. Jack said they could put this on as an override. The Board agreed, but felt that putting this on as an override would kill the other two overrides.

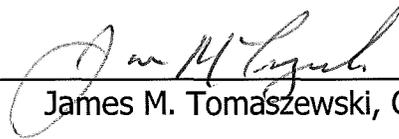
Rob Garrity moved to amend the amount in the solar article from \$320,000 to \$500,000. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to close the warrant. Jim Tomaszewski seconded, and it was **so voted**.

The Board briefly discussed the need of the Town Clerk to have a fax machine in her office. Jack said that this whole issue will be remedied in a few weeks, and we will all have faxes on our desktops.

At 2:45 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of the Board of Selectmen of April 20, 2010.



---

James M. Tomaszewski, Clerk

April 26, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7:03 p.m. Jack Hathaway read the agenda contents

### **BUDGET PRESENTATION**

Jack did a Power Point presentation giving a brief overview of the budget.

Jack and Jim L. will meet with the school on health insurance changes tomorrow.

Jim Lehan said that we had the mandatory town meeting preliminary meeting with Dan Winslow, Moderator. The consent agenda will not include Chapter 90 monies so that we can explain what it is.

### **NEW/OLD BUSINESS**

Rob discussed the Rt. 115 project and suggested residents find alternate routes.

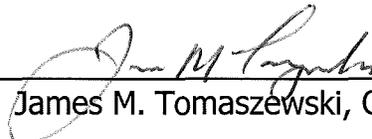
Jack mentioned that Governor Patrick will be at the Library on May 15<sup>th</sup>. Anyone wishing to attend needs to contact the Norfolk or Walpole Town Committee to reserve a spot as there is limited space. This is a campaign event, sponsored by his campaign.

Gov. Patrick has assistance for towns for some of our costs for the flooding. Homeowners have already been able to obtain or apply for assistance.

Jack mentioned that the Fire Chief is coming in for a transfer of funds to town meeting to help cover for three on-the-job injuries.

At 7:57 p.m., Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of April 26, 2010.

  
James M. Tomaszewski, Clerk

May 10, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order at 7 p.m.

### **ACTION ITEMS**

Rob Garrity moved to approve the request of the Norfolk Lions to solicit at the Transfer Station on Sat., June 5, 2010 from 8 a.m. to 4 p.m., brochures and golf ball numbers for events at Community Day. Jim Lehan seconded, and Jim Tomaszewski abstained as he is involved in the event. It was **so voted** by Rob Garrity and Jim Lehan.

The Board discussed appointing a member to the School Building Committee, replacing Dennis Stone who resigned. Beth Gilbert is interested and is already a member through the school; however she is getting off the School Committee as she chose not to seek re-election. Jim Tomaszewski moved to appoint Beth Gilbert to the School Building Committee. Rob Garrity seconded. Rob thinks she has a combination of experience that will be very useful. Jim said we had other candidates that would be good as well, but since Beth is already on the committee she has institutional knowledge. It was **so voted**.

Jim Tomaszewski moved to approve a three-year contract to New England Uniform of West Springfield, MA for uniform rentals for School and DPW. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to set the town contribution for health insurance to 63% this year. Jim Tomaszewski seconded, and it was **so voted**.

### **WARRANT**

The Board reviewed the warrant and decided who will speak to the articles.

### **RESERVE FUND TRANSFERS**

The DPW requested a transfer, however, Jack explained that the funds may be coming back to us in a grant, so they are going to sit on it for now.

The Fire Department requested transfer is mostly due to sick time.

Jack said that he is going to sit down with the Town Accountant and see if some of this can be transfers at town meeting, instead of Reserve Fund Transfers.

**OLD BUSINESS**

Jack said the School Building Committee is still meeting weekly.

Jack relayed the Disaster Assistance for flood victims which was recently given to us.

Jack talked about the budget. All information is online and people can call him with questions.

Jack said we will be doing the water meeting as a work session.

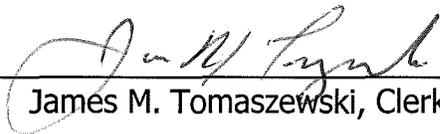
Rob mentioned election tomorrow and urged everyone to get out and vote.

Jim Lehan mentioned that with the election being tomorrow, it has been a pleasure serving as chair. He hopes to win tomorrow night, and said the Board will reorganize after the polls close.

At 7:45 p.m., Jim Tomaszewski moved to go into executive session for contract negotiations/collective bargaining. The Board will not return to open session except to adjourn. Rob Garrity seconded, and it was a roll call vote: Jim Tomaszewski, **aye**; Rob Garrity, **aye** and Jim Lehan, **aye**.

At 8:03 p.m., being no further business, Rob Garrity moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of May 10, 2010.



---

James M. Tomaszewski, Clerk

## SPECIAL MEETING

May 11, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Marian Harrington, Executive Assistant.

The meeting was held at the H. Olive Day School at the conclusion of the annual town election.

Jim Lehan called the meeting to order at 8:37 p.m. to reorganize the Board.

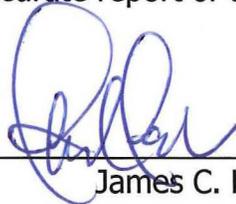
Jim Tomaszewski moved to nominate Rob Garrity as Chairman. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to nominate Jim Tomaszewski as Vice Chairman. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to nominate Jim Lehan as Clerk. Rob Garrity seconded, and it was **so voted**.

At 8:40 p.m., Rob Garrity moved to adjourn the meeting to Tuesday, May 18, 2010. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of May 11, 2010.



---

James C. Lehan, Clerk

## SPECIAL MEETING

May 18, 2010

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski, Jack Hathaway, Town Administrator, and Marian Harrington, Executive Assistant.

Also present was Gail Bernardo, Town Clerk.

The meeting took place at 11:07 p.m., immediately following the annual town meeting at King Philip Middle School, Norfolk.

The Board discussed calling a Special Election with respect to the override voted at town meeting tonight.

Jim Lehan moved to call a Special Election on June 22, 2010 for the following ballot question:

Shall the Town of Norfolk be allowed to assess an additional \$1,067,157 in real estate and personal property taxes for the purposes of funding Municipal and School budgets for the fiscal year beginning July 1, 2010.

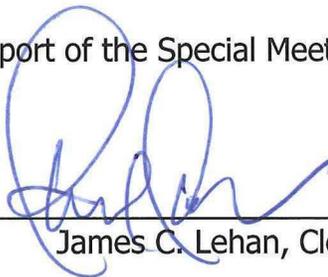
Yes \_\_\_\_\_

No \_\_\_\_\_

Jim Tomaszewski seconded, and it was **so voted**.

At 11:09 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of May 18, 2010.



---

James C. Lehan, Clerk

## SPECIAL MEETING

May 25, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, and Jack Hathaway, Town Administrator.

Also present was Remo R. Vito, DPW Director and Bob McGhee, DPW Superintendent.

Rob Garrity called the meeting to order at 1:00 p.m.

This was a working session on DPW matters.

The Board discussed mainly the water leak issues and residents not responding to repairing them. Other topics discussed were roads, transfer station, and pending projects.

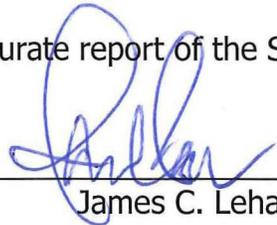
The Board discussed the Rt. 115 project and impacts to that.

Bob asked the Board to approve the SERSG contract award for DPW supplies, per the attached list.

Jim Tomaszewski moved to award contracts to the bidders listed on the attached form for SERSG DPW Supplies, effective July 1, 2010. Jim Lehan seconded, and it was **so voted**.

At 2:53 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of May 25, 2010.



---

James C. Lehan, Clerk

June 14, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob Garrity called the meeting to order at 7 p.m. Jack Hathaway read the agenda contents.

### **BOARD LIAISONS AND GOALS**

The Board discussed board/committee/departments liaisons. It was decided to continue with the liaisons they had last year as they were familiar with the departments and what they were working on.

The Board discussed their goals. They reviewed the current goals and where they are with them right now.

The Board discussed goal #7 which is energy programs to help town departments reduce energy costs. Rob said that if you become Green Community certified, you can get grants. He said some towns are certified for the stretch code.

The Board will work on goals and get them to Jack who will formulate them. Each member took two goals, and Rob will work on three.

### **APPOINTMENTS**

The Board voted the following appointments:

Jim Lehan moved to appoint Thomas Terpstra, Nancy Wirtes, Kent Schenkel and Charlotte Norris to the ADA Compliance Committee, term to expire 6/30/11. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Scott Dittrich, James Lehan and John Weddleton to the Municipal Affordable Housing Trust, term to expire 6/30/12. Jim Lehan abstained as he is on the Trust. Rob Garrity seconded, and it was **so voted** by James Tomaszewski and Rob Garrity. Jim Lehan did not vote.

Jim Lehan moved to appoint Joseph Flanagan to the Zoning Board of Appeals, term to expire 6/30/2015. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to appoint Girard St.Amand and Mary Ellen Horgan-Currier to the Board of Registrars, term to expire 6/30/13. Rob Garrity abstained from voting as he is related to Mr. St.Amand. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Jack Hathaway, Jamie Masterson, John Spinney and Jonathan Smith to the Cable Advisory Committee, term to expire 6/30/11. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Raymond Ewer and James Raynor to the Capital Outlay Committee, term to expire 6/30/12. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Paul Terrio, Precinct 1 and Elizabeth Whitney, Precinct 4 to the Community Preservation Committee, term to expire 6/30/2013. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Ellen Friedman to the Conservation Commission, term to expire 6/30/13. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Kevin Roche and Melissa Wainwright to the Corrections Advisory Committee, term to expire 6/30/11. Jim Lehan seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint William Atwater and Elisabeth Vallee to the Council on Aging, term to expire 6/30/13. Jim Lehan seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint John Buchholz to the Design Review Board, term to expire 6/30/13. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Robert Nicodemus, Walter Byron, Lori Scholl, Gregory Mirliss and Mark Nelson to the Economic Development Committee, term to expire 6/30/11, contingent upon the Planning Board voting as well (joint appt. between two boards). Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint William Behling and Lynn Gilleland to the Energy Committee, term to expire 6/30/13. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Sandra Paquette, Thelma Ravinski and Betsy Pyne to the Historical Commission, term to expire 6/30/13. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint James Dyer, Eric Dupont and Bradley McCreedy to the Insurance Advisory Committee, term to expire 6/30/11. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint David Wildman to the Norfolk County Advisory Board, term to expire 6/30/11. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint John Silveria to the Norfolk Elementary Education Foundation, term to expire 06/30/13. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Gregory Mirliss as the Associate to the Planning Board, contingent upon an affirmative vote from the Planning Board (joint appt. of the two boards). Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Ari Alpert, Jack Campbell, Eric Carlson and Thomas Doyle to the Re-Engineering Committee, term to expire 6/30/11. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Anthony Mastroianni as Veterans Agent, term to expire 6/30/11. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint John Olivieri as Veterans Graves Officer, term to expire 6/30/11. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint John Wayne to the Zoning Bylaw Study Committee, term to expire 6/30/11. Jim Tomaszewski seconded, and it was **so voted**.

## **TOWN ADMINISTRATOR REPORT**

### **New Business**

Jack Hathaway mentioned the Board of Health bids. They will open tomorrow in his office.

Jack discussed the School Building Project, and the gas company working on availability of gas to the school.

Jack reported that Thursday will be Supt. Don LeClerc's last day.

Jack reminded everyone that July 1 is the scheduled date of implementation of the new Open Meeting Law.

He told the Board that we have received a letter from the Town of Mt. Washington (MA) regarding concerns over potential legislation related to the Wind Energy Siting Reform Act.

Jack said we received a check for \$56,000 from the bankruptcy court with respect to Call & Wait Auto for reimbursement of legal fees.

Jack said that they have an interview committee for the Water Superintendent, and will be conducting interviews this week.

Jack will be scheduling interviews for the position of Town Counsel. He has received packages from five firms.

### **Access Road**

Rob asked about the access road and what the SBC is thinking. Jack said they haven't really weighed in on it. A traffic study was done, and they need to review it and get it to Jack. Jack said both Chiefs feel the real goal here is to spread out the traffic, not have it all in one spot. They want relief to Boardman.

Rob said he's been dealing with this for two years. He would like closure. He would like to meet with the Chiefs. Jim doesn't think it's that simple. He said construction equipment is a concern and not having the equipment near the kids. They need a secondary access to bring the equipment in. SBC needs to make a decision. Rob said he talked with Leo Bedard and he doesn't want the access road.

Jack said that you have three public safety department heads who are against this. They are concerned about traffic circulation in town, and he thinks we should listen to them. Jim L and Rob disagree and said how are we going to pay 1/2 million for it? Jim T doesn't think we will get the construction equipment on a perfect schedule of coming in and staying there all day. Jim T thinks we should get everyone together and discuss it, and the clock is ticking.

The Board discussed the fact that one access on Boardman will be chaos. We need to look at this, and think about it. The fields are there. There was talk about fencing and where the construction equipment, parents, buses, etc. will be.

Jack will send the traffic study to the Board.

Jack said the Bicentennial Park is scary and dangerous. If we don't use it as an access road, we should clean up the park. Police have been there many times, and it is closer to the school now.

Jim L. will talk to the Chairman of the School Committee and attend the meeting Wednesday night. Jim T. will attend as well. Jack said SBC meets Thursday night, and Rob said he will go to the meeting.

### **New Business – Cont.**

Jim T. brought up NCTV going to a private store front as opposed to going to the new school.

The Board noted that both our School Superintendent Don LeClerc and KP School Superintendent Dick Robbat are leaving.

Jack mentioned the new Open Meeting Law taking effect soon, and that we will need to adhere to the new rules.

Jim L. said a gentleman is interested in a 40R project and suggested he contact Rob.

Jim L. would like Chief Stone in before summer is out to discuss an analysis of surrounding communities to compare size, population, circulation, of personnel within Police Departments.

Rob discussed the sign that went up around Memorial Day in memory of Chris Bixby. The DPW put it up and we weren't aware it was going up. Jim T. said that there was no communication as to what the sign was and why, and people were upset because he wasn't a vet. Sign was too big and people didn't understand what it was and the timing was wrong. The sign was removed, and we will re-think the process. Jack said that the Bixby family was in favor of it.

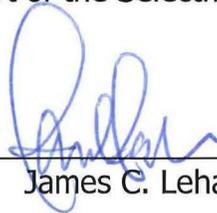
### **ACCEPTANCE OF MINUTES**

Jim Tomaszewski moved to accept the minutes as listed on the agenda. Jim Lehan seconded, and it was **so voted**. (Minutes approved were February 8, 2010; February 22, 2010 – regular and executive session; March 8, 2010 - regular and executive session; March 18, 2010 - special and executive session; March 22, 2010; March 24, 2010 – special and executive session; April 5, 2010; April 7, 2010 – special meeting; April 20, 2010 - regular and executive session; April 26, 2010; May 10, 2010 - regular and executive session; May 11, 2010 – special meeting; and May 18, 2010 – special meeting.)

Jack announced that Jim Murray, our Gas Inspector will retire June 30<sup>th</sup> after 43 years.

At 8:47 p.m., being no further business, Jim Lehan moved to adjourn the meeting in memory of Charles H. Stone, father of Chief Charles H. Stone, Jr. Mr. Stone was a life resident of the town, and long time member of town boards. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of June 14, 2010.



---

James C. Lehan, Clerk

June 21, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob Garrity opened the meeting at 7 p.m. Jack Hathaway read the agenda contents.

### **TOWN COUNSEL INTERVIEWS**

#### **ANDERSON & KREIGER, LLP.**

George Hall and Nina Pickering present. George spoke and said that he has brought Nina with him as she has worked on town business, namely Call & Wait. George touched on criteria we have asked for. George said he has expressed a willingness to do them, but hasn't done them as he would charge for them. They are willing to put on a finite number of in person training seminars quarterly at no charge. He suggests targeting staff, such as records management, etc. He can again do volunteer board topics. He would do what we feel is most useful, but they also have their own ideas. George feels the in house staff should be properly trained.

George said they have done a good job in the past in managing the town's litigation. He said they have been good at strategically identifying the key cases. He said that now is the smallest litigation they have had since being counsel. Some of it is because of the decline with land use boards, but also knows the town and is well positioned to work with the town and identify the needs.

Jim Lehan felt that having the opportunity to work with you for 6 years, you have done a good job. Jim felt the single issue we all share is timeliness. Jim explained we have sent you two-page contracts that take 6-8 weeks to get back. We can fix that. Seminars we need to fulfill. We need to do this on a regular basis. George appreciates what we feel needs fixing. The town has changed in the 12 years he's been here. George is trying to get more people in his firm involved in providing services to us. George said with contracts, we send them to him all signed and negotiated. He should receive them first; review and sign, and then everyone else can sign. Jim L. said have a procedure in place with a timely response. We need to set up a proactive system with Town Counsel to get it working.

Jim Tomaszewski said that town meeting day is crucial. We have been at 5 p.m. with no answer yet to questions and motions.

Rob Garrity said municipal law at 7. Slowly declining, or building up? George said they are not declining. Steady and slightly growing. The team they have is a positive for them.

Jack complimented Christine Griffin. He felt she was an asset and has helped us immensely.

Rob asked George about his fee. Is it up for negotiation? George said he's open, but it's already lower than what they usually charge municipalities.

**BLATMAN, BOBROWSKI, & MEAD, LLP**

Jay Talerma and Lisa Mead were present.

Jay Talerma said he had been town counsel with Kopelman & Paige and the firm he is currently with. Lisa Mead was former Mayor of Newburyport.

Jay said he proposed three methods of flat fee arrangements. We will get a partner heavy experience. They will be here for us for preventive medicine. Jay feels that being local – office and home is a plus. Jay and Lisa each present something the other doesn't.

Jay said they are different because they offer a flat fee arrangement; not a true retainer. You pay the same every month. It can work either way. We may make out; they may make out. He is very comfortable with municipal government. They keep a monthly track of the work, but it's the same every month. They try to be more of an extension of town government than just being an attorney.

Jim Tomaszewski mentioned availability, especially on town meeting day or before. Jay said they are trying not to get too large. He said it will be primarily he and Lisa, with Mark helping on land use. Jay blocks out town meeting week for towns. He drafts motions and does pre-town meetings.

Rob said that Jay is a resident and passionate and how would being an employee work? Office hours? Lisa said they go in to their town once a week, and all the business is taken care of that day while they're there. Jay said he wasn't sure at first what he would get with office hours, and they find it works very well.

Jim Lehan said no services with labor relations? Jay they have thought about bringing someone on, but hasn't been cost effective for them or towns. He would farm it out and use contacts. Jim asked which of the three fee schedules is most popular with other towns. Jay said two or three. No one has used option one. Option two is the best.

## BRACKETT & LUCAS

Gary Brackett was present. He said he has been a public attorney for 35 years.

Rob asked about town meeting. Gary said with respect to town meeting, he will draft articles, warrants – whatever we need. He works with bylaws, both general and zoning. Pre-town meeting warrant review. He would have his backup counsel handle 40R's and all that type of issues.

Jim L. asked about seminars and preventive measures. Gary said they do provide training and programs with employees and/or board and committee members.

Jim Lehan asked about firm. Growth? Are you able to take on new clients? Gary said absolutely. They evaluate that when answering an RFP. When getting ours, he answered as soon as possible because he felt comfortable.

Jim Tomaszewski asked how you picked up Rowley and Shirley. Have you lost anyone? Gary said they got Rowley and Shirley because they dropped Kopelman & Page and he offered services they were looking for. He was dropped by a town that wanted to save money.

Jack Hathaway asked how he would assist in labor issues. Gary said he would meet with Jack and the department head or counsel for a union or representative. He could review proposals and help negotiate. He has been involved with grievance arbitration, etc.

Gary said municipal law is his only field.

## MURPHY, HESSE, TOOMEY, and LEHANE, LLP

Robert Mangiaratti and Brandon Moss were present.

Robert Mangiaratti said public sector practice is about 2/3 of their firm. A large segment is school work. He said they are large enough to handle any issue, but small enough to be responsive.

Robert told the Board that Brandon and he would handle Norfolk. They handle Mendon. He's the principal contact for the Selectmen.

He said they are knowledgeable and enthusiastic about the work.

Jim Lehan asked if he's lost any towns. He said no. If anything he is picking up work. Jim said the firm is a largely populated firm. Who will be doing the work? Robert said 80% by the two of them. His colleague does tax title and bankruptcy and foreclosures.

Jim Lehan mentioned responsiveness. You said 24 hrs. and weekends. Robert said they get to know their towns and will sense the needs.

Jim Tomaszewski asked how do you help us prepare for town meeting. Robert said he would review the warrant article by article and identify articles that have issues or concerns. Jim asked what made new clients pick your firm? Robert said in one town he knew the Town Administrator. Another town was dissatisfied with their Town Counsel and met with them and they were hired.

Rob Garrity mentioned 40R and 40B – what experience do you have? Brandon is experienced and has helped review and rewrite zoning bylaws. Jack Hathaway questioned labor relations. Robert said he thought we had separate labor counsel. Mike Lehane is very experienced in labor relations and he almost had him attend tonight.

Rob questioned them being counsel to schools and is this a problem in any towns? Robert said they are very, very careful. It usually works to eliminate problems.

#### KOPELMAN & PAIGE

Len Kopelman, Joyce Frank, Kay Doyle and John Dolan were present.

Len Kopelman said they are a full time practice in every aspect of law. They represent 35% of the towns in the Commonwealth. They have been there, done that for cutting edge, i.e., movies in Plymouth or casinos or wind tunnels.

Jim Tomaszewski asked, you are so large, how do you pull it off? They don't really do cities. They do towns. Cities are disruptive. Joyce Frank will be our primary attorney. You will be given a primary attorney and personalized service, but the other attorneys can assist many problems.

Jim Tomaszewski questioned Beckett in western MA. Len said they got it last week. They needed a new Town Counsel. Westminster – same thing. They have lost clients, but it is usually political. It is mandated that they change. If they are not reappointed, they usually are back.

Rob Garrity mentioned 40B and 40R. Kay Doyle listed many towns they represent. Several complicated, yet several successful ones.

Rob asked about holding office hours. Len said he doesn't recommend nor favor it. He prefers video conference and meet on demand. They will be here any time we need it. Len said he did it, and found it was a waste of time. He said a matter should go through the Town Administrator to decide if it needs to be

referred to Town Counsel. They would rather be productive than just hanging around.

Some of their towns are Walpole, Dedham, and Seekonk.

Jim Lehan asked for a firm you have lost that we can call. Len said Lunenberg.

Jim Tomaszewski asked about town meeting. Joyce said she likes the pre-town meeting and working with the Board and Town Administrator. John said he likes to debrief and talk about what went well, etc.

Rob Garrity asked if Kay would have to get off the Zoning Board of Appeals. Kay said she would have to.

Rob said the Board needs to reach out to communities and do some research and thought.

The Board members picked firms to research. They discussed financials, and Jim L. suggested special counsel for others.

### **NEW BUSINESS**

Jack Hathaway reported the Fire Department had 11 calls in 90 minutes with the lightning storm Saturday. Peter Petruchik and Steve Wood were in charge.

Jim T. brought up the access road. He wanted clarity exactly where we are. Jim T. said the property under consideration at Bicentennial Park is under control of the School Committee, not Selectmen. It is not an issue we can make a decision on. Whether it becomes part of the new school is under the School Building Committee (SBC), not us. Jim T. said he needs to know how they are going to safely get the trucks in and out. That's what the access road would've been for. Jack said there will be fencing and explained where, that will separate and make a difference. They are going to bid in August, and break ground in the fall.

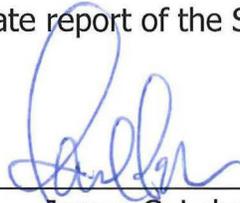
Rob said the department heads are the only ones pushing this. It is a nagging issue that has never been answered. Jack said the department heads have raised safety concerns, one for construction and one for Rockwood Road. Jack said he is tired of being beat up by the residents. Jim said that public safety and DPW have to feel comfortable in making what they feel is their recommendation. That is their job to advocate for public safety. They should be going to these boards to state their case, not the BOS. Jack said even the SBC hasn't been engaged in this. They don't feel it's their purview. They don't care about this. Jim L. said they have to be concerned about this. They have to allow the people who have the level of expertise to present this. Rob says let's put everyone in

one room and get this put to bed. Rob said we could move one boulder at Geneva and have public safety access. He said we need to put this to bed now.

Rob would like one final discussion and said at our July 26<sup>th</sup> meeting to invite School Building, School Committee, DPW and public safety people in. Let's finish the conversation. Due to scheduling, it was moved to July 12<sup>th</sup>.

At 10 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of June 21, 2010.



---

James C. Lehan, Clerk

## SPECIAL MEETING

June 25, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, and Jack Hathaway, Town Administrator.

Also present was Remo R. Vito, DPW Director, and Robert McGhee, DPW Superintendent.

Rob called the meeting to order at 1:00 p.m.

Bob McGhee presented to the Board his proposed road repair schedule.

Jim Lehan moved to approve the first phase as presented. Jim Tomaszewski seconded, and it was **so voted**.

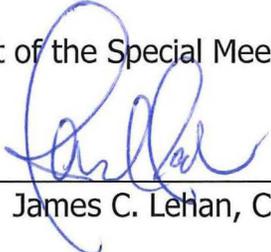
There was a lengthy discussion about the phase 2 and phase 3 road repair schedule. The Board agreed to review these recommendations at a future date.

Butch Vito discussed the loss of water issue. He is to forward to the Board his recommendations for dealing with delinquent home owners who refuse to fix their leaks. The Board will discuss this at their next work session in July. Butch discussed the progress on the wells, filings with the State and the schedule to implement the new chemicals into the water system.

The Board discussed how best to resolve the access road debate and reaffirmed the need to bring all parties together at our July 12<sup>th</sup> meeting.

At 3 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of June 25, 2010.



---

James C. Lehan, Clerk

July 12, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob Garrity opened the meeting at 7 p.m. Rob announced that the meeting is recorded and on television. Jack Hathaway read the agenda contents.

### **ACCESS ROAD DISCUSSION**

Present was: Remo Vito, DPW; Fire Chief Cole Bushnell; Police Chief Charles Stone; Bob Bullock; Leo Bedard, Chair – School Building Committee; and Shawn Dooley, Chair – School Committee.

Rob Garrity welcomed everyone, and explained the purpose of the meeting, which was to discuss if the access road is needed. The access road is proposed off of Rockwood Road between Bicentennial Park and the Norfolk Grange and comes out at the Freeman/Centennial School.

Leo Bedard said the School Building Committee attempted to budget for the access road. The MSBA said it is not part of the project, and they won't pay for it. Leo said they tried to pay for it, and were still told that it wasn't part of the project. They have no money budgeted.

Rob asked if public safety had a chance to look at it. Leo said the traffic study doesn't tell them they have to do anything.

Chief Stone said this is not only a school thing, but involves everyone. Those school fields are used in good weather. Football season utilizes the fields late at night. Weekends are used. Traffic increases naturally. Chief Stone said his main concern is teachers, parents and kids public safety. He wants to better access to the facility. It is an attractive nuisance to the kids to see the trucks and equipment coming in and out. There is a concern of the narrowness of the road to withstand the vehicles. He is concerned about the access to the old school while new is being built. Chief Stone mentioned mitigation – school project is paying for police detail. At the end of the day, everyone gets through this project and is happy.

Leo said there will be privacy screens that should help control the kids looking at traffic. Site should be fenced off and locked at night to keep kids and people out. There is an allowance for police details. They will start at 6:30 a.m. with personal cars. There will be excavation on site, foundation – concrete trucks and steel. They do not have Planning Board permits yet, because they haven't picked the General Contractor yet. Rob told Chief Stone he should be intimately working with the Planning Board. Chief Stone told Leo and the Board that our bylaw allows for 7 a.m. to 7 p.m. Nothing will start before then.

Butch Vito said the traffic study and past studies and circulation studies in 2003 and 2005 showed we need the access road. But said as the Chief says, it's not

totally a school thing. It is Boardman Street and that is a residential road. Butch said at the end of the day, the "access" road will become a town road. We spent \$35,000 just to fix the stop on Rockwood Road because of the traffic. We will need to address the intersection. It shouldn't be taken out of the plan of not ever happening.

Jim Lehan said he has been a part of this discussion a better part of 20 years. There are a lot of emotions around this road. People don't want it in their neighborhood. Jim said that in 1975, town meeting voted that the school committee can take this property back whenever they want to use it. Jim said this traffic study does not show it. School Committee has the decision. Jim said the #1 concern is the safety of the kids – and teachers. If this dictates that we need a secondary access, we should do it. But he feels it doesn't show that.

Shawn Dooley said they have not made a decision yet. They have discussed it. He does not believe it should be part of the School Building project. We should not pursue it.

Chief Bushnell said to be a public safety official, he should support his colleagues. He feels that an alternate method to access the school with the fire apparatus would be an advantage.

Rob said Bicentennial Park is 40' wide. Rob asked if they can get their trucks down there with a 40' turning radius. Rob said we don't have funding to pay for the road. He asked Chief Bushnell if he wanted the road or an ambulance, because we can't pay for both. You need to make a decision.

Jack said that Rob seems frustrated with the public safety officials. There are legitimate public safety concerns here and it is the job of the Chief's to express them. That is all they are doing here. Jack said we are only trying to express our concerns during the construction process. KP was done without a sidewalk and it's horrible. We need to look at everything now before it's built. Jack said that Rob was asking if you want the road or an ambulance. Chief Bushnell said that is apples and oranges and he wasn't going there.

Shawn said they are looking at everything. Affordable Housing's three lots would help us with our housing quota and would help us afford it. He also said having a secondary access out of the school would be beneficial.

Jim T. said the access road is needed during construction, and there could be a long term need. He said chances of an accident with construction is probably greater than with the kids or on the ballfield. Jim is in favor of the access road. He said the ability for public safety to get to the site is important.

Bob Bullock said the size of the project isn't realized. He explained how big this project is. He said there is no place to stockpile the materials. 50 trips out of the school, and 50 in. 1000 trips of tractor trailer trucks added to the amount of traffic. If the access road was utilized during construction, there is a lot of

traffic. Bob said no one realizes how many trips will be made by these trucks. More than you are speculating.

Jim L. wants to echo what Bob and Jim said. He said that with the H. Olive Day they took the easy way out and that is why there is a mess at that school now with circulation.. He said he is very concerned with the safety of that project. We need to mitigate it and find an alternate access. We need to make sure this is safe.

Chief Bushnell said his job is to get his apparatus in, and worry about getting out later. He said we can't let emotions get into this. The final decision will come with Leo and Shawn and their groups. Chief Bushnell said they stated their case. It is up to you to decide what to do.

Rob said he is frustrated that we keep talking. He said we need to stop wasting time. If it can't be done, then let's end this. He doesn't have any funding. At some point, we need to say we're done.

Jim said to bundle the feasibility is a mistake.

Beth Gilbert (member of SBC) said you can time the major deliveries so that it doesn't interfere with the kids being dropped off. They wanted a lot of this done before the fall to avoid the sports. She doesn't think the road is appropriate. She is afraid of train traffic backing up. Beth doesn't feel this access road is critical to the project.

Linda Andrews (SC member) feels there is much more information that needs to be given. She doesn't feel this should be the right place.

Shawn Dooley said that Ellen Horton gave the same concern that Chief Stone expressed. Teachers are very nervous about keeping kids focused and having to keep windows closed.

Adam Mitchell, 53 Boardman. Adam said he keeps his eye on the school and street. He said that he is worried about the street. Two water main breaks happened recently. He said that there will be so many risks. Fire suppression on the street – what if they lose water? He said the construction factor is a big concern. He is worried about the huge trucks up and down. He said that the access road will greatly make a difference.

Lynn Worley, Malcolm Street said they will be arriving to her back yard everytime they come in. She said all public officials work for the Selectmen. Lynn felt the water table at the school will cost the School Committee thousands of dollars.

MaryAnn Mitchell said we wasted our money on the study - \$25,000.

David Mores, 61 Boardman, wants to encourage the Selectmen to see if there is any way to do an alternate access. The current is a disaster.

David Capone, 82 Boardman said the current traffic on Boardman is horrible. We need something, and Boardman can't handle the traffic.

Richard Morris, 7 Malcolm said he took issue with the trucks going into the road. It is a watershed area.

Leo said excavation will start sometime after October, and may not do anything until the spring.

Adam Mitchell said the turn on Boardman will put trucks in their yard. And it's not 40'. Dave Capone said the Big Dig wasn't 40'. Lynn Worley complained about the water.

Rob said to Shawn that it's a short amount of time. Leo said no way we can add it back in. Leo said the road will need to be maintained for emergency vehicles.

Jim L. wants people to know how the Board feels and not have it linger forever. Jim feels we shouldn't pursue lots on that road. We should just pursue a public safety/emergency access only. This is just his opinion to do an emergency/construction access only.

Jim Tomaszewski agrees. He is worried about the construction process, and an access road for that.

Kathy Fox, 61 Boardman is also worried about traffic on their street, and buses on the loop. She is worried about it being safe.

Rob said there is a plan. There is a solution so kids aren't dropped off while construction vehicles are there, too. We have six weeks to figure out what to do. \$110,000 is too low.

Kevin Roche, 25 Campbell, also with the Grange. His concern is that this is very close to the Grange, and what if something happens to the building.

John Olivieri feels people should have a pictorial view of what we're talking about.

MaryAnn Mitchell said we have money for the access road, but not for every day roads. Why don't we fix the roads we have already.

Shawn said we will address every option.

Jim L. explained the budget and the override to the residents.

John Weddleton asked Leo about soil testing. Leo said they did it, but he doesn't have the figures. John said this is going to be a nasty situation. He said hundreds of trucks up and down Boardman at the same time all day. Oil spills, etc.

Rob said the access road is the School Committee's decision. The funding is us.

It was decided to form an Ad Hoc Committee to research the need for the access road. It will consist of Jim Tomaszewski, Chief Stone, Shawn Dooley, Bob Bullock, Butch Vito, John Weddleton, from the public, and Lynn Worley from Malcolm and Adam Mitchell from Boardman. We will ask a Planning Board member to attend.

At 8:50 p.m., the Board of Selectmen took a short five minute recess.

At 9 p.m., Paul Kelly and Charles Eisenburg were present to discuss 40R's.

Charles Eisenberg of Housing Partners, Inc. spoke. He said that Chapter 40R and 40S were founded by a Boston foundation. 40R was written by the Commonwealth Housing Task Force.

Mr. Eisenberg provided handouts, and reviewed a power point as well.

He explained the basics of Chapter 40R. It provides that 20T of the units be affordable at 80T median income.

To be a smart growth location, there are three criterion. Norfolk fit all 3. 40R has to have a minimum allowable density.

Mr. Eisenberg said you put in an application to become a 40R district, and you need a bylaw. These funds come from Mass Housing proceeds; not a line item. They will meet with you to see if everything fits. Most wait until they hear from DHCD before taking the zoning to town meeting. The zoning bylaw you pass delineates who is the local Approving Authority. It is usually the Planning Board. Our ZBA has held a long standing interest.

Time frame: apply for grant, turn it around in 20-30 days. Once the grant is in place, do an RFP. You can probably get the application into the state a couple months after that. You don't want an application to be into the state, get approved and then get shot down at town meeting. This could be ready for spring town meeting.

He recommends you start the process now. If you take the money, you have to tell them what it's for.

Jim Lehan moved to submit an application for a 40R planning grant. Jim Tomaszewski seconded, and it was **so voted**.

## **TOWN ADMINISTRATOR REPORT**

### **Action Items**

Jim Lehan moved to approve the Dunkin Donuts 6<sup>th</sup> Annual DARE to Run 5K and Kids 1K Fun Run on Sunday, September 19<sup>th</sup> at 10 a.m. contingent upon approval by Chief Stone. Jim Tomaszewski abstained from discussion and

voting. Rob Garrity seconded, and it was **so voted** with Jim Tomaszewski abstaining.

Jim Lehan moved to approve the contract award per the SERSG bids for DPW Supplies for sodium hypochlorite – 55 gallon drums to NBC Distributors of Fairhaven, MA at \$70.95 per drum. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to approve the contract award per the SERSG bids for paper supplies to W.B. Mason Co., Inc., for one year, through June 30, 2011. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Claire Jackson to the School Building Committee, replacing Don LeClerc. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to appoint Robin Wessman and Madeleine Bolger to the Cultural Council, terms to expire June 30, 2013. Jim Tomaszewski seconded, and it was **so voted**.

### **New Business**

Jack Hathaway reviewed the Cherry Sheet that came out the end of last week. We will still need \$77,800 for KP and \$53,000 for snow and ice.

Discussed the KP budget. Jim L. suggests they go back to a zero based budget and start over. They are adding to the problem and will never fix it unless they go back to zero and start over.

Jack announced that there is a vacancy on the King Philip School Committee as Maureen Howard stepped down. The Board of Selectmen thanked Maureen for her over 20 years on the KP School Committee.

The Board will get a message out to get people to apply for this position.

Jack informed the Board that Norfolk Fine Wine & Spirits was caught serving to minors by the ABCC and the ABCC is holding a hearing in Boston for an alleged violation.

Jim L. asked about the next steps on town counsel. He feels we need a change. The Board all contacted references associated with all candidates. Jim L. said his firm was Murphy, Hesse, Toomey & Lehane. He said they got five stars in availability and accessibility. Jim T. had Kopelman & Page. He called six people, and called towns our size. Very good answers. Rob did Brackett & Lucas. He said they don't have land use experience. Cheapest and basic service firm. Jack did Jay Talerman's firm. He got positive feedback, and said everyone liked Lisa.

The Board agreed to invite in Kopelman & Page and Murphy, Hesse, Toomey & Lehane and to focus on transitional considerations – what can we anticipate,

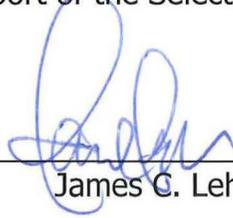
timelines. Are fees negotiable? Send fee proposals. We will have them back in on July 26<sup>th</sup>. Jim L. & Jack will call George Hall tomorrow.

Rob said he received an email from the Moderator regarding conflict of interest and Special Municipal Employee status for the Technology Committee.

Jim Tomaszewski moved to give special municipal employee status to the Moderator's Technology Committee. Jim Lehan seconded, and it was **so voted**.

At 9:48 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of July 12, 2010.



---

James C. Lehan, Clerk

## SPECIAL MEETING

July 13, 2010

Present was Robert J. Garrity, James C. Lehan, James M. Tomaszewski, and Jack Hathaway, Town Administrator.

Also present was Remo R. Vito, DPW Director and Robert McGhee, DPW Superintendent.

Rob Garrity called the meeting to order at 3:08 p.m.

There was discussion on the PWED project. Butch updated the Board. He met with the State. Phase-in program. First, roadway system/parking. Second, the bridge.

If the grant is awarded in September, can be shovel ready in 120 days. Need to begin engineering on the bridge.

The Planning Board has \$150-\$200,000 mitigation monies from Stop & Shop. Will approach them to use the funds for engineering.

Discussed the unaccounted water loss. Reviewed the history of leaks from 2003. Fifteen to twenty houses still have leaks.

Regulations in place to allow us to terminate services to homes that ignore notification of leaks.

Jim Lehan moved to approve sending letters. Jim Tomaszewski seconded, and it was **so voted**.

Irrigation will be a topic for future discussion.

Discussed the easement on Myrtle/Miller Streets. Resident has not responded to letters. We may have to take the easement by eminent domain for public safety issue. The last letter was mailed April 11<sup>th</sup>.

Jim Tomaszewski moved to secure an appraisal for taking of sight easement. Jim Lehan seconded, and it was **so voted**.

Discussed the sign for Bixby. It will be announced at our next meeting, and will set up a schedule to place the sign.

Discussed trash compactors. 300-500 mo. to finance.

Jim Lehan moved to go forward (2). Jim Tomaszewski seconded, and it was **so voted**.

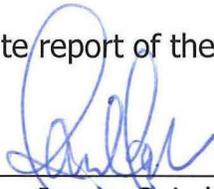
There was discussion around trash bags rather than stickers. More study is needed. The Board should have public discussion at a meeting. If approved, implementation not to take place until FY'12.

Discussion continued on the access road through Bicentennial Park.

Jim Lehan moved to fully endorse the use of Bicentennial Park to construct an access road for the purposes of construction. Jim Tomaszewski seconded, and it was **so voted**.

At 5:30 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of July 13, 2010.



---

James C. Lehan, Clerk

July 26, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob opened the meeting at 7:03 p.m. Rob announced that the meeting is video and audio taped. Jack Hathaway read the agenda.

### **COMMITTEE INTERVIEWS**

Paul Cochran, 2 Sweetland Farm Road. Mr. Cochran is interested in the Capital Outlay Committee. He has three children and has lived in Norfolk his whole life. At his job, he manages the IT budget and capital investment portfolio. He would like to become more involved in the town.

The Board thanked him for coming in, and explained what the Capital Outlay Committee does, although we haven't had funding the past few years.

Jim Lehan said that with or without money, we should have the Capital Outlay Committee become active and see what our needs are.

### **TOWN ADMINISTRATOR REPORT**

#### **Action Item**

Jim Lehan moved to appoint Shawn Dooley as associate member to the Zoning Board of Appeals, term to expire 6/30/11. Jim Tomaszewski seconded, and Rob said he talked to the Chair of ZBA and he would like Shawn reappointed. It was **so voted**.

#### **Budget**

Jack mentioned budget items. He said he printed out Chapter 70 Cherry Sheet for Norfolk. He has tried to reach Sen. Ross' office, but to no avail. Jack said the number we used in our budget was the number that we got.

#### **Selectmen's Goals**

The three Selectmen and Town Administrator all read their goals, which they had formulated for the coming year. They were all discussed. Two additional goals were added: to stop the water leak, and to work the transition of the DPW with the Director retiring in December.

### **COMMITTEE INTERVIEW – Continued**

#### **Economic Development Committee**

William Haddad, 11 Worcester Road was present. He is an attorney and works in Boston. He told the Board that he has been in Norfolk approximately three years. His interest is to see what he can do to help out. He had indicated an interest in EDC and Capital Outlay. Mr. Haddad is familiar with Stop & Shop. He

is also familiar with zoning laws, etc. Will told the Board he is more interested in EDC because it's broader and he doesn't have an accounting background for Capital Outlay. He has time to commit.

Jim Lehan moved to appoint William Haddad to the Economic Development Committee, subject to the Planning Board (as this is a joint appointment of the two boards), term to expire 6/30/11. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to appoint Paul Cochran to the Capital Outlay Committee, term to expire 6/30/11. Jim Tomaszewski seconded, and it was **so voted**.

Jack said that he met with David Rosenberg who chairs the Moderator's IT Committee. He would like to meet with the Selectmen and discuss a web page for town meeting warrant use.

## **TOWN COUNSEL – SECOND INTERVIEWS**

### **Kopelman & Paige, P.C.**

Joyce Frank, Pat Cantor and John Dolan were present from Kopelman & Paige.

Joyce Frank was asked how she would handle the transition. Joyce said it is an established process, but would speak with us and tailor it for a smooth transition at no charge. They would need to get up to speed. Joyce said she would work with Jack and try to get familiar with what's going on. She would arrange to meet with our current counsel to get caught up with what he had been working on. Joyce said she would go to his office, pick up files, and work through them.

She was asked if we wanted office hours, would you do them. Joyce Frank said yes. She said although they said they aren't in favor of them, they have done them and they can work. She would recommend only a few months and then faze them out. Just long enough so everyone works through the process.

Joyce was asked, Why Norfolk? Joyce said she is responsible for 8 communities. 98% of their practice is spent on municipal law. She felt that Norfolk fit in with the communities she works with. Some are smaller; some are larger. We are mid range.

Pat Cantor explained her field of land use. She also works on telecommunication, and cell towers. They have back up and will also get back to us when we need the answer.

Jack questioned the 53G. Pat said it has been used. Rob questioned 40R's. Pat said the firm has done quite a few.

They have environmental consultants on board for issues such as Southwood, and have done clean up issues before.

Proactive instead of reactive. How would you take preventative measures? Joyce said they send out memos. Considering email blasts. John said they believe in educating their clients. They show how to hold a public hearing, write a decision, etc. He said employment law would help Jack with Human Resources.

Jim L. asked about financial stability. How do you handle times like now where some clients may not use legal resources? Joyce said they started out conservative. She said she was the fifth attorney hired, and there are now 55. They do handle special counsel work for cities & towns that they aren't counsel to. They live with Prop 2 ½ and budgets, like all of us, so they are careful.

Joyce did urge us not to send her contracts that were already signed. She said it is more difficult for her to negotiate and make changes when it has already been signed by all parties.

### **Murphy, Hesse, Toomey & Lehane**

Robert Mangiaratti, Brendan Moss and Kevin Bresnahan.

Bob Mangiaratti said they brought Kevin because he does the labor work and he knew last time we mentioned a labor attorney.

The Board asked about their expertise with land use. Bob cited several cases and said they do land use. The Board asked about environmental cleanup such as Southwood. He said they do have counsel who has done this, but has no cases right now.

The board questioned how would you transition and how much would it be? Bob said he would work with former counsel and obtain records. They will do 15 hours at no charge. They pretty much dig into it. Each case is fact specific, but they would interview people they need information from. They feel 15 hours of transition time is sufficient.

Proactive as far as reactive. Bob said they have a client advisory. They issue bulletins and newsletters. Kevin said that they would advise us of things such as the recent change with the open meeting law, etc.

Jack asked about planning. Bob said they follow other models, too.

The board questioned labor. Kevin said they began as a labor based firm in the 70's. There were ten attorneys doing labor. Kevin works on seven contracts for

Norwood. He is familiar with police/fire labor contacts. He recently did collective bargaining with GIC – insurance. He has now been through the process and knows the ins and outs. He negotiated a teachers strike, and has experience with that.

Rob asked about 40R. He said you have to have the bylaw in place as a starting point, and work with Planning to be sure everything is lined up.

Jim L. asked about a conflict as you represent our School. Bob said they would do everything to avoid a conflict.

The board asked what else the firm does besides municipal. They have 30 attorneys, IT and paralegals. They do 65% public; the rest is private.

Bob said they talked about fees. They would be willing for first year to go at \$165 a year instead of \$175.

Both firms left the meeting, and the board discussed their position on town counsel.

Jim L. liked both, but was impressed with Kopelman & Paige. He said he rated the two firms, and came up with 38 and 36. He could go either way and wouldn't be upset with either one. He did say that Joyce Frank impressed him tonight.

Jim T. said when he called references, Kopelman & Paige shined as far as towns who worked with them.

Rob was in agreement with Kopelman & Paige.

Jim Lehan moved to appoint Kopelman & Paige as Town Counsel for FY11. Jim Tomaszewski seconded, and it was **so voted**.

Rob and Jim L. both said they found George helpful and great to work for, but preferred a diversified firm with more rounded offers. This is not a reflection of George Hall.

### **Selectmen's Goals - Continued**

The Board continued discussion of their goals and confirmed that they would go ahead with them.

Rob Garrity moved that these be the Board goals for FY11. Jim Lehan seconded, and it was **so voted**.

### Old Business

Jim Tomaszewski gave a summary of the Ad Hoc Access Road Committee.

He said it was determined that there would be at least 60 to 120 trucks. They agreed we need the access road, because Boardman Street won't hold the traffic.

Jim said they formed several sub-committees to do the work. They will be holding meetings, and hoping to wrap up this up around August 5<sup>th</sup>, or thereabouts.

Jack gave a report of his meeting with Butch at DEP in Boston regarding water.

### New Business

Jim Lehan gave an update on the Fire and Police Departments. He said he spoke with both Chief's last week. He said that Chief Stone lost a police officer, but was cautiously optimistic at this point.

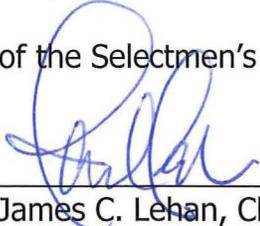
With respect to Fire, there is a strong belief that Gov. Patrick will sign a relief act which means that only one paramedic will have to be on the ambulance with one EMT. It will help Chief Bushnell manage the shifts. EMT's would be able to drive, where they couldn't before.

Jack said that Chief Bushnell has had four people out injured. As of this weekend, they are all back. Peter is back part time. The four have been long term disability.

At 9:37 p.m., Jim Lehan moved to go into executive session for the purpose of contract negotiations. Jim Tomaszewski seconded, and it was a roll call vote: Jim Lehan, **aye**; Jim Tomaszewski, **aye**; and Rob Garrity, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:00 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of July 26, 2010.




---

James C. Lehan, Clerk

August 9, 2010

Present was Robert J. Garrity, James C. Lehan, and Marian Harrington, Executive Assistant. James M. Tomaszewski and Jack Hathaway were not in attendance.

Rob Garrity called the meeting to order at 7 p.m. He announced this meeting is video and audio taped.

#### **DR. ELIZABETH ZIELINSKI – KP SUPERINTENDENT**

Dr. Elizabeth Zielinski is the new Superintendent of King Philip Regional High School, replacing Dr. Richard Robbat, who retired. Dr. Zielinski introduced herself, and gave her resume to the Board. Dr. Zielinski explained to the Board all that she's done in her career.

She said that she mainly came to KP because of the kids. She has met with Wrentham.

She gave a brief update on the teacher's contract which still isn't negotiated.

The Board discussed shared services and how critical it is.

#### **GOLDEN GINGER, 17 PINE STREET**

Present was Cheng `yu Liang, owner.

Mr. Liang introduced himself. He is the owner of J.K. Liang, Inc., and will be doing business as the Golden Ginger, 17 Pine Street. He has had a restaurant in Walpole and Franklin.

Mr. Liang has applied for a Common Victualler license for his restaurant. It will be a take out Chinese restaurant. He proposes to be open six days. He hopes to be open mid-November. He told the Board that he will not have liquor, and has already gone to Board of Health for a food license.

Jim Lehan moved to approve a Common Victualler license for the Golden Ginger, 17 Pine Street. Rob Garrity seconded, and it was **so voted**.

#### **ACTION ITEMS**

Jim Lehan moved to issue a one-day liquor license for September 20, 2010 from 6:30 to 9:30 p.m. for a wine tasting party at the Senior Center, celebrating Active Aging Week. Harkey Liquors of Millis will conduct the event. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to grant permission to the Norfolk Lions Club to travel through Norfolk for their motorcycle ride "*Riding for the Blind*" on Saturday, September

25, 2010 per the route mentioned in their request. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve two street names for Paddock & Corrals, LLC for their Toils End Farm development – Farrington Avenue and Hemmingway Place. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to keep the fee for the parking permits at old town hall at \$75.00/yr. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to open the warrant for the Fall Town Meeting. Jim Lehan seconded, and it was **so voted**.

### **OLD/NEW BUSINESS**

The Board discussed a meeting attended regarding Caritas. A firm came and talked to us about what our needs are and what we are looking for.

Jim Lehan said that Jim Tomaszewski, Planning Board, and Jack Hathaway felt this was a positive meeting. It is informational at this point. Everyone left feeling that if they pursue this, we have a potential developer working with us.

Rob said that Southwood was not included in the Caritas deal. This developer has done a lot in NJ, so they have a lot of experience in environmentally distressed areas.

Jim Lehan said the other committee was the Access Road Committee. The Committee voted unanimously to pursue it. He said what brought it to focus was the unfortunate incident at Rivers Edge. Having two access' there drove it home that a secondary access to the school is critical.

### **TOWN MEETING TECHNOLOGY COMMITTEE**

Ralph White, Kevin Gleason, Arthur Frontzak, Donna Jones and David Rosenberg, members of this committee were present. Also with them was Carolyn VanTine, Moderator.

David said they were organized by Dan Winslow, then Moderator in 2010. He said he wanted to explain areas where they need the Board of Selectmen's support.

This is a web based discussion forum. They would post town meeting articles and Advisory Board recommendations. Residents could discuss them and ask questions. They would post relevant background information. He said residents could post arguments pro and con, and proponents of articles could present presentations.

David said their goal was that town meeting would run more efficiently. They could take the time to look at presentations before town meeting and be better prepared to vote on issues because they had time to review. People doing presentations could fine tune their presentation, if they knew the questions ahead of time.

David presented some of their issues: if they went to this trouble, would it be used? They are needing committee help, but if we are all busy then, can we devote the time? If questions don't get answered, it isn't worth it. They want to prevent spam and flaming, but need to balance being in compliance with open meeting laws. Can they do it for nothing, since they have a zero budget.

The committee considered writing software ourselves with Norfolk resident talent; maybe use bright high school students. They found a company in Washington, DC that writes forums for public discussions.

Ralph told of going a step further and doing remote voting. By educating the folks before town meeting, they had less chaos on the floor and town meeting ended earlier.

They would like people giving real names. No pre-filtering – just submit it. The Board said to re-think that. They want it moderated to a point, but not bar someone from further participation

David said they need information from board and committees and they need our information. The Board is supportive, and will work with them.

### **MATHEW NOISEUX – CPC**

Matt Noiseux of Kingsbury Road is interested in the vacant position in Precinct 2 on the Community Preservation Committee. He told the Board he is an active hiker and outdoors person. He has a mind for community preservation. He has attended many CPC meetings, and would have the time to commit to this committee.

Rob Garrity moved to appoint Matt Noiseux to the CPC Committee for Precinct 2, filling the vacancy created by Kevin Hughes' resignation. Jim Lehan seconded, and it was **so voted**.

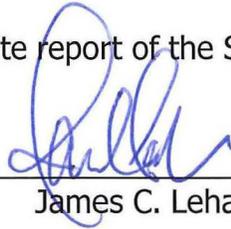
As a closing note, Jim Lehan gave a summary of the explosion on Friday at The Village at Rivers Edge. The Board commended not only public safety officials, but citizens who attempted or did help. We express our deepest gratitude. The Board expressed sympathy to the family of the worker killed in the explosion,

and we pray for injured workers, as well. The Board is extremely proud of our public safety officials.

At 8:45 p.m., Jim Lehan moved to go into executive session for the purpose of pending litigation. Rob Garrity seconded, and it was a roll call vote: Jim Lehan, **aye**; and Rob Garrity, **aye**. The Board will not return to open session except to adjourn the meeting.

At 9:53 p.m., Jim Lehan moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of August 9, 2010.



---

James C. Lehan, Clerk

August 23, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob called the meeting to order at 7 p.m. Rob announced that the meeting is video and audio taped. Jack Hathaway read the agenda.

### **COUNCIL ON AGING**

Present was Executive Director Norma Shruhan, Jay Talerman, Council on Aging Chairman and Rich Connors and Tom Mirabile, Council on Aging members.

Rob Garrity said that we have a Proclamation in honor of Active Aging Week. Norma named the different things that they will have to celebrate the week. They will have a wine tasting on Monday. There will be health fair. Jay said they have been trying to do more activities for the seniors. This group has really been working. He said Norma has done a great job running it. Jay said that they would love everyone to come in and see what they do and use the resources. They are looking for members if anyone is interested.

### **KP SCHOOL COMMITTEE**

KP School Committee members present were Wendy Robeson and Linda Andrews (rep. from Norfolk School Committee). Present also was Elizabeth Zielinski, KP Superintendent and Pat Francomano from Plainville.

This meeting is being held to interview candidates for a Norfolk member to the KP School Committee, replacing Maureen Howard who resigned. KP School Committee members from Norfolk and the Board of Selectmen must jointly appoint a member for Norfolk.

Candidates are: **Jonathan Smith**, 26 Robin Road. Jonathan mentioned the structure of the committee and challenges that they will meet. He submitted an article a few years ago that special ed funds should be handled by the state and it passed. He mentioned the importance of communication. He has no kids in the system now, but is still very interested. Jonathan is a big advocate for the band, and is an advocate for what happens inside the building, as well as the structure itself.

Jonathan was asked what you would want to accomplish. He said bring people together to understand all the issues involved, using his years on both committees. Jonathan said he would not run for the position in May.

Jim T. doesn't think we have marketed enough to the public that we need more funds for KP. How will you change that? We are the lowest or second lowest in the rankings. Jonathan said they can go for district wide overrides.

Rob asked what's right. Jonathan said energetic faculty that encouraged students. Also, the number of students that went on to military school.

Jim L. said if you had a passion on one particular area where you could make a difference, what would it be? Jonathan said the funding is the most important issue; and how the public feels about the system.

Linda said it's all about budget and policy. What was the disconnect you mentioned? Jonathan said he understands its policy and budget. You would need to go to a higher level to accomplish those goals.

Wendy questioned do you have the time to put in twice a month, since you have a full time job. We want attendance at every meeting. Jonathan said he can be there.

Jim T. asked why you would want to come back for one year. Jonathan said to come back and do things right.

Jim L. is concerned about what you can do in 9 months without running again. Jonathan said he couldn't believe no one applied, so he jumped in.

Linda asked what your people skills are. Jonathan said he has worked with various people over 20 yrs. His skill is implementing or writing policies.

**Jim Giebfried, 34 Robin Road**

Jim has been involved working with the Town for over 25 years. He also worked with the MWRA. Jim said he worked with state officials, various town officials in Norfolk and other towns. He was a Norfolk Selectman. He was involved in the construction of H. Olive Day, middle school and high school. He was involved in budgets with KP. Jim was a member of the Conservation Commission, and the Medical Reserve Corp. Jim worked with school nurses at KP for vaccinations for the flu. He has taught on university level. He is a certified clinical inspector, and treats patients in hospital setting. Jim has his MBA to help him understand budgets. He has done all types of advertising.

Jim feels there is so much at stake that he threw his hat in the ring. You need to provide the students with resources and capabilities.

Jim T. asked how he would advocate for more funding. Jim G. said get the community involved and excited about what's going on. Why do students leave

middle school and go to a private school? Public education: students should have a right and capability to an education. They should talk with the Supt. and teachers.

Rob asked his thoughts about the difficulty of having a split district? Jim said always the funding. Look at all billing options to bring in revenue. He believes in regionalization.

Jim L. asked will you run in May. Jim said he would strongly consider it.

Jim L. said the last two years have been difficult. How would you fix KP? Jim said no one person. Possibly with grants and revenue. He doesn't see any good answer.

Linda asked about lobbying. Jim said he has contacts with many state people.

Wendy asked what topic you would want to work on first. Jim said not one specific item. He would be humble, listen and see where he best fits in.

Jim L. said you have done a lot, but never particularly in schools. Why now? Jim G. said he has been. You must make sure how you mean participate. He had been with the Clerk of Works for the school building project, teacher for the day, grants, funding, budgets, meet with teachers in school settings, and negotiations.

Jim has no children in the system.

**Michael Gee**, 9 Mohegan Street

Michael gave three reasons that he was interested in serving on the KP School Committee – personal, committed to public education; he has 4 kids, and he has published curriculum materials for 23 years. Michael said he is going through budget issues at work and because of that thinks he can help KP. He does manage large budgets. Michael is a newcomer to town committees.

Rob said what is right. Michael said good teachers and programs. It is a relatively low budget but we have high achieving kids.

Jim L. asked what the needs other than funding for KP are. Michael said Middle School is a challenge as to whether to even send the kids to KP or private school.

Jim L. asked will you run in May. Michael said he has every intention.

Linda said when addressed by a parent and put on the spot, you need to be neutral because a lot is confidential and you have to be careful. Michael said he holds a lot of confidential information.

Wendy mentioned issues we're facing. Michael said administration needs to be hired, budget issues, regionalization in different forms, contracts, for a few.

Jim T. said funding is a more critical issue to him. We will get the 3 towns together regarding the budget process. How would you market this for the 3 towns? Michael said he is impressed how everyone rallied here. Jim said people shouldn't be shocked at the figures at town meeting. The shock should happen way before that.

Rob asked do you have the time commitment. Michael said yes.

Jim L. asked how you can bridge parents in elementary and KP. Michael said he would rally the point that will bring people together from both groups of kids.

Wendy asked what is it about you that would make us pick you. Michael said his passion for education and his ability to communicate and bring people and ideas together. He is able to come up with collaborative problem solving.

Jim Lehan said we are a K-12 system and we need to promote that.

**BENJAMIN MCCARTY**, 19 Cleveland Street

Ben said that he has three kids at KP. He is an attorney with the Coast Guard/Air Force.

Ben said he has handled labor negotiations in private practice. He has handled budgets and cut staff. He has done budgets for the Federated Church. He has coached soccer and referee. Ben said he has a direct interest with students. He created a parent organization at KP Middle. He is a co-chair with the parents' network.

Jim L. asked if he would run in May. Ben said yes, a four year commitment at least. Jim L. asked why now? He said his kids are at KP.

Ben said the greatest challenge right now is tying in the curriculums at elementary level and get continuity so all the towns come to the KP level on the same level. Some towns are ahead of others. Challenge is teachers and communication.

Linda mentioned budget and policy. Do you have time? He has skills and time. The person you go to is usually the person already doing the job.

Jim T. said this position you need to be professional, easy to work with, and have fun doing it. Jim T asked why people would want to work with Ben. Ben said he will ask for help, or ask the question.

Rob questioned parent involvement. Many parents are considering private schools; you are not losing students, you are losing parents. There has been a strong effort to get people at town meeting. How do you change that? Ben said a phone line. Talk at soccer. Give assignments or volunteers. Put them in charge of something.

Jim L. asked what he thought of shared services. Ben said it may or may not be a match. It needs to be looked at.

Wendy asked what you can say about virtual high school. Ben said we should look at this or similar programs that are out there. KP not putting out other avenues is disappointing. They don't do GPA's in the first year.

That was the end of interviews. Rob noted that Eileen Stetter had indicated an interest, but had to take her daughter to college out of state and didn't know if she would be back in time. She said she understood if we needed to move on without her.

Rob asked should we wait or move on. Linda and Wendy said they feel we have enough to go on. Jim T. and Jim L. would like her to have an opportunity. It was decided to go forward.

Rob said we will each choose two names. Then from the two, we will pick the successful candidate.

They all acknowledged that all the candidates were excellent. However, the two finalists chosen were Michael Gee and Jonathan Smith.

Linda and Rob said we need new blood. Jonathan can go on another committee. Linda said we see the same faces on committees. Michael has children at KP. J.

Jim T. said it comes down to new blood or experience. He feels Jonathan's funding experience is valuable now.

Jim L. felt the candidate needs to run in May. He wants to see what's started, continued. Jim will pick Michael because of his strong commitment. We need that.

Jim Lehan moved to appoint Michael Gee for the unexpired term until the election in May, 2011. Linda Andrews seconded, and it was a roll call vote: Wendy Robeson, **aye**; Jim Tomaszewski, **aye**; Rob Garrity, **aye**; Jim Lehan, **aye**; and Linda Andrews, **aye**.

### **ACTION ITEMS.**

Jim Tomaszewski moved to open the Open Discussion for Public Comment for water and solid waste rates today and close on December 20, 2010. Residents should forward comments to the Department of Public Works. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to proclaim October 28<sup>th</sup> as United Nations Day in Norfolk. Jim Tomaszewski seconded, and it was **so voted**.

### **OLD BUSINESS**

#### **School Building Committee/Project**

Jim Lehan said we positioned the Board of Selectmen to have supervisory oversight over this committee when we changed our bylaw. Jim explained the School Building Committee (SBC) and what transpired at the last meeting. The SBC and Board of Selectmen voted to dismiss the Project Manager and lead architect. They did not dismiss the firms, just the representatives.

Jim said there was a whole discussion on the septic system.

Jim T. said one item was whether to have the Superintendent's office here or at the school. Mr. Lesser will be Project Manager. Simon Tempest, architect by trade, has done 7 schools, and similar project in Revere like ours is.

The School Committee will vote at their meeting on the first for the access road.

Jim L. said that the Selectmen's concerns had nothing to do whatsoever with the committee. They weren't getting the information they needed.

The Board thanked Bob Bullock as being instrumental in finding and communicating the issues. The access road brought many of these issues to light.

Jim Lehan moved to declare as surplus equipment, old computer equipment at the Library, per Robin Glasser's email. Jim Tomaszewski seconded, and it was **so voted**.

Jack said that the 9-11 Committee is planning something for the 10 year anniversary of September 11th. They want to have a re-dedication. The

monument is deteriorating, and they would like to repair it. The cost is \$10,000. They applied to CPC and were not invited to review their application.

Jim L. will contact the CPC regarding this.

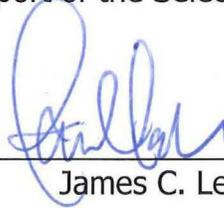
#### **ACCEPTANCE OF MINUTES**

Jim Lehan moved to accept the minutes of May 25, 2010; June 14, 2010; June 21, 2010; June 25, 2010; July 12, 2010; July 13, 2010 and July 26, 2010, regular and executive session. Jim Tomaszewski seconded, and it was **so voted**.

Jack announced the 9-11 ceremony at the Fire Department should anyone want to attend.

At 10:10 p.m., being no further business, Jim Tomaszewski moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of August 23, 2010.



---

James C. Lehan, Clerk

## SPECIAL MEETING

September 1, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Marian Harrington, Butch Vito and Bob McGhee.

Rob Garrity called the meeting to order at 3:05 p.m.

### **Conservation Commission Candidate**

Kevin O'Loughlin, Chatham Road was welcomed by the Board. He was interested in the vacancy on the Conservation Commission. He said he has been a general contractor for 32 years. He is currently working in Plainville. He is not building in Norfolk. He told the Board he has the time to devote to this position. He would like to give back to the Town.

Rob Garrity moved to appoint Kevin O'Loughlin to the Conservation Commission, for a three year term. Jim Lehan seconded, and it was **so voted**.

Rob gave the Board an update on the Green Community Technical Assistance program. Jim Lehan isn't sure we can meet the five criteria. Rob said Bob Bullock wasn't sure about the stretch code. It's basically the base code with a layer code over this. There will be no energy efficient dump trucks or police cars.

Jim Lehan moved to go forward and apply for a grant for Green Community Technical Assistance. Jim Tomaszewski seconded, and it was **so voted**.

### **Water Update**

Bob McGhee and Butch Vito reviewed the leaks with the board. Butch said that we are down to 3 leaks. We did 6.7.8% to get to a 10% goal. Leak detection in again next month. Chemicals should be starting to work and we will go from there. Jim L. asked if they had to do any shutdowns and Butch said no.

Butch said it was a hot summer and we got through it good. The wells are resting. Jim T. asked if you've found the leaks are seasonal. Butch said no, it doesn't make a difference. The new Spruce Road well (#2) is permitted. It is up and running and on line. We are no longer doing anything with Wrentham. Butch said the prison found a hole and asked if we can help them out. Butch said there is no other cleaning if this well happens again. They are keeping the new well low – 200-250. The old well was 500, but now are lucky if they get 250. That's about the best they can do. Butch said they are looking at the protected zone around the Gold Street well. Hoping for spring town meeting.

Jack said he had more discussions with Bob McGhee regarding the water superintendent. He made an offer to someone who turned us down. He went to Needham. Money was an issue.

Jack said that regarding the appeal of the water permit, he decided to stay with the Anderson & Kreiger attorney. Concentrating on population numbers. The DCR is using their population figures. Bob McGhee and Steve Olsen put together a spreadsheet on .53, .56, .63 allowance – gallons per day. Our permit allows us up to .65.

Butch said DCR called and asked how much of the town is serviced – 60% - and we went with that. Our real numbers are already at 67%. Their information was skewed. We submitted comments, and told them how the numbers were skewed. Jim T. asked why we should be held accountable for their screw up. Andy Bakinowski, who sat in on this part of the meeting, said the map is horrible. They had Call and Wait as a possible well site. That's how bad it is. Jim T. asked why they asked for our comments if they aren't using them. We are appealing now. Jack said he has sat down with Dwayne and Marilyn and the time lines are off.

### **Constellation Energy**

Jack said they met with the guy from Constellation Energy. They lease off of us and put up solar panels, and sell the power to us. We are paying 18 cents. They are talking 11 cents. Do we want to put out an RFP or do a soul "search" with them? Ask them for a pro-forma where we get their figures. Rob said Ray Angelone wants an RFP. Jim L. said he wants the best deal. Ray worries about town meeting. Jim L. said give us the number. Pursue it. Let's get numbers.

### **Hurricane Earl**

Bob McGhee said that it sounds like the storm is downgraded to just rain and wind. They have met, and the DPW is ready to go, if needed.

### **Soft Transition**

Jack Hathaway and Butch Vito have had conversations about a transition with Butch retiring, and Bob McGhee being Interim DPW Director. Bob will handle everything from this point on, with Butch as a resource to Bob. Jack will send a letter to all departments that they should refer everything to Bob McGhee and try to transition everything.

### **EDC – Stormwater/Wastewater**

Jim Lehan said that the wastewater treatment plant as it applies to the school project is way too late. Andy said the permitting process for wastewater is at least 18 months. We would need business partners.

It is okay to go ahead with the stormwater. The study has been done on fees. There will be an article for town meeting (enterprise fund, easements).

Jim Lehan moved to submit a PDF application. Jim Tomaszewski seconded, and it was **so voted**.

On another matter, Jim Lehan said he had a conversation with Kirk Henderson regarding his property at Gump's Farm. He owns 24 acres in Norfolk. Two builders have made offers, but Jim would like the town to own it. CPC will meet next week to discuss it. He has 10 buildable lots. Wants it kept confidential. To go forward, we would need a warrant article. Possible affordable housing. Jim would like a placeholder on the warrant.

Jim would also like an article on the fall town meeting regarding the Town Clerk's position.

### **Chapter 90**

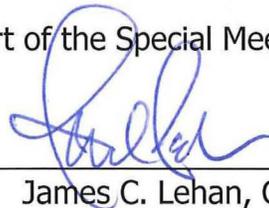
Bob McGhee reviewed Chapter 90 and what he has been working on.

He said 76 Fruit Street - part of the street is on private property. He needs to repave the corner, do an overlay and continue the project. He will push this off to spring.

He told the Board he introduced the residents to the bags through the newsletter. They are looking at a mailing program for vehicle stickers.

At 4:27 p.m., Jim Lehan moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of September 1, 2010.



---

James C. Lehan, Clerk

September 13, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob Garrity called the meeting to order at 7 p.m. Rob announced this meeting is video and audio taped. Jack Hathaway read the agenda.

### **ECONOMIC DEVELOPMENT COMMITTEE**

Present were EDC members Bob Nicodemus, Walter Byron, Greg Mirliss, and Chris Watson along with Butch Vito, DPW Director.

Bob Nicodemus said the EDC will present two articles for the fall town meeting.

He said we should adopt infrastructure to help build the town center, which he explained on his first map. The second map shows potential new construction if there is infrastructure to support it. Norfolk Commons has its own infrastructure without stormwater capability.

Bob said they have done a feasibility study and found it is feasible. At the lowest assessment, we could bring in revenue of \$490,000. They found three sources of grants. One to set up a wastewater utility, one to set up a stormwater utility, and they have applied for a PWED and a PDF grant.

Jim L. said he and his committee have done yeoman's work and he thanked them. Jim is very supportive of both of these conceptually. Jim was focusing on the cost. He said the next few years are going to be bad and he is very sensitive to our operational budget. We can't incur any debt in the short term. He supports the business partner concept and encourages EDC to go forward with that. He is concerned about the cost. It's how we get there.

The Board questioned financing and Bob said there are grants available. There is a growth incentive program.

Jim L. is all for the articles. He feels they are the first step. But he is very cautious about steps 2 and 3. He worries about it. He said he was reacting to the 300-500, which terrifies him.

Rob asked if there will be language and home rule petition by the end of the week. Bob said yes. Bob will provide the Board with the backup financial information.

The Board approved these articles for the fall town meeting.

### **CHIEF BUSHNELL, FLAMMABLE STORAGE LICENSES**

Fire Chief Cole Bushnell was present. He told the Board that after the explosion at The Village at Rivers Edge, the Fire Marshal asked about licensure.

The Board heard three license applications for flammable storage licenses at The Village at Rivers Edge, Pin Oaks and Norfolk Commons. Cole said the explosion was a construction accident and other issues have become a national incident regarding the odor in the propane. The State Fire Marshal is going to issue a memo to all Fire Chiefs' that condos should be licensed.

Jim Lehan moved to grant a license to The Village at Rivers Edge for storage of propane; 42,000 gallons. Jim Tomaszewski seconded. Jim Lehan said gas has been notable in the news lately. Jim Lehan said that this would not have become as national as it is if it had not been for Chief Bushnell's initiatives. Attorney General Martha Coakley has traced it all the way back to Illinois. Energy USA has been stellar and cooperative. They are the middle man. Chief Bushnell had no concerns, and it was **so voted**.

Jim Lehan moved to grant a license to Pin Oaks for storage of propane; 11,500 gallons. Jim Tomaszewski seconded. Chief Bushnell had no concerns, and it was **so voted**.

Jim Lehan moved to grant a license to Norfolk Commons for storage of propane; 16,000 gallons. Jim Tomaszewski seconded. Chief Bushnell had no concerns, and it was **so voted**.

### **ROAD LAYOUTS**

Jack mentioned five roads that need to be laid out for acceptance at the fall town meeting. The five roads are: Kilpatrick Way, Lee Ann Drive, Berry Lane, Sherwood Drive and David Road.

Jim Lehan moved to layout Kilpatrick Way and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to layout Lee Ann Drive and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to layout Berry Lane and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to layout Sherwood Drive and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to layout David Road and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

## **TOWN ADMINISTRATOR REPORT**

### **Action Items**

Jim Lehan moved to allow Pack 125 Cub Scouts permission to sell popcorn at the Transfer Station on October 9, 16 and 23<sup>rd</sup> from 8 a.m. to 4 p.m. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to allow the Norfolk Lions Club permission to sell raffle tickets at the Transfer Station on September 11<sup>th</sup> and September 18<sup>th</sup> from 9 a.m. to 12 noon. Jim Tomaszewski recused himself as he is in the Lions Club. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow David Kennedy, on behalf of Adam's ARMY Run, permission to install a banner on town hill advertising the race. Jim Tomaszewski seconded, and it was **so voted**.

### **Old Business**

Jack said he attended a meeting in Boston on the PWED grant. We have good support from Barney Frank, Sen. Brown and Sen. Ross. We also have the support of SWAP. We should find out in October.

Rob announced the retirement of Butch Vito on December 31, 2010. Rob said he always had a vision and passion for the Town of Norfolk.

Jack said the Southwood deal may materialize this week. They are talking of a residential plan. The buyers are still interested in the property.

Jack said the School Building Committee has met a couple times. They voted changes to get the cost under budget.

Jim Tomaszewski said the School Committee approved the access road. No decision was made on what would happen to the road after the project is completed.

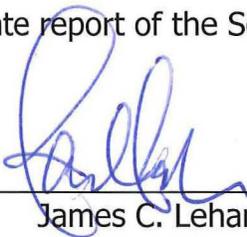
Jim L. announced a Norfolk baseball team went to Cooperstown, and congratulated them.

Jack mentioned meeting with Art Roberts from Mass Development on Sept. 30<sup>th</sup>. He will invite EDC as well.

Rob mentioned the primary and told everyone to go and vote. Jack mentioned town meeting technology committee and that they would be signing people up at the primary.

At 8:21 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of September 13, 2010.



---

James C. Lehan, Clerk

September 27, 2010

Present was Robert J. Garrity, James M. Tomaszewski, James C. Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Rob Garrity called the meeting to order at 7 p.m. Rob announced this meeting is audio and video taped. Jack Hathaway read the agenda

### **HABITAT FOR HUMANITY**

Present from Habitat was Susan Rooks, Affiliate President, and Paul George.

Paul said they are happy with the volunteers. He suggested anyone wanting to help can go onto their website and sign up and let them know when they can work. They need to regulate how many people are there. Paul said that they are hoping to have the woman into the house by Thanksgiving. They are hoping sooner than that, but she will definitely be in for Thanksgiving.

Jim Lehan said the Affordable Housing has two that they have put contracts on, and two more they are looking at. He plans to keep them busy. Susan said they are thrilled. Jim said speaking on behalf of the Affordable Housing Trust, they are happy to be in the partnership. Jim expressed the sentiments of the neighbor who fought this. He told Jim he is excited and misunderstood. He said it is a great house and he learned something.

Paul said they are always looking for donuts, coffee, muffins etc. if anyone wants to donate. There is an age limit of 16 and older to volunteer to help work.

Jack said all the feedback he got was positive and thanked them.

### **TOWN ADMINISTRATOR REPORT**

#### **Action Items**

Jim Lehan moved to layout Trailside Way and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to layout Keeney Pond Road and refer the layout to the Planning Board. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to award the salt bid, joint with the Town of Medfield, to American Rock Salt Co., LLC of Mount Morris, NY, CC delivered at \$47.20/ton. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to award the salt bid, joint with the Town of Medfield, for an alternate supplier to Eastern Minerals, Inc. of Lowell, MA, SOLAR delivered at \$47.63/ton. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to approve the Monster Dash 5K road race to be held by Pop Warner Football on October 30, 2010 at 10 a.m., beginning and ending at the Freeman-Centennial School. Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan moved to approve the annual Santa's Parade held jointly by the Norfolk Lions Club and Norfolk Recreation, on Sunday, December 5, 2010 beginning at 2:45 p.m. Jim Tomaszewski recused himself as he is a member of Norfolk Lions Club. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve Ariana Lane as the street name for Mill River Heights, subdivision off Myrtle Street. Jim Tomaszewski seconded, and it was **so voted** by Jim Lehan and Jim Tomaszewski. Rob Garrity voted **no**.

### **BOB MCGEE, WINTER RATES**

Bob McGhee was present to discuss snow rates.

The Board asked about bidding this with other towns. Bob said he never thought of regionalizing this. Rob said we are same except with 6 and 10 wheel dump trucks for snow hauling. Bob said the spreadsheet is wrong. He said that they have only increased the snow shovellers rate this year. He said no one will come out of bed for \$11 an hour to shovel, but they will for \$15.

Rob asked about the new piece of equipment – the push plow. Bob said it sits level and pushes upon the pavement without any damage. He said that this should remove the windrow of snow. He said he's hoping this will remove the night plowing in parking lots. Jack asked if a contractor had one we will be using. Bob said we used it last year for a 16" storm prior to Christmas and they used it in the parking lots and saved about two hours in plowing.

The Board asked about a minimum to go out to plow because of budgets. Bob said they look out the window and decide. He said they also go by the call of the Chiefs. Bob said they usually sand before plowing, because it makes it easier at the end of the night.

Bob feels that we need to be pro active with people and let them know we're doing it. If we don't let them know, we will hear about it. The Board said that we did major roads first, and secondary roads last. Bob said we talked about it, but didn't activate it. Bob said we should do a campaign. Maybe neighbors taking care of their own neighborhoods or street. The Board worried about

liability. Everyone agreed that public safety is first, and roads must be safe and passable.

Jim Lehan moved to approve snow rates with the addendum under snow hauling that there are no increases. Jim Tomaszewski seconded, and it was **so voted**.

### **Mailbox Policy**

Bob wants a policy for mailboxes. Jim T. said you need to look at the age of the mailbox. You can't have a one size fits all policy. He said the first four years he lived there, the plow would go 80 mph and take out the mailbox. The Board thought we had a policy. Jack said that we replace a mailbox with a generic pine post and Home Depot mailbox. Or reimburse \$75. The Board agreed we need to have a policy and be consistent. Bob said he would prefer we reimburse because he doesn't have the labor force to go out and put mailboxes up, or hire a carpenter which isn't cheap. They said there were 100 instances last winter.

Bob presented a brochure that he wrote and the Board suggested putting something on the website. They will see how this winter goes, and maybe residents will weigh in on it.

In other issues, the Board discussed Fruit Street. Bob said on the week of the 4<sup>th</sup>, they will be reclaiming Seekonk and Fruit Street and then on Friday Aggregate will come in and pave. Barring weather, they will get it done in a week. He will put signage and brochures on the doors of residents.

The Board complimented him on Grove Street and the excellent job done.

Jim T. asked about Miller/Myrtle intersection. Bob and Jim Lehan will review it and Jim will report back to the Board.

### **BOB NICODEMUS, EDC**

Bob Nicodemus stopped by and said he has been in touch with town counsel, and knows she made changes to the article but hasn't seen it yet. We will provide it to him.

Bob said there will be a meeting Thursday at the Planning Board at 8 p.m. to discuss the EDC articles.

### **FALL TOWN MEETING WARRANT**

Jack provided the Board with the draft warrant to review. We have 21 articles, plus two that we are still working on. With respect to the noise article, Jim L. said there has to be a happy medium between disturbing neighbors, and what a property owner can do on his own property. He is talking about unregistered ATV's, etc.

The Board was not in favor of an article to serve alcoholic beverages on Sundays before noon. They removed the article about alcoholic beverages.

Jack said he has a meeting on October 6<sup>th</sup> with A&F in Boston to discuss the ambulance.

Rob mentioned the two energy articles. The Stretch Code is a step closer to becoming a Green Community.

### **TOWN ADMINISTRATOR REPORT (continued)**

The Board discussed the Selectmen's Goals. Rob read the goals to the public.

Jack reported on the School Building project meetings that he and Jim T. have attended.

### **Old/New Business**

Rob mentioned that a resident owns the right of way to the Town Pond. He would like to barter. The Board suggested this be looked at with Planning Board.

The issue of old town hall came up as well and it will be still used by Recreation.

At 9 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jim Tomaszewski seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of September 27, 2010.



---

James C. Lehan, Clerk

