

September 10, 2007

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan, and Jack Hathaway, Town Administrator.

Jonathan called the meeting to order at 7:30 p.m. Jack read the agenda contents.

ACTION ITEMS

Ramesh Advani moved to approve the request of Arthur Marshall to seek donations toward the Life Line for the Senior Citizens at the Transfer Station on September 12, 15, 19 and 22, from 11 a.m. to 2 p.m., with two adults present each day. Jonathan Smith seconded, and it was **so voted**.

Ramesh Advani moved to accept the Agreement for Engineering and Supplemental Services in Connection with Task Ordered Professional Services, between the Town of Norfolk and SEA Consultants. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to appoint Remo Vito as the Project Manager for the Extension of Liberty Lane per the PWED Grant. Ramesh Advani seconded. Ramesh questioned Butch as Project Manager. He asked doesn't he have enough on his plate that this could be an issue? Jack said this is another reason that we need a Superintendent, because he could be handling a job like this. It was **so voted**.

WARRANT ARTICLES

Present was Remo Vito, DPW Director to discuss his articles for Fall Town Meeting.

Butch said residents in the Park Street vicinity have been complaining about their private wells going bad. Butch said they have heard this off and on, but to try to resolve it, they put together a water betterment for Park and Lawrence Streets - \$722,485 is the total betterment package. It would be connecting Eric Road with Hampton Road, and Bush Pond to the cul-de-sac. He is going to solicit this to the residents and see if they are willing to do a betterment project. With legal expenses, it would be \$730,000. He is considering a ten year package at \$600 a year; \$6,000 per person total.

Butch reviewed the two transfer articles. He then discussed the Stormwater bylaw and said that this bylaw is a model used throughout the State. He mentioned that the residents need to understand that this bylaw has to be accepted. We face huge fees from the State if this bylaw isn't in place, and it can become a huge burden to the town. Ramesh explained the changes that were discussed at the meeting the other evening.

This can be a general bylaw, even though the Planning Board will be in charge of it.

The Board reviewed the rest of the articles on the warrant.

Jim Lehan moved to open the warrant. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to accept the warrant marked "draft dated 9/6/07" with the exception of the article regarding stormwater to be the new revised version and changes made on various articles tonight. Ramesh Advani seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack reviewed the Bi-Weekly calendar.

Jim Lehan moved to appoint Ramesh Advani to the Municipal Affordable Housing Trust Fund Committee. Jonathan Smith seconded, and it was **so voted**. Ramesh Advani abstained.

OLD BUSINESS

Ramesh questioned the letter from Butch in July about the wells. Jack said that everyone putting in a well is on a system now that everyone is notified and aware of it.

Ramesh questioned the status of action items for Everett Street. Jack said they are working on it. Norfolk County has been out doing traffic counts. Jack related talks with the Town of Walpole on the no-trucking issue.

Ramesh questioned status of Call & Wait. Jack said that George is putting together the package to file a Complaint.

At 9:37 p.m., Ramesh Advani moved to go into executive session for purposes of collective bargaining, pending litigation and contract negotiations. Jim Lehan seconded, and it was a roll call vote: Jim Lehan, **aye**; Jonathan Smith, **aye**; and Ramesh Advani, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:23 p.m., Ramesh Advani moved to adjourn the meeting. Jonathan Smith seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of September 10, 2007.



Ramesh H. Advani, Clerk

September 24, 2007

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

Jonathan called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

EARTH REMOVAL HEARING – HUGO EQUIPMENT, 240 Dedham St.

Jonathan Smith opened the hearing at 7:31 p.m., and read the hearing notice in the newspaper. Mr. DiMartino, owner of Hugo Equipment was not in attendance. Ramesh Advani moved to recess the hearing until 8 p.m. Jim Lehan seconded, and it was **so voted**.

ACTION ITEMS

Ramesh Advani moved to proclaim October 24, 2007 as United Nations Day. Jim Lehan seconded, and it was **so voted**. Jonathan Smith read the proclamation that the Board signed that will be forwarded to the State House.

Jack asked the Board to approve the Chapter 90 project request to overlay Seekonk Street from Cleveland Street to Noon Hill Avenue per the request of Remo Vito. Ramesh questioned this request and had numerous questions regarding Chapter 90 funding. The Board discussed this at length.

The Board stopped this conversation as it was 8 p.m. and they returned to the earth removal hearing.

EARTH REMOVAL HEARING – HUGO EQUIPMENT, 240 Dedham St.

Hugo DiMartino apologized for being late. Mr. DiMartino is before the Board to request extending his earth removal permit which expired September 15, 2007. He explained to the Board that he has meetings scheduled with Planning Board, Conservation Commission and Zoning Board of Appeals.

Jonathan read the letter from Bob Bullock, Building Commissioner into the record. Jim asked if he could get this completed in two months. Hugo said he hates to have deadlines. Jim said that there are deadlines that applied to the previous permit. Jim said if you don't do the work by winter, it won't get moved. He wants this removed as soon as possible. Hugo said he did not get to the as-built plan, and he's been concentrating on the new plan. Jim said there is an obligation here, especially since you are asking for a new permit.

Hugo said he is really behind this year. Jonathan said the second condition said he would loam and seed if not done by September 15. Jim said he can

understand that, but the as-builts are an insurance to us. Jim wants to see those completed before he agrees to an extension. Ramesh agreed, and in the fall town meeting we are proposing a town bylaw which will address unstabilized land that beyond a certain time period, will need to be loamed and seeded. Ramesh doesn't want to agree to extend it for a few months, but he would want the area loamed and seeded rather than have him wait. There are too many ifs and he wants to see something being done. He would agree to have the as-built plan and have the area loamed and seeded. Hugo said most of the excavation is done; he is getting the sub-grade established, and he is really behind and he hasn't gotten there yet.

The Board agreed instead of a two month extension, we would just extend it further. It would depend on how severe the weather is on determining how much he can get done over the winter months. Hugo showed the Board what he plans to do on a plan. He needs to do some excavation before he does the plan, but he would do the plan if necessary. Jim agreed with Ramesh that he would agree to a longer period of time if he complies to the two prior considerations.

Jonathan asked if any abutters need to speak.

Dave McClean, 8 Sharon's Avenue, asked if he were only moving piles around. The answer was yes.

Jonathan stated the validity of the permit is conditioned upon plans submitted by – we will decide on a date - and if we go the second step, some kind of stabilization whether it's loaming and seeding, or loaming contingent upon time of year, if those two things aren't done, then the permit is immediately void. Jim asked if he could do the loaming and seeding within 60 days. Hugo said yes. Jonathan said he was going to say 30 days because 60 days is the end of November. Ramesh suggested 45 days as that would be reasonable. The Board agreed on 45 days.

Jim Lehan moved to extend the Earth Removal permit to Hugo Equipment, Inc. through May 1, 2008 conditioned upon the completion of the conditions set forth in the original Earth Removal permit that the area will be loamed and seeded and as-builts will be provided by November 1, 2007. No earth removal is to take place until those two conditions are met. If the conditions are not complied with, this permit shall immediately become null and void. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to close the hearing. Ramesh Advani seconded, and it was **so voted**.

ACTION ITEMS – Continued

The Board revisited the Chapter 90 issue. Ramesh still asked for clarification. After much discussion, the Board took no action until they receive further information from Mr. Vito.

Ramesh Advani moved to award the salt bid to American Rock Salt Company, LLC of Mount Morris, NY at \$50.20/ton for CC delivered, with an alternate supplier of Eastern Minerals, Inc., Lowell, MA at \$52.68/ton for CC delivered. This is a joint bid with the Town of Medfield. Jim Lehan seconded, and it was **so voted**.

WARRANT

Advisory Board members Marc Waldman, Jim Tomaszewski, and Arlie Sterling were present for the discussion of the Fall Town Meeting Warrant.

Marc talked about debt exclusion for police/fire station. Jonathan said people have a hard time voting for something without knowing what it is. They need information and a certain comfort level.

Jim agrees with their theory but is unsure how to sell it to the public. He doesn't know how people will buy into it, but is sure we will save the town money. Marc said the debt exclusion vote has no weight. You can do nothing with a debt exclusion vote. Only a town meeting can spend money. It's New England government. You need people at town meeting.

Ramesh and Marc discussed the wastewater treatment plant. Jack said that there may be grants available.

They want Articles 9 and 10 contingent on a debt exclusion.

Jim Lehan moved to reopen the warrant. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to substitute a new article 6 for old article 6. Ramesh Advani seconded the motion. The Board considered changing language, and discussed substituting managers. This was to clarify if there were two managers in a department, such as public safety where there are two managers – Fire Chief and Police Chief. It was suggested adding the word "senior" in front of manager. It was suggested removing the Enterprise Fund language or deletion of that statement. It was agreed to add (s) after senior manager and remove managers. This was **so voted**.

Jim Lehan moved to close the warrant. Ramesh Advani seconded, and it was **so voted**.

OLD BUSINESS

Jack reviewed the old business items with the Board.

Jack announced that we have scheduled Sgt. Adam Kennedy's memorial dedication on November 11th.

Jack said that regarding Buckley & Mann, the owner has had a survey done as far as cleaning up hazardous waste and safeguard the property by razing the public safety hazards – some old buildings and transformers with carcinogens, etc. We will get a copy of the report.

Jonathan wanted to go on record with a resolution that we want no through truck traffic on Everett Street and that we notify the Walpole Board of Selectmen to that effect.

Ramesh Advani moved that we want no through truck traffic on Everett Street and that we notify the Walpole Board of Selectmen to that effect. Jim Lehan seconded, and it was **so voted**.

NEW BUSINESS

Jack mentioned that he and Butch Vito will be meeting with EDC chair Bob Nicodemus to look at the work for the B-1 district and potential buildout.

Jack discussed the letter regarding signage on Medway Branch. Residents don't like the sign for the DPW/Transfer Station/Senior Center and don't want it put back up. Jack feels there should be a sign at least for the Senior Center. Jonathan would like to let them have their say, but has serious problems with what they want to do. We will have them in the first week of November and we won't put the sign back up until we meet with them.

Jack discussed Franklin threatening to shut off our water. Legally they can't do that. We have an Agreement that they are going to break. Jim said it is terribly wrong for them to put citizens in either community in the middle of this. That isn't fair over water services. Ramesh said that the Selectmen should write a letter.

Jim would like some representatives from the Norfolk School Committee in to talk about what we read in the newspaper, and status of a new school.

Jonathan wants to know when site plan approval for 220 Main Street from Planning Board happens.

BIWEEKLY CALENDAR

Jack read the calendar.

ACCEPTANCE OF MINUTES

Ramesh Advani moved to accept the minutes of August 13 and 27, regular and executive session. Jim Lehan seconded, and it was **so voted**.

At 11 p.m., Ramesh Advani moved to go into executive session for the purposes of land purchase and contract negotiations. Jim Lehan seconded, and it was a roll call vote: Jim Lehan, **aye**; Jonathan Smith, **aye**; and Ramesh Advani, **aye**.

The Board will not return to open session except to adjourn the meeting.

At 11:35 p.m., Ramesh Advani moved to adjourn the meeting. Jonathan Smith seconded, and it was **so voted**. No votes were taken in executive session.

This is a true and accurate report of the Selectmen's Meeting of September 24, 2007.



Ramesh H. Advani, Clerk

October 15, 2007

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan, and Jack Hathaway, Town Administrator.

Jonathan Smith called the meeting to order. Jack Hathaway read the agenda contents.

LISA DAVIS, MBTA AGREEMENT

Present was Lisa Davis of Lisa Davis Associates, Bob Davis, the attorney who represents Stop & Shop, and Ken Staffier of VHB.

Lisa Davis said they are here tonight to ask us to execute the Memorandum of Agreement. She said the access way is a jagged narrow roadway that was a taking several years ago. They would like a straight shot from Liberty Lane right to the MBTA parking. If they deeded the narrow strip to the MBTA, they would be able to go ahead with the construction of Liberty Lane. Lisa said that Jack had forwarded a revision this afternoon, which they are okay with. Stop & Shop is comfortable with going ahead in the spring. Bob Davis said there is pending site plan approval for Walgreen's and progress is happening. They hope to build in the spring. Bob said that Stop & Shop has also gone through the bidding process as per the Planning Board and the numbers have not come in at a level that would allow them to proceed. They will be looking at engineering and possibility of a smaller size store. Bob said they are working closely with Strata Bank and they are close to making a commitment to a store on Liberty Lane. They are also considering a small retail store next to Walgreen's.

Lisa said that Stop & Shop is determined to finish the entire road.

Jack brought up the condition of the road where the condominiums are. Bob said the condo area is a separate party than them. It is the developer's responsibility to construct that road. The small road by the retail store will be taken of with their project.

Jonathan questioned the coffee shop and will it be there? He said they have heard rumors. Lisa said they heard real concerns about the drive up, so they aren't sure they will want that. They will come in with revised plans. They would need a special permit and they don't know if they want to go through that. She said if the

Jonathan said frustration with this whole project and there is always "something else" as to why this project can't go forward. How should we take these comments as anything different than what we've heard already? Bob said

Norfolk isn't an easy permitting project. The cost for underground drainage itself is expensive. They are required to put a retaining wall in which is expensive. He said that the permitting process is costly and prohibitive. It has not been an easy process and they have put in a good faith effort.

Jim thanked him for being here. Are we on their 3 year list? Jim said that when he talked to them 3 or 4 years ago, we weren't even on their 3 year list. Jim said that this is becoming very damaging to the community. He said that this is one more reason why this isn't being built. Jim would like a public update from time to time as to what is going on and timelines, etc. He said we are on the same page as them and we would like to help. He said the town may begin looking at alternatives. Jim said we are looking for help, and doing the road would be a big help.

Bob said they can work with us through Jack to report in more frequently. He will give us updates and he doesn't know where this is in Stop & Shop's Capital Plan, but will find out.

Ramesh said he has been following this since he came on the board. He started a roundtable process specifically to address comments made by them that the approval process is cumbersome.

Ramesh commented that he has never actually spoken to a Stop & Shop executive. He finds it distressing that there were land court issues and other issues. He said he doesn't think there are any plans at all to construct anything. He doesn't think anyone is taking responsibility. Norfolk wants this property developed.

Bob said they are prepared to be back in a couple months with an assessment of their findings and what their intentions are. Bob said that sometime after the holidays, they should be prepared to do that. Ramesh questioned the area where the sign is and what an eyesore it is. Bob said that there haven't been any plans and they haven't even considered it. He said they will look at it.

Ramesh said we would love to have an executive from Stop & Shop here. Bob said they can bring him in. Jim said if they do, he has to come prepared with answers. Jim asked at what point they will decide this is not viable. We need to mitigate it if it isn't going to happen. Maybe we can all sit down together and talk.

Bob said Stop & Shop has made a substantial investment and would like the opportunity to try. Jim said we aren't shutting them out; we would like them here.

Lisa said they didn't get site plan approval until the spring. Then it had to go out to bid and that took several months. She said it seems like we've been going on forever, but until they got Planning Board approval, they couldn't do anything. Jim said the process to get to that point took a long time. Lisa said Stop & Shop has owned that land for 7 years.

Bob said they will come back and meet in January and bring a Stop & Shop official who will have responsibility for this project. It is a woman and they will be prepared to discuss this project with us. Ramesh wants to talk about the two lots on Main Street. Independence Drive is the entrance to the whole complex. On the MBTA easement, we are all in agreement.

Jonathan wants them to commit that this person with them in January will have authority and can have some level of commitment. Bob said they can deliver the person and the authority, but he can't promise commitment. Jonathan and Ramesh stressed that they would like to see them come back in during the first or second meeting in January. Jim, however, said that if they don't have answers, then wait until February, if that's what it takes. Jonathan feels the Planning Board has bent over backwards helping. Bob said the Planning Board requirements are what he was talking about, not the administration. The set of rules of which they are bound to work is very stringent. Ramesh said with 3 town meetings, they have made the B1 district changes driven by your project.

Ramesh Advani moved to accept the Memorandum of Agreement between the Town of Norfolk and Massachusetts Bay Transit Authority and Norfolk Commons LLC and Liberty Norfolk Development to LLC as referred to in the handout for the purpose of changing the MBTA easement benefits and other clauses and conditions listed here, the relocation of the MBTA easement and Boardman Street extension dated as of October 15, 2007. Jim Lehan seconded, and it was **so voted**.

Bob Davis mentioned Article 34 in the town meeting warrant and said they would want the Board to recommend indefinitely postponing this, as well as the Planning Board because it restricts. Bob said the sub-committee thought they were correcting a typo and they were not.

ECONOMIC DEVELOPMENT COMMITTEE

Present were EDC members Bob Nicodemus, Kim Eldred and Jennifer Troutman. Also present were Planning Board members Steve McClain and David Roche.

Bob said that they were here tonight to update everyone and to let us know what they want to do as far as outreach.

Jennifer gave the Board a brief review of the four items that they have been working on.

Bob said they have done a fair amount of comparison research with other towns that has helped them. They need to deal with predictability and timelines. Bob said they want to give a summary of where they are at town meeting. They want to do an inventory of properties and feels communication is key.

ACTION ITEMS

Jim Lehan moved to approve the annual Santa Parade and Town Hill Celebration held by the Lions Club and Norfolk Recreation on Sunday, December 2, 2007. Ramesh Advani seconded and it was **so voted**.

Jim Lehan moved to approve a Blind Drive sign for 44 Lawrence Street. Ramesh Advani seconded and it was **so voted**.

BIWEEKLY CALENDAR

Jack read the biweekly calendar.

FALL TOWN MEETING WARRANT

The Board reviewed the Fall Town Meeting Warrant and who from the Board would speak on articles at town meeting.

OLD BUSINESS

Jack is meeting with the Town Administrator and DPW Director on Wednesday to discuss the no through truck traffic.

Jim asked for details on the dedication to be held on Veterans Day.

Jack reported no update on the Franklin water issue. We will go over it after town meeting.

Caritas is anxious to enter into a PILOT agreement. Jack said this is good because we can agree on a tax bill and then there won't be an abatement process.

NEW BUSINESS

Jack mentioned the Paws for Plainville's interest in a kennel type facility. Jack said he went and looked at Medfield's with the Wrentham and Plainville Town Administrators.

Jack mentioned the School Committee contract negotiations. Jack will be a part of this, although non-voting.

Jack gave a letter to the Board from Matt Borrelli. The Board feels it is premature. We can endorse the concept, but he has to go through the Affordable Housing Committee and then through the other channels.

Jonathan reported attending the King Philip ribbon cutting ceremony.

Jonathan reported on Verizon and the cable negotiations.

At 9:58 p.m., Ramesh Advani moved to go into executive session for purposes of land purchase. Jonathan Smith seconded and it was a roll call vote: Ramesh Advani, **aye**; and Jonathan Smith, **aye**. Jim Lehan recused himself from the discussion and did not vote.

As the Board went into executive session, Jim Lehan left the meeting and the building.

At 10:39 p.m., being no further business, Ramesh Advani moved to adjourn the meeting. Jonathan Smith seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of October 15, 2007.



Ramesh H. Advani, Clerk

SPECIAL MEETING

October 30, 2007

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

This was a special meeting held during the fall special town meeting at King Philip Middle School, Norfolk.

Jonathan Smith called the meeting to order at 11:02 p.m.

Jim Lehan moved to authorize the Town Administrator to sign the Purchase & Sale Agreement for the Highland Lake property. Ramesh Advani seconded, and it was **so voted**.

At 11:03 p.m. being no further business, Jim Lehan moved to adjourn the meeting. Ramesh Advani seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of October 30, 2007.



Ramesh H. Advani, Clerk

November 26, 2007

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

Jonathan Smith called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

EMPLOYEE INSURANCE ADVISORY COMMITTEE

Holly Merritt and Paul Vito, members of the Employee Insurance Advisory Committee came forward. Holly read a prepared summary. Holly said they are happy with the 5% increase but have other questions such as how many employees go elsewhere for employment with better benefits, and how many potential employees don't take the job because the health insurance is low.

Jim said we share a common goal and will continue to work on it. He said that the Board of Selectmen vote was unanimous and he had full support of this Board.

Jim said he couldn't commit to a future board, and this is now part of the budget so hopefully another Board won't change this.

The Board stopped discussion to open the public hearing.

EARTH REMOVAL PUBLIC HEARING – ELITE FOOD COMPANY

Jonathan Smith opened the public hearing and read the hearing notice.

Ramesh Advani moved to recess this hearing until December 10, 2007 at 8:30 p.m. Jim Lehan seconded, and it was **so voted**.

CONTINUED – EMPLOYEE INSURANCE ADVISORY COMMITTEE

Ellen Horton read a statement on behalf of the teachers. There was more discussion on the health insurance rates.

ACTION ITEMS

The Board discussed voting to make the winter bans a policy through the Town Administrator as this is an administrative decision that can just be put in place annually without the vote of the Board. Jim Lehan moved that the winter parking ban become policy and the Town Administrator become the power to enforce the policy. Ramesh Advani seconded, and it was **so voted**.

The winter parking ban voted is as follows: To suspend all street excavation in the public ways from November 15, 2007, through April 15, 2008, except for extreme emergencies or hardship.

To impose a Winter Parking Ban, effective November 15, 2007, through April 15, 2008. No overnight parking on town roads will be allowed. This is to include parking vehicles on the sides of roadways, just off the road.

Regarding the request of Butch Vito, DPW Director that the Board vote to reject all bids for the Sanitary Landfill Leachate Pond Roof Structure project as all bids exceeded the funds available, the Board felt that no vote was necessary. To reject bids, it can be the DPW Director who does this. The authority should go to the Director and Town Administrator and away from the Board.

Jim said that maybe we should relook at this whole project. We should have Butch in to a meeting to discuss this.

Jack asked that the Board approve the liquor license renewals for 2008 to Eagle Brook Saloon; Guido's Restaurant; Horse 'N Carriage Restaurant; Norfolk Fine Wine & Spirits; Sarthi Convenience, Inc., d/b/a Norfolk Food Mart; Provo Discount Liquors; Shubham Variety, Inc., d/b/a Linda's Variety Store and Fore Kicks.

Jim Lehan moved to approve the 2008 liquor licenses as so stated in action items. Ramesh Advani seconded, and it was **so voted**.

OLD BUSINESS

Jack reviewed budgets.

Jack reviewed what has been going on at Buckley & Mann. The applicant has applied for a building permit and Bob Bullock let Conservation know. Jack emailed a response back to ConComm to the Board.

Ramesh said that this has been discussed at the Advisory Board and an article at town meeting. The implication of ConComm indicates that they have been left in the dark. Ramesh doesn't know if it's a communication issue or what the problem is. He thinks finger pointing and emails back and forth aren't the way to go. He feels that we should have ConComm in. It is non-productive.

Jim agreed. We are one town and we should be working together. There is a wall between ConComm and the Building Dept. He agrees that we need to have them in to tell us what is wrong here. This was discussed at length at town meeting. Jim said what is the point – we are not the applicant.

Jack, Bob and Ramesh will work through this with ConComm.

Jack said he and Butch met with Pam Russell from the Executive Office of Transportation regarding the PWED grant. Spring town meeting we should bring this up. We should do a roundtable on this and involve all land use boards. Target this for the spring.

Engine 2 is expected to be delivered in mid-December and put in service in January.

Jack discussed Everett Street. They decided to have another meeting with the residents because we can't let this drop. We need to have Plan B defined before we go to this meeting. Plan B is in the event the Walpole Board of Selectmen don't want to be involved. Jonathan will reach out to the Walpole Board.

Jack told the Board that Jamie Masterson has given his notice as IT Coordinator and will be going to work as a full time FF/Paramedic in January. Mark Haigh has resigned to go to work for Deaconness, but will remain as a call firefighter.

Jack said the Perambulation of bounds was successful with Wrentham. Franklin was invited but declined.

Jack told the Board that he issued a Restraining Order for a local dog on Leland Road.

BI-WEEKLY CALENDAR

Jack reviewed the calendar.

Jim said that we are requesting to have senior management of Stop & Shop in to our meeting in January. We need to talk to George on how to establish an Economic Development Corporation, which we will need to know the information before we meet with them. We need George to outline the process and what steps do we need to take?

Jim thanked the DPW for organizing and maintaining the memorial for Adam Kennedy and thanked Colonial Fence for donating the fence behind the memorial.

Ramesh suggested we answer the letter from the Library Trustees. We need to fix this, but how? Jack talked with Robin, and Jim wants to get together and try to figure out a stipend, such as assigning grant writing responsibilities and pay her a stipend. Balance it as fair compensation. Try to do this before our next meeting. Jonathan said that's a band-aid. There is an underlying problem that

needs to be met. Jim said perhaps this is a time to discuss the Human Resource position that was voted at town meeting.

At 9:34 p.m., Jim Lehan moved to go into executive session for litigation and other contractual negotiations and contract negotiations. Ramesh Advani seconded, and it was a roll call vote: Jim Lehan, **aye**; Jonathan Smith, **aye**; and Ramesh Advani, **aye**. There will be no open meeting except to adjourn.

At 9:53 p.m., Ramesh Advani moved to accept the minutes of September 10, 2007, regular and executive session; September 24, 2007, regular and executive session; October 15, 2007, regular and executive session; and a special meeting of October 30, 2007. Jim Lehan seconded, and it was **so voted**.

At 9:54 p.m., Ramesh Advani 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 November 26, 2007.



Ramesh H. Advani, Clerk

December 10, 2007

Present was Jonathan P. Smith, James C. Lehan, Ramesh H. Advani, and Jack Hathaway, Town Administrator.

Jonathan opened the meeting at 7:30 p.m. Jack read the agenda contents.

CLASS III PUBLIC HEARING – NORFOLK AUTO, INC.

The public hearing was called to order at 7:33 p.m. Mr. Kevin Roche was present. Jonathan read the contents of the current license. There were no questions or comments.

James Lehan moved to approve the Class III license as read for the year 2008. Ramesh Advani seconded, and it was **so voted**.

TOWN ADMINISTRATOR REPORT

Action Items

Jack asked the Board to approve licenses as listed below:

COMMON VICTUALLER

Eagle Brook Saloon, 258 Dedham Street, Charles Horne, Manager
Guido's Restaurant, Inc., 218 Dedham Street, Joseph J. Guarino, Manager
Horse 'N Carriage Restaurant, 210 Dedham Street, Kevin M. O' Boy, Manager
Norfolk Town Pizza, 158 Main Street, Nicholas K. Alisandratos, Manager
Bourque's Restaurant, 194 Main Street, Karen Bourque, Manager
Dunkin' Donuts, 134 Main Street, Frank Barounis, Manager
Fore Kicks, 10 Pine Street, Tom Teager, Manager
Center Ice, Inc., One Dean Street, Joseph Hamilburg, Manager

Ramesh Advani moved to approve the Common Victualler licenses as read for calendar year 2008, James Lehan seconded, and it was **so voted**.

ENTERTAINMENT LICENSES

Eagle Brook Saloon, 258 Dedham Street, Charles Horne – Manager
Entertainment – Live Music (secular days and Sundays), 1-5 instruments 8 p.m.-
1 a.m.

Fore Kicks, 10 Pine Street, Tom Teager, Manager
Entertainment – (11) eleven coin operated "arcade" machines
(secular days and Sundays), hours: winter 4 p.m.- 9 p.m. Mon.– Fri., summer 9
a.m. -10 p.m. Mon.-Fri., 8 a.m. -10 p.m. Sat., Sun.

Norfolk Rink Management Co., Inc., One Dean Street, Joseph Hamilburg,
Manager
Entertainment – (6) six coin operated "arcade" machines
(secular days and Sundays), normal business hours: Mon - Sun. 7 a.m. midnight

James Lehan moved to approve the Entertainment licenses as read for calendar year 2008. Ramesh Advani seconded, and it was **so voted**.

CLASS I

Cliff's Cycles, 84 Rockwood Road, Frank Hallion and Ronald St. Pere.

James Lehan moved to approve the Class I license as read. Ramesh Advani seconded, and it was **so voted**.

CLASS II_ * (B) Bond required by state law

Auto Clinic, 104 Pond Street, Joseph Wolf
Norfolk Auto Brokers, 84 Rockwood Road, Denise Anderson
Norfolk Auto, Inc., 38 Main Street, Paul E. Roche
Mitch's Repair Service, 269 Dedham Street, Richard Mitchell

James Lehan moved to approve the Class II licenses as read for calendar year 2008. Ramesh Advani seconded, and it was **so voted**

TAXI LICENSE

Foxfield Taxi, Paula Savill (2 taxis)

Ramesh Advani moved to approve the Taxi licenses as read for calendar year 2008. James Lehan seconded and it was **so voted**.

HOOR EXTENSION – NEW YEAR'S EVE

Jack requested that the Board of Selectmen vote to extend the hours for the following establishments: Guido's Restaurant, Eagle Brook Saloon, and Horse 'N Carriage Restaurant for New Year's Eve until 2:00 a.m. All patrons must be off the premises by 3:00 p.m. Ramesh Advani moved to approve the request. James Lehan seconded, and it was **so voted**.

PUBLIC HEARING - TAX CLASSIFICATION

The hearing was opened at 7:40 p.m. Jack told the Board that the calculations have been completed, and are waiting for state approval. He recommended that the hearing be continued to the next Selectmen's Meeting which is scheduled for Monday, December 17, 2007. The hearing will recommence at 7:40 p.m. James Lehan moved to continue the hearing until the following week. Ramesh Advani seconded and it was **so voted**.

BI-WEEKLY CALENDAR

The Bi-Weekly calendar was reviewed by Jack.

OLD BUSINESS

Jack discussed his recent conversation with Town Administrator Michael Boynton from the Town of Walpole. This conversation was in reference to the Everett

St/Summer Street truck exclusion possibilities. Mr. Boynton felt that the Walpole Selectmen were not interested in pursuing this topic at the present time.

Jack discussed his conversation with Bill Fleming from Caritas Norwood. Mr. Fleming stated that the Southwood property will be put up for auction in late spring/early summer at the latest. The most recent deal they had concerning this parcel fell through.

Jack discussed his attendance at a recent procurement seminar that he attended in Boston. He stated that he received valuable information during the 3 day seminar that can be utilized in Norfolk in the future. He will also share his knowledge with town boards and committees.

Ramesh Advani asked Jack if there was any update on Call and Wait. Jack said he had heard nothing. We are waiting for the hearing set for January. Jack discussed the possibility of having Town Counsel George Hall in to the Selectmen's meeting to review and update them on on-going cases. Jim Lehan asked if George could review his "work flow." They would like to have him meet with them during their January 28, 2008 meeting.

MEDWAY BRANCH SIGNS

Present were Jennifer Woodard, 11 Medway Branch, and Bill Smith, 3 Medway Branch who were the spokespersons for the Medway Branch residents. Ms. Woodard felt the sign should be in front of the building and not at the end of the street, and such a large sign detracts from the neighborhood. Mr. Smith noted that other towns don't have signs at the end of the street, they only mark the respective building.

Butch Vito, DPW Director explained the history of directional signs in town. He explained that vendors, and out of towners rely on these signs to locate their destination. When they were originally placed in their respective destinations they were appropriate. Jack Hathaway said both the Fire Chief and the Police Chief have no strong opinions as to whether the present sign stays or should be replaced by a smaller sign, or none at all.

Richard Morris, COA Chairman spoke. He gave instances where other towns do have signs at the end of their respective streets. He feels that the signs are beneficial where they are.

Ramesh Advani felt the signs are beneficial, but possibly we could go to a smaller, more agreeable size.

James Lehan agreed with Ramesh. He felt possibly a smaller sign that was more esthetically pleasing to the neighborhood would be beneficial.

Jonathan Smith stated that there should be some type of sign there. The facilities located on Medway Branch were there before the houses were built.

James Lehan stated that they should look for a compromise between the residents and the Town.

John Wayne, Medway Branch voiced his opinions on the signs, and asked for a formal Medway Branch update meeting with the Board of Selectmen. The Board agreed to the meeting.

Jonathan Smith asked Jack to follow up with costs for a new sign, and bring them to the Board.

OLD BUSINESS

Ramesh Advani wants an update on GATRA. He would like to have Frank Gay in to discuss the program and how it is going. Jonathan Smith would like to have input on who has been using the service and how they like it.

Ramesh Advani asked for an update on the Buckley Mann property. Jack Hathaway said that four of the buildings have been demolished, and the remaining buildings have been secured. They will file a notice of intent, and work through the Conservation Commission to demolish the rest. It will be set for next spring.

PUBLIC HEARING - EARTH REMOVAL

ELITE FOOD COMPANY

Jonathan Smith opened the hearing at 8:30 p.m. Present for Elite Food Company were Charlie Sheppard, Sam Amato, and presenting for the company, Jack Goodhall from CDW Consultants. Also present was Paul Keating, owner of Elite Food Company.

The discussion began with a review of the boundaries and the scope of the earth removal. The project was discussed with specifics by Mr. Goodhall. He also presented detailed plans.

Jonathan Smith reviewed the recommendations that were provided by the Earth Removal Committee in their report. Mr. Goodhall expressed concerns over posting the \$5,000 bond. Jack Hathaway asked if the performance bond could be waived. James Lehan felt as long as we don't compromise the Town Bylaws, he was okay with waiving the bond. Jack Hathaway reviewed the Bylaws, and interpreted them. He felt that it was at the Board's discretion to waive the fee or not. Ramesh Advani questioned whether we should set a precedent by waiving this fee.

Mr. Goodhall said that the work would begin in the spring when the ground is thawed, and would continue for at least 6 months.

Jonathan Smith asked the Board if they should look at each case individually, and assess on their own merit. Paul Keating asked the Board why they require a bond when other towns do not.

James Lehan recommended that the Board set the bond at \$1,000, and not waive the fee. Mr. Keating asked that the permit be extended to 18 months.

Jim Lehan moved to set the bond at \$1,000 and the permit to be set for January 1, 2008 through June 30, 2009. Ramesh Advani seconded the motion. Jonathan Smith asked that we incorporate the plan, and provide as an amendment and it was **so voted**.

NEW BUSINESS

Jack told the Board that he had spoken to Mr. Michael Boynton, Town Administrator for the Town of Walpole concerning a proposed Power Plant in Walpole. Mr. Boynton assured him that it is a united effort, from the residents and the town, and that they will fight it.

Jack notified the Board that we had applied for an MAPC grant, and have received some money from them.

Jack brought up the Public Safety Building. He said there will be a packet forthcoming to the Board. There are several issues with the septic lines. He will present a 5 year plan contingent upon continued residence in the present building, and if they are to remain in the building, there must be some improvements. James Lehan recommended that a possible new septic system is a priority. They must also resolve some issues with space.

Jack mentioned that Cable negotiations continue, and there will be another meeting next week.

Fire negotiations will also begin next week.

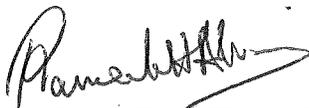
Jack noted that two committees are in need of members. Capital Outlay Committee, and Affordable Housing Committee. They Board requested that they review the appointments, and possible candidates at the next meeting. Jonathan Smith mentioned that Martin Murphy had just resigned from the Zoning Board of Appeals. The Board will need to appoint another person to fill his term.

Jim Lehan spoke to the Board concerning the Medical Reserve Corp. He discussed its mission, purpose and general committee make-up. They will be holding an Open House at the Library on January 26th from 1- 4 p.m. to help recruit members and inform the general public as to their role in the community. Jim also mentioned that he will be doing a cable show with Fire Chief Coleman Bushnell concerning the MRC on NCTV.

Jim Lehan also asked that Jonathan Smith trade liaisons with him. Due to scheduling conflicts, he is unable to make school committee meetings. He asked that Jonathan trade. He would take the school liaison position, and Jim would take the public safety liaison position. Jonathan agreed to the switch.

At 9:36 p.m, being no further business, Jonathan Smith moved to adjourn the meeting. James Lehan seconded the motion, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of December 10, 2007.

A handwritten signature in black ink, appearing to read "Ramesh H. Advani", written in a cursive style with a long horizontal flourish extending to the right.

Ramesh H. Advani, Clerk

December 17, 2007

Present is Ramesh H. Advani, James C. Lehan, and Jack Hathaway, Town Administrator. Jonathan P. Smith was absent.

Ramesh called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

AGENDA ITEMS

Jim Lehan moved to award the contract for leasing municipal space (water tower behind Town Hall) for wireless communications to Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless for a lease term of 5 years with three five year extensions. This includes a 3% annual increase throughout the lifetime of any lease agreement between the parties. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to vote to rescind all the bids for the leachate pond roof structure due to bids exceeding the project amount voted at town meeting. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to vote Elissa Flynn-Poppey as a member of the Zoning Board of Appeals, effective January 1, 2008 - term to expire June 30, 2009 (replacing Martin Murphy who resigned). Ramesh Advani seconded the motion. Jim questioned why her when we have two associate members? Jack said because the senior associate usually is appointed first and he said Lorraine Sweeney, ZBA Chair, agreed. It was **so voted**.

SNOW STORMS

Jack extended appreciation to the DPW for the work the employees and snow plow drivers did. Jack said Butch Vito said he got a lot of complaints from residents. They were upset that they had to keep shoveling the ends of their driveway because plows kept coming by. Butch said they tried to keep up with the roads to avoid the slush and freezing.

Jim reinforced the work that the paramedics do, and commented on a letter that was sent to the Boomerang from a resident whose life was saved by the paramedics. Jim commended both the fire and police.

TAX CLASSIFICATION HEARING

At 7:40 p.m., Ramesh Advani read the hearing notice as it appeared in the newspaper and opened the public hearing. He asked Robbie Alford, Chief Assessor and Jane Wall, Finance Director to come forward.

Robbie gave the Board a presentation on the tax rate and compared it between last year and this year. He said they suggest a single tax rate of \$12.78 per thousand.

Robbie stated that the industrial site at Shire Industrial Park induced sales and that was the 6% in commercial.

The split rate would save the homeowner an average of \$87 per year.

Robbie told the Board it was the recommendation by the Board of Assessors to keep a single rate. Jim said that a split rate could be anything. The commercial base is beginning to grow, and at some point the Board needs to look at this. He does support the single rate for this year, but thinks the point is coming where we need to start looking at this in smaller increments - maybe a 95 split.

Ramesh would like to see a median residential and a median commercial for next year. He thinks there is a lot of merit in considering a split rate for next year. Jim suggested that next year instead of looking at the normal percent, let's see the different increments. Robbie said he needs to look at this and it needs to be discussed with the Assessors prior to next year. The Board agreed.

Jim Lehan moved to accept the Chief Assessor's recommendation of a single tax rate. Ramesh Advani seconded, and it was **so voted**.

At 8:02 p.m., Jim Lehan moved to close the hearing. Ramesh Advani seconded, and it was **so voted**.

At 8:03 p.m., Jim Lehan moved to go into executive session for contract negotiations and potential litigation. Ramesh Advani seconded, and it was a roll call vote: Jim Lehan, **aye**; and Ramesh Advani, **aye**. The Board will not return to open session except to adjourn.

At 8:12 p.m., Jim Lehan moved to adjourn the meeting. Ramesh Advani seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of December 17, 2007.



Ramesh H. Advani, Clerk

SPECIAL MEETING

January 10, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

Jonathan called the meeting to order at 8:07 p.m. This meeting was at the Library Meeting Room.

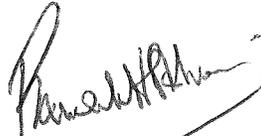
Ramesh Advani moved to open the warrant for the annual town meeting. Jim Lehan seconded, and it was **so voted**.

Ramesh Advani moved to allow the Department of Public Works to deficit spend the snow and ice budget. Jim Lehan seconded, and it was **so voted**.

James Lehan moved to award the contract for DPW services for a twelve month period commencing on January 1, 2008 as per the recommendation of the SERSG Regional Administrator, attached. Ramesh Advani seconded, and it was **so voted**.

At 8:12 p.m., being no further business, James Lehan moved to adjourn the meeting. Ramesh Advani seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of January 10, 2008.



Ramesh H. Advani, Clerk

The Board of Selectmen of the **Town of Norfolk** voted at their meeting held on Jan. 10, 2008 to award contracts to the bidders listed below under the SERSG DPW Services IFB for a twelve month period commencing 1/1/08. This award is conditioned upon the receipt of the appropriate documents specified in the above IFB. The SERSG Regional Administrator will collect these documents on behalf of the Board of Selectmen and present them to the Board for final approval and signature.

DPW SERVICES FOR A TWELVE MONTH PERIOD COMMENCING 1/1/08.

<u>ITEM NO. and DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>Quantity</u>	<u>Total Value</u>
3. RANDOM CRACK SEALING			
<u>Crack-Sealing - Raynham, MA</u>	\$5.62 per gallon	5,000	\$28,100.00
<i>BIDDER'S NAME</i>			
4. HOT ASPHALT CHIP SEAL			
<u>All States Asphalt - Sunderland, MA</u>			
<i>BIDDER'S NAME</i>			
Stone Chip Seal	\$1.79 per square yard	10,000	\$17,900.00
Leveling Course	\$90.00 per ton	0	\$0.00
Sand Chip Seal	\$1.69 per square yard	0	\$0.00
	Item Sub-Total		\$17,900.00
6. CATCH BASINS CLEANED			
<u>Truax Corp - Lakeville, MA</u>			
<i>BIDDER'S NAME</i>			
Contents deposited - IN TOWN	\$11.88 each	1,600	\$19,008.00
Contents removed - FROM TOWN	\$24.75 each	0	\$0.00
	Item Sub-Total		\$19,008.00
7. COLD PLANING			
<u>T.L. Edwards - Avon, MA</u>	\$1.78 per square yard	2,000	\$3,560.00
<i>BIDDER'S NAME</i>			
10. TUB GRINDING			
<u>Jennifer M. Cook Co. - Upton, MA</u>	\$248.00 per hour	24	\$5,952.00
<i>BIDDER'S NAME</i>			

12. ON-CALL PATCHING OF BITUMINOUS CONCRETE ROADS

Pavement Maintenance Systems - Peabody, MA

<u>BIDDER'S NAME</u>	\$2,000.00 per day (est.)	15	\$30,000.00
<i>Temporary Patches</i>			
Minimum charge per patch	\$499.00 per patch		
Each additional square foot	\$12.00 add'l cubic feet		
<i>Permanent Patches</i>			
Minimum charge per patch	\$999.00 per patch		
Each additional square foot	\$20.00 add'l cubic feet		
<i>INFRA-RED PATCHES</i>			
Minimum charge per patch	\$1.00 per patch		
Each additional square foot	\$3.60 add'l square feet		

Total Value of All Contracts **\$104,520.00**



Chair, Board of Selectmen

January 17, 2008

Present was Jonathan P. Smith, James C. Lehan and Jack Hathaway, Town Administrator. Ramesh H. Advani was present for a short part of the meeting.

Jonathan Smith called the meeting to order. Jack Hathaway read the agenda contents.

At 7:30 p.m., Ramesh Advani moved to go into executive session for the purpose of pending litigation, continued litigation, and collective bargaining. James Lehan seconded, and it was a roll call vote: Jim Lehan, aye; Jonathan Smith, aye; and Ramesh Advani, aye. The Board will return to open session.

Ramesh Advani left the meeting at 8:05 p.m.

TOWN ADMINISTRATOR REPORT

Action Items

Jim Lehan moved to approve Stop signs at Forest Lane at the intersection of Longmeadow Road; Longmeadow Road at the intersection of Ridgefield Road; four-way stop at the intersection of Beaverbrook and Blueberry Lane due to the vertical site distance when approaching the intersection n Beaverbrook Road and Forest Lane, as requested by Remo Vito. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to approve the flag policy as revised. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to allow the Norfolk Girl Scouts to sell Girl Scout cookies at the Transfer Station every Saturday in February and March, from 9 a.m. to 3 p.m. – 1 adult and 3 children present (2/2, 2/9, 2/16, 2/23, 3/1, 3/8, 3/15, 3/22, and 3/29). Jonathan Smith seconded, and it was **so voted**.

Jim Lehan approved the request of Dependable Construction Company, Inc., on behalf of Daley's Service, Inc., 2 Rockwood Road to plant trees in the right of way as part of the permitting process to renovate their facility. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to adopt a resolution in support of the *Mass Recycles Paper!* Campaign to promote paper recycling awareness. Jonathan Smith seconded, and it was **so voted**.

OLD BUSINESS

Jack reported that there is a hearing scheduled for Verizon on January 28th. The Committee has a tentative agreement that the Board can review.

Jim questioned when you can sign up for Verizon after the contract is signed on the 28th. He also asked a contractual question and said he will ask it at the meeting.

Jonathan asked the balance in the Borrelli fund regarding the condos. At the time of closing of any of the units within the 40B development, a payment of \$10,000 must be paid to the Town from the developer. This goes into the Affordable Housing Trust that was set up by town meeting. The Selectmen have appointed a Board of Trustees. This money can only be used for affordable housing.

Jim gave a brief update on the Affordable Housing Trust Committee. He said Scott Dittrich chairs it. They will do a real estate tour of properties on the market that are affordably priced that may meet their needs.

Capital Outlay Committee Appointments

Jim Lehan moved to appoint Ray Ewer and Alan Small to the Capital Outlay Committee at the request of the Chair, Arlie Sterling. Jonathan Smith seconded, and it was **so voted**.

Jonathan asked for an update as to why there is construction on Seekonk Street even though we have no street openings in winter. Jack said KeySpan is putting in a pipeline and they have more authority to put in gas lines at their will. They have gone forward and done that construction and we approved it. They are under the Dept. of Public Utilities and we cannot stop them. They do not have to follow our bylaws and completely repave a road.

BI-WEEKLY CALENDAR

Jack gave the bi-weekly calendar.

NEW BUSINESS

Jack relayed that School Supt. Chris Scott approached him asking if there is available space in Town Hall. Jack said we have one big office available. They would like to move the Supt. office into Town Hall. He assumes they mean to bring the support staff as well, but possibly 6 people.

Jonathan asked if other boards or committees had asked for space. Jack said public safety, but they want to stay with their officers. He said that he wouldn't give up any space without talking about options here, first.

Jim agreed that we are a community and we should support each other. He said that Jack has the call to do what he wants with the space, and he would support them.

Jack asked when preliminary budgets will be done. Jack said he has a handful. He has both public safety budgets and has reviewed the facilities budget.

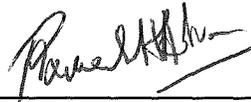
Jim said he would like to discuss how we will approach that meeting on the 28th with Stop and Shop, and what our expectations are. They will be the only ones there.

Jonathan gave a summary of the King Philip budget meeting. They are in the first stage, so he didn't get into it too deep. He said they are going to ask all 3 towns to have the same assessment. Dr. Robbat said he would like to sit with the Town Administrators and Advisory Board chair from all three towns.

Jack reviewed the list of revenue generating ideas.

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

This is a true and accurate report of the Selectmen's Meeting of January 17, 2008.



Ramesh H. Advani, Clerk

January 28, 2008

Present was Jonathan P. Smith, James C. Lehan, and John P. Hathaway, Town Administrator. Ramesh H. Advani was absent.

PUBLIC HEARING – VERIZON NEW ENGLAND, INC.

Jonathan Smith opened the hearing at 7:40 p.m. and read the hearing notice. Present was Peter Bowman, Jim McGrail, and Tom Antonucci, Verizon representatives. Our attorney, Bill Solomon arrived late.

Mr. Bowman was the speaker. He gave a summary of what Verizon is all about. He explained their ability and what the equipment is capable of doing. They have 64 franchises in Massachusetts. They have built out the network in Norfolk. He will answer questions, and turned it over to Mr. McGrail.

Jim McGrail said Verizon first met in May 2007 to indicate their interest. He summarized the chronology of when they met.

Jonathan Smith noted for the record that the members of the Cable Committee were – Jonathan Smith, John Spinney, Jamie Masterson and Jack Hathaway.

Jim McGrail said it is a 15 year term under Massachusetts market. Equipment grant of \$150,000 of 3 payments of \$50,000 each. 5% of gross annual revenues to access point or the Town – whoever the town designates. PEG means public, education, and government channels in the town. Build out here in the community – 12 months to do this for the subscribers. 89% of the town is built out. It is broken down into aerial, buried, and multiple dwelling units.

Jonathan mentioned we will receive free digital cable to the two elementary schools and the Middle school. Jim McGrail said they will give a free drop. They will provide 11 public places within the town.

Jim Lehan asked about the language that limited the amount of footage free of charge in laying the line – 250'. Jim McGrail said they are trying to protect precedent, and the fact that it is the same as the incumbent.

Paul Altmeyer, Norfolk Cable – NCTV with Donna Jones, Richard Connors. Paul asked about INET. Jim McGrail said they do not provide INET.

It was asked if Verizon would they retain the same channel numbers? Jim McGrail said no, they can't accommodate because of national licenses.

Jim Hergt, 28 Freedom Trail. He said he did sign up for FIOS.

Bill Solomon arrived. He explained what the three payments are used for. Bill explained the methodology for the three PEG channels. He also mentioned the switching mechanism. Town Hall or Library. He said that he is late because he was on the phone trying to put finishing touches on the contract so it could be voted tonight. This decision needs to be decided so we can sign the contract.

At 8:35 p.m., there was a short recess. At 8:39 p.m., the meeting resumed.

Jack Oliveiri asked about losing power. He said there are a lot of trees and will the system stay up. Would the government or access channels stay up? Peter Bowman said there is a possibility you would lose your cable.

Bob Boucher asked if there are any penalties upgrading? The answer was no.

John Feeney asked about drops to individual houses. Do you keep the same interior wiring and do you lose quality if you do? You need to change the wiring.

Bill Solomon said Verizon will provide us a statement for the record - remote switching will be fully resolved and he will email a statement to that effect. The Town Hall will be the site that will work, and not the Library. Switching to be done from the access studio if that equipment is located elsewhere, which would be at the town hall, on caveat is that they will strike the public Library the aggregation point for that equipment and for the aggregation would be at the town hall. So Verizon will make a statement about what cooperation means with respect to the issuance of remote switching and that will fully resolve all issues.

Tom Antonnucci said he concurs with the statement that Bill has made, and simply put, if there is equipment that would provide or allow for remote switching and is compatible with the Verizon equipment, we would gladly provide that to the Town and the one caveat being that if such equipment is available, until it is, if it is not cost prohibitive. Again, our obligation in these efforts is to act reasonable and try to be as accommodating and effective as we possibly can in order to replicate the needs of the town.

Jonathan Smith closed the public comment portion of the hearing. Jim Lehan moved to accept the contract dated 1/28/08 the Cable Television Final License, Town of Norfolk, New England Verizon, Inc., with the caveat that on page 12 we agree to strike in Section 5.2.1 "or the public library" from that draft. Jonathan Smith seconded, and it was **so voted**.

STOP & SHOP

Timothy Mahoney and Linda Costanzo of Stop & Shop were present. Jonathan said that we had asked a couple months ago for Stop & Shop representatives to

come forward and give us an update and their expectations and what they had planned.

Timothy Mahoney was the spokesperson for Stop & Shop. He said he is a resident of West Hartford, Connecticut. He is the vice president of real estate for Stop & Shop Supermarkets. He has been in this position since Sept. 2007. Prior to that, he oversaw all the real estate functions in the state of Connecticut, western Massachusetts and the Hudson Valley in New York State. He said he is in charge of delivering new store projects to the company. Opening and developing new stores. Norfolk and the project here, is now his responsibility. He took that over in September. Prior to that, he has not had any involvement with this project at all.

He said he wanted to summarize what he thinks we are looking for; so that he is sure he is answering the right questions. His understanding is that over the last 5 years and possibly before that, this town has been working on basically a master plan to develop more of a town center in Norfolk around the T station. We have developed a portion of that with the Library, the beautiful Town Hall, streetscape, etc. There are 3 parcels of land that sit between here and the T Station and those parcels are all controlled by Stop & Shop. In the various development proposals, there is a 50,000 square foot supermarket that has been approved by your Planning Board for the large Stop & Shop parcel. There are currently public hearings underway on the other two parcels for a drug store – Walgreen's and some other retail buildings. He said he understands that we are very, very frustrated with Stop & Shop's failure at this point to move forward with the development of the supermarket parcel, and basically looking for a straight answer – what's going on, what's your intention, what do we intend to do, and how are we going to do it?

Mr. Mahoney said they are going to start construction with the drug store on the first parcel, once approved. The public hearing has been closed on this parcel on Liberty Lane. It is their intention to construct the drug store this spring, as early as March, as well as the small retail building. They will straighten out Liberty Lane to bring it back to the T station, extending the sidewalk along Liberty Lane from the north side back to the T station and putting in the ornamental lighting and other streetscape features. They will grade out the property and prepare it for development. He is still negotiating with possible tenants and that hasn't advanced far enough yet to get to the construction stage. They are committed to go forward and do these things.

He said that about two months ago he became actively involved and got his staff to start working on this so that he could give you an answer. They presented this project to his senior real estate committee last Tuesday. They felt strongly that they want to be here with a supermarket, but felt that this is not the right size

supermarket. They are not going to go forward with a supermarket of 50,000 square feet now. They will grade out this entire property, plant it with grass, put topsoil on it and landscape it. As they do the work on Liberty Lane, they will extend utilities into the site, put a temporary curve and begin to prepare it for ultimate development.

They still think there is opportunity here to have a supermarket. It is their intention to work towards developing a supermarket for this parcel. Mr. Mahoney said he knows that's not the answer the Board was hoping to hear. They were prepared to develop this store two years ago. There was a major shift in leadership at Stop & Shop. Major players who were first here are no longer here. There is a new President, and the entire leadership changed. It also changed the philosophy of their stores. He said you see the store starting to shrink. They are actively been with that for the better part of four months. There is a different merchandise offering which is calling for a smaller store. By the end of summer, they will have that concept in place. They are no longer building super center size stores. Their goal is that by sometime next year, they will understand exactly what it is they are going to build, in general.

They are looking aggressively at Norfolk as the next group of stores being built. It will be smaller than 50,000 square feet. They will meet with us regularly to be apprised of where they are in the process, with a new plan, and if you reach a point where you make a decision that this won't work, they will work with us and help us with an alternative. It is his commitment they will sit down and work with us.

Jonathan asked if he can put parameters on the term aggressive for their company. Timothy said they hired a new senior level executive vice president whose job is to move these smaller stores. Brand new position just created. That's where the industry is going. This team's job is to work on this. He is hoping to test this new store as quickly as possible.

Jim Lehan said he met with your predecessor approximately 3 years ago. He asked if we are part of your 3 year capital plan. Mr. Mahoney said no.

Jim said our dilemma is that we have been trying to work on this for the better part of 5 years and have been teased. He said that this is the lynchpin for us because we need an anchor store in order to get a traffic flow. Jim said that we have waited 5 years and now we aren't in the picture for 3 years. We have now wasted more than 8 years.

Mr. Mahoney said he's hoping that the Board will give suggestions. Jim said it's time to work on an alternative. Jim said that this is \$1.1 million dollars of revenue that we have been waiting for for 5 years now, and now you are telling

us another 5 years minimum. Jim said that he would like them to work with us to transition this. We can't afford to sit back and run the risk of no activity for 5 years and then tell us there's no deal. Mr. Mahoney said he's not telling us that. He said we are not in the capital plan for the next 3 years. He said the best scenario is a year from now they come and build in the next year. He said they look at 2010 as the time frame of when this will work.

Tom Poppey confirmed that the supermarket is fully permitted. Mr. Mahoney said they lease the property; they don't own it but are in full control of it.

Jonathan said the plan is so old that it says "proposed expansion of the library", which is a fully built building now.

Jonathan said there are 5 Stop & Shop stores in communities around Norfolk. What is the incentive to having a store around here? Mr. Mahoney said they envision Norfolk as a complete different store than what's been built.

Jim asked if they would release control of the property. Mr. Mahoney said not right now, but maybe at some point in the future. He is new to the mix and would like a chance to work on this first.

Jack asked about the roadway for the emergency vehicles. They said they will start in March/April. He said he would like to see the road finished as opposed to the binder there now. He wants the landscape done. It will make a lot of the problems go away. He asked for a commitment to do this land. Mr. Mahoney said yes.

Tom Poppey clarified that the pharmacy hearing is closed. Retail next to it is not a closed hearing. The permitting process is still open. He was surprised tonight – even last week, he is surprised to hear of a building less than 50,000 sq ft. Roadway – they are working with a bond right now which will be great incentive. Also, trees, lighting, etc. Planning Board approved a sign at Independence. Planning Board has worked collaboratively with the applicant to modify the zoning to make it a viable business project. They will sign a decision this week for the pharmacy. By February 22, the applicant should be free to build as far as the Planning Board is concerned.

Jonathan allowed persons on a town board to speak. He asked them to get together with the Town Administrator by February 25th with respect to a warrant article.

ACTION ITEMS

Jim Lehan moved to approve the request of Peter Chipman to decrease the sidewalk easement at 220 Main Street from 11 feet to 6 feet. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to approve the street acceptance plan layout of a portion of Liberty Lane, drawn by Coler & Colantonio, engineers and scientists, dated September 13, 2006 and revised January 28, 2008. Jonathan Smith seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack reviewed the Bi-Weekly calendar.

OLD BUSINESS

Jonathan said that under the Cherry Sheet we got preliminary estimates. Jack reviewed them.

NEW BUSINESS

It was decided to conduct a roundtable session to discuss Stop & Shop.

Jack read the letters of thanks from Wrentham to Police Officer Mark Vendetti and Sgt. Kevin Roake for assisting in their town; and a fire commendation letter from Chief Bushnell commending Dispatcher Gregg McMorow, Deputy Chief Stephen Wood and Detective Nate Fletcher for assisting a woman who had fallen through the ice at Bush Pond.

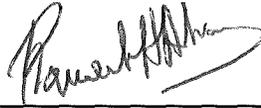
Jack announced that the new fire truck arrived.

Jack relayed the Simpson message. Jack recommends that the Selectmen consider having a meeting with Mr. Simpson to discuss the allegations as they play into his role as a member of the Zoning Board of Appeals. Jim said it's a very regrettable set of circumstances. This Board has no choice than to ensure you explore all of the facts, since you have concerns. Jim said he understands that we need to have Mr. Simpson present in order to discuss this. Jack said yes, and advised them to convene a meeting and notify Mr. Simpson of the date and time. Jack's concern is he needs more information and requests that the Appointing Authority step in and helps garnish more information.

Jonathan asked what you are asking of us at this time. Jack said we need to set a date. The Board asked about February 7th. We will assume it's executive unless Mr. Simpson says otherwise. Jim said we have no choice. The Board and Jack agreed that we will have no discussions regarding this matter until after the public hearing.

At 10:42 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jonathan Smith seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of January 28, 2008.

A handwritten signature in black ink, appearing to read "Ramesh H. Advani", written in a cursive style.

Ramesh H. Advani, Clerk

February 11, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

Jonathan called the meeting to order at 7:30 p.m. Jack read the agenda contents.

BUDGET DISCUSSION

The Board discussed the budget.

The Board said that you need to stay with exactly the same budget you have now. It would either mean layoffs across the Board, or each department chooses to do how they want with their department.

Jim suggested looking at the non-excluded debt. He said that costs are coming down and we should look at a more favorable rate and save money in the long run.

Jack said there are still some more budgets to add to this. He just received the DPW, and he needs the School budgets. He will plug them in. Then you need to talk about strategies on how to close the gap. He will talk to Rep. Ross and Sen. Brown about state funding, local aid and will get back to him.

The Board will have a working session for budgets.

TOWN ADMINISTRATOR REPORT ACTION ITEMS

Jack asked the Board to approve a request from the Norfolk Community League to place fundraising boxes in the Town Hall. They would be requesting donations from the public to support their various causes and plan to have them here for a year. They will also consider other key locations in town.

Jim Lehan moved to approve this request. Ramesh seconded. Ramesh and Jonathan were uncomfortable with this request, but Jim felt they are trying to help the community. Ramesh agreed but is not comfortable with donation boxes. On Feb 26th, they are meeting with NCL to discuss fundraising. He suggests we defer the decision until then. Jack suggested envelopes on the community bulletin board as an alternative.

Jim and Ramesh withdrew their motion/second. There was no vote.

Jim Lehan moved to appoint Michael Kulesza as a member of the Zoning Board of Appeals, completing the term of Bruce Simpson who resigned this week. Ramesh Advani seconded, and it was **so voted**.

ADA and Arts Council – appointments

Ramesh Advani moved to appoint Thomas Terpstra, Kent Schenkel, Nancy Wirtes, and Brian Rousseau to the ADA, term to expire June 30, 2008. Jim Lehan seconded, and it was **so voted**.

Ramesh Advani moved to appoint Deanna Grimm to the Arts Council, term to expire June 30, 2011. Jim Lehan seconded, and it was **so voted**.

BIWEEKLY CALENDAR

Jack reviewed the biweekly calendar.

OLD BUSINESS

Jack said he was talking with Sarah DelMastro and she is having trouble getting a quorum at meetings. She would like to eliminate some of the members on the committee who don't attend meetings, and appoint 5 residents instead, because maybe they won't have commitments to other boards.

Jim doesn't favor a 5 member board. He said that is solving an attendance issue, and we should have a 7 member board. Members of the ZBA, Housing and Planning Board are included.

Ramesh felt that there are three different committees (CPC, Affordable Housing Committee and Affordable Housing Trust) and the people on these committees aren't doing their specific role, and are trying to be all things to all people. They should decide at the next meeting what should be done.

Jack told the Board that he talked to the Chiefs regarding the public safety building. We need to think of working on the existing building. It was decided not to do anything for the town meeting.

Jonathan reported on the last two KP School Committee meetings he attended.

NEW BUSINESS

Jack told the Board that we received a Chapter 61A request. Cranberry Heights which is 22 lots, 33 acres - \$1.1 million. Jack will check with George about the 180 day deadline. This is new from the 120 requirement.

Jack reported that Jane Wall, Director of Finance, has tendered her resignation. She will be through this week. Jack has interim plans.

The Board discussed the salary request of Gail Bernardo. Jack will talk with her.

ACCEPTANCE OF MINUTES

Ramesh Advani moved to accept the minutes of November 26, 2007 – regular and executive session; December 10, 2007; December 17, 2007 – regular and executive session; and December 18, 2007 – executive session. Jim Lehan seconded, and it was **so voted**.

At 9:56 p.m., Ramesh Advani moved to go into executive session for the purposes of contract negotiations and pending and continuing litigation. Jim Lehan seconded, and it was a roll call vote: Ramesh Advani, **aye**; Jonathan Smith, **aye**; and Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

Jonathan Smith announced he will not seek reelection.

At 10:31 p.m., Ramesh Advani 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 February 11, 2008.



Ramesh H. Advani, Clerk

SPECIAL MEETING

February 20, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Kim Williams, Chairman, Norfolk School Committee and Danielle Rochefort, School Committee member and School Building Committee. Jack Hathaway was absent.

Jonathan Smith called the meeting to order at 7:30 p.m.

Before the School Committee arrived, the Board discussed and agreed to have a meeting on 3/4 at 7.30-8.30 to meet with the ZBA candidates applying for associate positions. Ramesh will follow up with Marian to have this set up and posted. Ramesh would like to invite the current ZBA chair and any other members to attend this session and stay on for follow up discussion.

The Board discussed the Feasibility Study funding required by the SBAB to be done by the town. There will need to be a warrant article for this at the annual town meeting. The advice received by the School Committee from the SBAB is that we have to fund the whole amount, but then we should expect to get a minimum 50.1% reimbursed by the State SBAB. It could even be as high as 55%, per Danielle. The town meeting vote, if approved, would also have to go for a debt exclusion town wide vote after that. The estimated given ranges from \$100-500K but the School Committee will get back to us with what the expected amount should be. The warrant article can be to request approval and the Advisory Board will get the numbers as we get closer. The Selectmen were fully supportive of this study.

Another item discussed was to have a warrant article from the Selectmen to request the formation of a School Building Committee, per the change made at our last town meeting that would serve as the Permanent Building Committee for the school project. It was agreed by the Board and School Committee members present after a discussion, that the proposed committee would consist of 9 members - School Superintendent, Town Administrator, 2 School Committee members, 1 Selectman and 4 members from the community. The School Committee members present will take this back to the School Committee and also get their buy in. The actual appointments would be an item to be discussed after town meeting, assuming it passes and would be done by the Board of Selectmen, who would look for a recommendation from the School Committee.

The Selectmen informed the School Committee members that we were going forward with an annual town meeting warrant article for the engineering work for a new Public Safety building and we would present the entire cost as part of the presentation. Assuming it passes, we will then need a ballot question on that for

a town wide vote. The feasibility study question would also be up on the ballot at that same time.

At 8:30 p.m., being no further business, Ramesh Advani 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 February 20, 2008.



Ramesh H. Advani, Clerk

February 25, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

Jonathan Smith called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

ACTION ITEMS

Jim Lehan moved to accept Massachusetts Avenue, Willow Place and Applewood Road per the attached plans, and sign accordingly. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to approve the Pan Mass Challenge sign and grant permission to the Mass Highway Department to allow these signs posted in Norfolk. Ramesh said he would like it subject to the Selectmen approving the location and the number. Jim is okay with Butch and Jack making the decision. Ramesh still wants to know how many and where they are going. Jim withdrew his motion.

Ramesh Advani moved to grant permission to the Mass. Highway Department to allow the signs subject to the Board knowing how many and locations with approval of such by the DPW Director. Jim Lehan seconded, and it was **so voted**.

Ramesh Advani moved to grant permission to the Norfolk Federated Church to hold their annual sunrise service on Easter Sunday, March 23rd at 6 a.m. at the Norfolk Cemetery. Jonathan Smith seconded and Ramesh and Jonathan **so voted**. Jim Lehan recused himself from discussion and vote.

Ramesh Advani moved to approve the annual Connor's Fun Run to be held on Sunday, May 4, 2008 at 11:30 a.m., usual route. Jim Lehan seconded, and it was **so voted**.

PUBLIC HEARING – WATER RATES

Present was Remo Vito, DPW Director. Jonathan Smith opened the hearing and read the notice.

Butch said he would like to keep the water rates the same. He said they have a drop in lost water with the new meter. He said they have a \$44,000 deficit and has cut staff to take care of the deficit and not have to raise the rates.

Butch said that next year he should have a real accurate picture and be able to have true rates. He said that in April he will have real readings and he will be

able to get a clearer picture. They don't have a true picture now because of the meter changes.

The water rates will be 0-15 - \$4.75; 15-35 - \$5.70; 35-50 - \$7.41; 50 and up - \$10.37

Jim Lehan moved to accept water rates as presented by the DPW Director. Ramesh Advani seconded and it was **so voted**.

Jim Lehan moved to close the hearing. Ramesh Advani seconded and it was **so voted**.

LIQUOR LICENSE PUBLIC HEARING – CAFÉ PESTO, 220 MAIN ST.
Jonathan Smith opened the hearing at 8 p.m. and read the notice.

This was an application by Peter S. Chipman for an all alcoholic restaurant license for Café Pesto at 220 Main Street.

Jack said that in reviewing the application and talking to the applicant, the property is right on the edge of a public school, and according to ABCC regulations, they require that we send a certified letter to the school and that was not done. It needs to be within 500 feet and the school is 490 to 505. To err on the side of caution, we request the Board continue the hearing and we will notify the school.

Jim Lehan moved to continue the hearing to March 10th at 7 p.m. Ramesh Advani seconded and it was **so voted**

KP BOOSTER BIN

Butch Vito told the Board that KP Boosters want to give up the recycling bin they have run for years. Butch wanted to know what we would want done with it. Does another organization want to do it?

The Board discussed options. Ramesh said the revenue is about \$10-\$20,000. Butch wasn't sure how the public would react if it was the town doing it as opposed to an organization doing it.

Jack noted that the KP Boosters doing the work was volunteers. That's why they had high revenue, but it could be a break even if we are paying people to do the work.

We will explore this before giving it away. Butch and Jack will make a list of options.

BIWEEKLY CALENDAR

Jack reviewed the biweekly calendar.

ECONOMIC DEVELOPMENT COMMITTEE

Present were members Ken Squires and Jennifer Troutman.

Ken said they looked at the 43D permitting process. They pulled out what will benefit Norfolk.

Ken explained what a 43D permit is. He handed out a presentation.

Jonathan is in favor of this. He would like to see an article on the warrant. Jonathan discussed an Economic Development Corporation. Jennifer said they are not the point people on this. Mike Kulesza is working on this.

Jonathan wants an article for the Economic Development Corporation on the spring town meeting.

OLD BUSINESS

The Board would like the public safety building discussion on Monday, 3/24 and publicize it so that the public can attend and ask questions.

NEW BUSINESS

Jack discussed refinancing options from the Treasurer, Cheryl Kelley. Jack said he has all the detail. He said Cheryl wants to refinance all our bonds in the 4% range and get them to 3.7 or 3.8, which would save \$70,000 over the life of the bonds. We are refinancing \$1.78 million worth of bonds.

Ramesh Advani moved that the Town shall issue bonds or notes for the purpose of refunding all or any portion of the Town's \$1,780,000 Municipal Purpose Loan of 1997 Bonds originally dated as of November 15, 1997 including, if any, the payment of any premium and accrued interest associated therewith, and all other costs incidental and related thereto, under and pursuant to Chapter 44, Section 21A of the Massachusetts General Laws, or any other enabling authority. Jim Lehan seconded, and it was **so voted**.

At 9:43 p.m., Ramesh Advani moved to go into executive session to discuss pending litigation. Jim Lehan seconded, and it was a roll call vote: Jim Lehan, **aye**; Ramesh Advani, **aye**; and Jonathan Smith, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:05 p.m., Ramesh Advani 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 February 25,
2008.



Ramesh H. Advani, Clerk

SPECIAL MEETING

March 4, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator.

Jonathan Smith called the meeting to order at 7:30 p.m.

The purpose of this meeting was to interview candidates for the Associate Member position for the Zoning Board of Appeals.

David Pergola

Mr. Pergola has lived at 5 Stop River Road, Norfolk since 1995. He moved back 7 years ago.

He is employed by Cushman & Wakefield in commercial real estate. Sells \$50-\$60 million. He is a former Marine, and served overseas.

Mr. Pergola has attended some ZBA meetings and enjoyed the experience. He knows Lorraine Sweeney and Mike Kulesza.

He will live up to the commitment, and put in the time needed for this position.

Robert Luciano

Mr. Luciano is a real estate attorney, residing at 14 Worcester Road. He has a lot of experience working with Zoning Board issues. He has attended two Zoning Board meetings.

He has not served on any boards, but has two sons and has been involved in athletics.

He considers himself to be fair, and said he has never represented anyone in front of a ZBA.

OTHER BUSINESS

Peter Chipman was in to inquire if the Board had any interest in accepting a petition article regarding the repeal of the Community Preservation Act? The reasoning being the budget crisis facing the Town.

Jonathan said he has proposed lowering the CPC tax burden in the past as an Advisory Board member.

Peter talked about the different climate between now and when it was introduced.

There was general discussion of the mechanics of repeal and offsetting override.

There was discussion of the mission of the CPA.

Jim Lehan moved to close the warrant. Ramesh Advani seconded, and it was **so voted**.

At 8:27 p.m., Ramesh Advani moved to go into executive session. Jim Lehan seconded, and it was roll call vote: Jim Lehan, **aye**; Ramesh Advani, **aye**; Jonathan Smith, **aye**. The Board will return to open session.

Ramesh Advani moved to appoint David Pergola as an Associate Member to the Zoning Board of Appeals, term to expire June 30, 2008. Jim Lehan seconded, and it was **so voted**.

Ramesh Advani moved to appoint Robert Luciano as an Associate Member to the Zoning Board of Appeals, term to expire June 30, 2008. Jim Lehan seconded, and it was **so voted**.

At 8:35 p.m., Ramesh Advani 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 March 4, 2008.



Ramesh H. Advani, Clerk

March 10, 2008

Present was Jonathan P. Smith, James C. Lehan and Jack Hathaway, Town Administrator. Ramesh H. Advani was absent.

Jonathan Smith called the meeting to order at 7:00 p.m. Jack Hathaway read the agenda contents.

LIQUOR LICENSE – CAFÉ PESTO, 220 MAIN STREET

Jonathan Smith re-opened the hearing, which was continued from February 25, 2008. Present was Peter S. Chipman, owner and applicant of 5 Overlea Road representing Café Pesto, 220 Main Street.

Peter said he was here tonight to seek a license for an all alcoholic license to be on the site. He said within the next 30 days, he will be filing plans with the Registry of Deeds and then seeking a building permit. The seating capacity is 46 seats as required by the septic plan. Hours would be a Sunday through Thursday schedule from noon to 10 p.m. and weekends noon through 11 p.m. Peter will be the proposed manager and will be on site once it opens. Jonathan asked if someone else will be in the managerial position as well. Peter said that yes, eventually there will be someone else. He will come back later for a manager change. Peter has been in the insurance business in the last 24 years, but did manage a bar previously. A lot of his insurers are liquor vendors, etc. He has never had a liquor violation when managing the bar.

Jim asked if he would be okay with training his employees handling liquor. Peter said anyone affiliated would go with the training. He will accept it as a condition of the license or equivalent training under Mass law. Jonathan mentioned an Identiscan device or something similar. Peter said he would work with the Police Department and use whatever they require. Jim asked if he plans to develop and sell it. Peter said no. He advised Peter he needs to come back if management changes. We did notify the School Department and showed proof.

Jonathan said that this is a new license, and not a transfer.

Jerry Walsh, 225 Main Street. Will it become a barroom? Peter said it is going to be a working restaurant. Focus is alcohol is ancillary to the food business. Jim said the license is a license to serve, and would not have to come before us. Jonathan said there is also a tavern license, and he would have to come before us to change venues. Peter tried to assure him it will strictly be a restaurant. Jerry questioned fights and problems, would Peter police it? Peter said this is a substantial investment and not an inexpensive license so he would call the police. But yes, if there were issues Jerry could contact Peter.

Dan Boone, 229 Main St. Dan was concerned about a barroom as well. He reviewed the plans and did not like the layout. Mr. Boone requested that Mr. Chipman give assurances that the restaurant stay a restaurant and not turn into a tavern.

Jim Lehan moved to close the hearing. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to approve the license for Café Pesto subject to the following conditions: an Occupancy Permit is secured; all individuals serving alcohol or operational or managerial receive TIPS or equivalent training; and Identiscan or other equipment approved by police is used at facility. The Occupancy Permit will be based on plans submitted by the occupant. Jonathan Smith seconded, and it was **so voted**.

EARTH REMOVAL APPLICATION – APACHE CONSTRUCTION, REDWOOD CIRCLE

Jonathan Smith called the hearing to order at 7:30 p.m. and read the hearing notice. Present was David Dalzell, owner and applicant of 15 Stop River Road and Bruce E. Johnston, 8 Johnston Way.

The Board discussed what Mr. Dalzell wants to remove on the plan. They will take the material to Tresca Bros by going out Day St. and left to Noon Hill Avenue. Jonathan asked if they would condition the permit to that, that you will use that access. Bruce said yes.

Jonathan asked how close you are to the wetland area. Jim said not close at all. Bruce said 150 from the riparian.

Mr. Dalzell said he would put his personal home in there. It would take approximately 4 months to put the road in there and start work. Jonathan said there is a Planning Board covenant on file.

Jack has a memo from the Earth Removal Committee. Jonathan read the memo into the record.

David Dalzell and Bruce Johnston had no problem with any of the conditions.

Jonathan opened this up to the public.

Allan Shaw, representing the Conservation Commission. He complained that he knew nothing about this hearing. He requested a two week continuance. Jonathan said that the Conservation Commission was given sufficient notice and

knew about it. Bruce said they were notified it was a perennial stream and not intermittent. No one said anything else to him, although it's been two years.

Ray Ewer, 52 Noon Hill Ave. He had concerns about surface water and underground water and the impact. He did say that the Conservation Commission is part of this earth removal committee. Ray is concerned about septic systems and wells being flooded.

Mr. Ewer said that certain tests done, certain data supplied, assurance that excavation won't go down past 10 feet, standing ground water near Mr. Lawrence's house that he can address. He said the Board can impose reasonable conditions that will prevent these problems. Ray mentioned the no cut zone. Plans aren't on record at the Registry of Deeds. He said he is not looking to deny this, but would like a deferral.

Jonathan said that the Planning Board made reference to storm water runoff. David Dalzell said that the storm water runoff is 300%. Mr. Ewer said by Day Street, but he is talking about the rest of the area. Mr. Dalzell said the tests show that it is 18-19' in the test hole around the lot. There was no water. Mr. Ewer said the Planning Board never considered the water impact of all the neighboring lots.

Jim Lehan asked if any of these concerns were brought to the Planning Board in terms of the site. This should have been raised to the Planning Board when they made these recommendations and not raised during an earth removal permit. Storm water drainage is not under the privilege of the Board of Selectmen. It is exclusively the Board of Health and Planning Board. Mr. Ewer said that he disagrees because the bylaw says the Board of Selectmen takes control, etc. Jim said you are citing conditions of the Earth Removal permit. The storm water process is under two boards. These issues should not be addressed here. They should not be addressed now. Why didn't you bring it to their attention when they were going through this? The yards in the neighborhood flooded. He is talking about surface and groundwater as well.

Ken Lawrence, 50 Noon Hill Avenue. Ken said his biggest issue is that, without Ray's help, he would never have known about this hearing. He was concerned about notification and who he should speak with. Ken is also concerned about runoff.

John Quillin, 18 Day Street. He is concerned about runoff and his well. Questioned recourse for his septic system.

Marie Armstrong, 177 Seekonk. Currently has runoff on the side of their yard. It is filling up front of Figueroa's yard. Are there studies that she can look at? This would include putting the street in and when lots are developed.

Jonathan asked Dave Dalzell. Bruce said that regarding abutters and water on lots, all the approved lot does is allow the owner to put in the street. It doesn't allow him to do anything else. No cut zones are maintained. Lots 1, 2, 3 and 4 have no approvals to build or do anything. He said you have to take everything by steps. The Planning Board, Building and Board of Health have done their permitting and approvals for the construction of the road only. Nothing else has been approved. They want to put in the road, drainage and get that in place. Base coat the street and final approvals. Not until that point can you apply for anything.

Elizabeth Figueroa, 54 Noon Hill. If there is removal of the 3500 cubic yards of material, what impact will that have?? She said they were directly affected by the three houses on Seekonk Street. Bruce said they wanted an 8% grade and the Planning Board wanted 9 or 10%.

Bruce said that any of the concerns are going to be discussed with the permitting boards - Conservation, Planning Board, Board of Health, etc.

Andrea Langhauser an abutter at the intersection of Day and Noon Hill. Andrea said that the Planning Board had a difficult time designing the storm water for this project. They did not know about lowlands on the back of the property. The Planning Board's focus was coming down Day St. and the perennial stream along the side. They mitigate for the disturbance of the soil during the lot construction so any surface water stays on the property and doesn't leave the property. They didn't look at the lots individually. Andrea thought the road was well addressed. Andrea said that things were brought up by neighbors that the Planning Board didn't know. This is the last time that the public will have a chance to address these issues.

Jim said that the only thing we have the privilege of overseeing is the earth removal specific to the road. That is what is before us here today. Andrea said the Planning Board establishes lot lines. The Planning Board doesn't generally go into the individual lots. There is a no cut zone. Proposed cuts on the property. The Board is watching after best interests of town. No cumulative impact. Give that direction to Building Commissioner. Neighbors aren't going to hear about individual lots. This is their last chance.

Bruce said that Andrea is asking that they give permission to the Board to give 4700 as a maximum. Bruce explained what they needed to do with hay bales,

etc. Andrea said that there may be a barrier necessary. Lots 1 and 3 may need Order of Conditions. Lot 2 is closer to the property line.

Andrew Langhauser, 49 Noon Hill. Andrew said he works out of the house, and wants to know about truck traffic, hours of operation, noise, etc. He said conditions of the road. He spends a lot of time on the phone. Andrew would like a better understanding of what he will be facing.

Dave Ioria explained site work and construction. Work would be done 9-3, Monday through Friday. It will be a week for truck traffic. After that it will be delivery of stock, etc. It will take about 100 truck loads to remove 3500 yards. They are conditioned to do Rt. 109 in Medfield.

Andy Bakinowski, Naugatuck Avenue. The potential absorbed water being displaced is 71,000 gallons. If the water table is 18' below, you can see little rivers coming out by the hill by Mr. Lawrence's property. 3500 cubic yards being removed is 160 trucks. This project is in violation with the DEP stormwater.

Jim said there are too many unanswered questions here. He said he needs to defer and get clarity to some of the concerns. He is not prepared to approve this. Jim said he doesn't want to create unrealistic delays, but he doesn't feel the Board has the answers they need.

Jim said it appears some abutters were not properly notified. Conservation was not notified. Jim wants to see the data and studies. Jim wants Planning and Conservation to get together within the next two weeks on the road only; not house lots.

Jim Lehan moved to recess the hearing. Jonathan Smith seconded. The Board would like the Earth Removal Committee to meet with the abutters on March 24th at 6:30 p.m. It was **so voted**.

SENATOR BROWN AND REPRESENTATIVE ROSS

Scott Brown and Richard Ross were here to discuss budgets. Scott said people aren't using the lottery. The health care connector is the good news. 425,000 people have taken advantage of it and now we are a billion dollar short. On the lottery, they are holding the towns harmless. The money we were projecting was -13 million. The third week of April they are coming up with their budget. We did it last year and we will do it again this year.

Senator Brown discussed Chapter 70 funding.

Scott said we're getting hammered with GATRA. He has a meeting with them tomorrow.

The Transportation Bond Bill will be coming out. Any transportation issues should be worked out with your congressman.

Rep. Ross said the Governor is recognizing that there is no new revenue in the state. He said they are frustrated that Plainridge is right off 95 and then Gillette is being built and yet the Governor is looking at bringing in and building up other towns.

Rep. Ross said the bio-tech part is something to look at. We need to look at the long range aspects.

With the Ways and Means Committee, they recognized that there aren't the revenues to pay for what we have now.

Richard said that they are trying not to ask for new things while times are tough, and so they are trying to work on what is already there. Prison mitigation is there.

Jonathan questioned the bill that Danielle put in about how special education is funded. Richard doesn't think it will go anywhere, but it is making them aware in there.

Jim said that he is concerned about the next two years. Once the gap widens, it will be hard to fill. Scott said it's an election year, and things will get better, as always, once the election is over.

Jack said he was happy to see the Chapter 70 increase. We saw \$100,000 increase. The last two years was \$50,000. GATRA is their #1 funding priority. It was always known that we weren't supposed to be billed. Jim said that is almost \$200,000 and we could use it.

Scott said to give us two weeks, and we will know more about the budget.

Jim mentioned needing their support for the Economic Development Corporation.

ACTION ITEMS

Jim Lehan moved to grant the Norfolk Garden Club permission to hold a Perennial Plant Sale on Town Hill from 9 a.m. to 1 p.m. on Saturday, May 31, 2008. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to grant Norfolk Baseball Little League permission to hold their annual parade on Saturday, April 26th beginning at 12 noon at the H. Olive Day School, down Boardman Street to the baseball fields. No rain date. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to approve the Solid Waste bag sticker rates at \$2.10 per bag, the Vehicle Decal rates at \$55 per vehicle, and \$40 for Senior Citizen vehicles, with a \$5 fee for the second decal, and the fee per 50 lb. of Bulk Waste at \$3.50 for FY'09. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to approve a reserve fund transfer from Butch Vito, DPW, of \$5,544 with the ability to request further funds as needed for the pumping of the lagoons at the landfill. Jonathan Smith seconded, and it was **so voted**.

BIWEEKLY CALENDAR

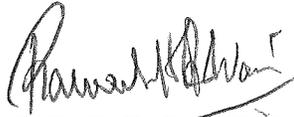
Jack Hathaway read the Biweekly Calendar.

NEW BUSINESS

Jack reported that Chief Bushnell will be in next meeting to discuss budget issues.

At 10:14 p.m., being no further business, Jim Lehan moved to adjourn the meeting. Jonathan Smith seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of March 10, 2008.



Ramesh H. Advani, Clerk

March 24, 2008

Present was Jonathan P. Smith, James C. Lehan and John P. Hathaway, Town Administrator. Ramesh H. Advani came into the meeting at 6:53 p.m.

Jonathan Smith opened the meeting at 6:35 p.m. Jack Hathaway read the agenda.

PUBLIC HEARING – APACHE CONSULTING, REDWOOD CIRCLE

At 6:37 p.m., Jonathan Smith asked for a motion to re-open the public hearing. Jim Lehan moved to re-open the public hearing for Apache Consulting. Jonathan Smith seconded, and it was **so voted**.

Present was Bruce Johnston, David Dalzell, Bob Bullock, Building Commissioner, and Tom Houston, Engineer for the Planning Board.

Jonathan asked our representative from the Earth Removal Committee (referred to here as ERC), Bob Bullock, to join us at the front of the room. Bob asked Tom Houston to join us.

Jonathan Smith said when we recessed this meeting, it was on the condition the ERC have another meeting with the applicant and concerned abutters and neighbors to the subject premises. He said he believes that Mr. Bullock can update this Board as to what occurred at that meeting, and additional recommendations that he may wish to give us. He asked if there was anything the applicant wished to say before we have the revised report from Bob Bullock.

Jonathan asked Bob to update us on the meeting that we asked that you have with the ERC regarding this application. Bob Bullock read into record the recommendation from the Committee, as follows:

The Earth Removal Committee met on March 17, 2008 @ 8 PM in Rm. 214 to discuss and review an application from Apache Construction. Bruce Johnson and the Applicant Dave Dalzell attended the meeting to answer questions. The Committee was made up of John Robbins (Assessors), Peter Chipman (Board of Health), Tom Burke (Planning Bd.), Alan Shaw (Conservation) and Robert Bullock (Building Comm.). The Committee heard the presentation from the applicants representatives and then had the Planning Boards Engineering consultant give an overview of the stormwater plan that he reviewed for the Planning Board. We then opened the committee up for questions from the neighbors, after a couple of hours we came back to the committee and asked if we would entertain a motion to recommend to the BOS the same position we originally came to. It

was seconded and voted all in favor except Allan Shaw who opposed. We concluded that we didn't have a problem with this Special Permit being issued but have the following recommendations that the Board may want to incorporate into its decision:

An inspection would be done after the installation of sediment control devices and prior to earth work to begin.

Hours of operation to be from 9 AM to 2:30 PM Mon –Friday according to the subdivision plan approval.

Truck travel will follow Day St. to Noonhill to Seekonk St. toward the direction of Medfield.

If there is a problem in the course of construction it will be fixed within a 24 hour period. (Dust, Noise, erosion control etc.)

As-Built plan when work is complete showing final grades as shown on earth removal plan per the subdivision..

The bylaw states that a bond shall be placed on the site and a letter from the owner allowing the Town to legally enter the site with personnel and equipment to make restoration to the site in the event of default (Article VII Section 2 & 5). All areas that have been disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the subdivision plan.

Bob said there were a few other things he wanted to review with the Board. The ERC met for about 2.5 hours. Bob said he felt there were still concerns that the Town doesn't have enough safeguards in place. Three different engineers designed and reviewed this plan; one from Planning Board, the Board of Health and the Applicant. Each one has reviewed it and accepted it. The ERC met twice to hear this, as well as the Selectmen. Bob said after the last meeting, he went back and read some of the conditions that the Planning Board has as safeguards, and in their Condition #13 it requires monthly observations as to stormwater erosion or damage as well as inspections within 24 hours of a heavy rain storm. In Condition #14, it requires the work to be done in the high water season when they are doing the retention areas, as an added safeguard to make sure that the detention areas are a minimum of 2 feet above the high water table. Working in high water season will help us see any potential problems while the project is under construction when the Town has to find the most leverage to correct any of those situations.

Bob said Condition 46 requires the stormwater system to be constructed to handle all the subdivision and protect any adjacent property before any lots are to be released. Condition 48 allows the Planning Board to stop all or part of the work on the subdivision and cause the contractor to fix and remedy any problem situations. There is also a bond that is put in place by the Earth Removal Committee through the Selectmen and then there is also one placed on the subdivision by the Planning Board prior to any lots being released.

The last oversight is the Building Code. Even as they are building the subdivision, it is considered one lot until those lots are actually released into individual lots. During the course of construction, if the grades are being changed to actually start moving the water toward an adjacent property and causing a problem, there is a remedy through the Building Code that when things are found in default and they are not corrected, there is \$1000 fine per day for every day the violation continues. There are safeguards in place, and he said people are going to come up with different things that they are concerned with, but Bob feels the Town has gone through extraordinary circumstances to make sure that this has been handled properly.

Bob said he asked the Planning Board to send a representative tonight. As their member of the Earth Removal Committee couldn't attend tonight, they asked Tom Houston of PSC – whose firm is the consulting engineer for the Planning Board to come to answer questions.

Tom said it may not be evident, but whenever a subdivision comes before the Planning Board, and when this came before the Planning Board, a comprehensive drainage study was done. The drainage study covers 100% of the subdivision. You will know where any surface water within the subdivision ends up. In this case, there is no uncontrolled surface water to leave the subdivision in any direction. There is a central street, which serves all four lots through the subdivision. That street conveys the surface water through the subdivision to two underground retention facilities that are at the base of the subdivision street relatively near Day Street. In the course of preparation for the earth removal hearing, he read several emails where neighbors expressed various concerns. One of them was that there would be an increase in water contributed to a natural low area that lies between Noon Hill Avenue and the subdivision. With respect to the drainage system in the subdivision, it actually conveys water farther away from that low area than under existing conditions. Under existing conditions, water falls on that hillside and the subdivision street is approximately at the location of a natural drainage divide, so water on one side flows toward the Stop River. Water on the other side flows toward Noon Hill Avenue. The proposed subdivision drainage system pretty well replicates that. There is a detention area on either side of the road, so water in the proposed condition is distributed in roughly the same manner as under existing conditions. The key difference is that under existing conditions, recharge occurs all over the site that flows to that low area. Under the post development conditions, water is captured in the street's closed drainage system and is carried farther away from that natural low area. Does that mean that none of the subdivision water will get in there? Probably not. But he thinks it is at least neutral deposit in terms of contributing the same or less runoff than under existing conditions. There is also a concern expressed that the 3500 cubic yards of soil that will be allowed to be

removed from the roadway for the site itself, or the 4700 total cubic yards be allowed for the road plus the lots result in a loss of water storage capacity in the watershed. They did a preliminary analysis of the entire surface watershed which would roughly emulate the ground watershed. The tributary to that existing low point between the subdivision and Noon Hill Avenue. That entire area is about 12 acres. If you assume that the depth of soil throughout the 12 acres is at least equivalent to what we had in the subdivision, and again, assuming that half the road contributes to the low area; half doesn't because it's a natural drainage divide, the net change in loss of water storage when the soil is taken out is less than 1% of the total water storage that is likely available in that watershed. So, while allowing either 3500 or 4700 cubic yards of earth removal, it is true, there will be a little less ability to store water there, but it is probably less than 1% of the total.

Tom said there was also some concern expressed about flooding that had occurred on Seekonk Street and there was a concern that because flooding had occurred there, if you develop the subdivision on the Noon Hill Acre site, flooding might arise as a result of that. We looked into that again in a preliminary manner and it does appear that the cause of flooding on Seekonk Street was measurably different than the conditions that will arise as a result of developing the subdivision. Apparently, what happened on Seekonk Street there were a number of formerly vacant lots that were developed all along the street. The street basically didn't have a closed drainage system. So, Butch Vito, the DPW Director went in and put a closed drainage system along the entirety of the street. That has, to everyone's understanding, fixed the problem. He has a picture of that system, and also has a picture of the residents at 177 Seekonk Street, because that was specifically mentioned in several of the emails. The picture of 177 Seekonk is useful in two respects, (1) it indicates the general nature of the development that went on along the street – a whole bunch of driveways are now shedding into the street which Mr. Vito was able to address with the storm drainage system. The problem as the homeowner describes here, there is a break out of groundwater to the rear of that residence, and it appears, just from inspecting it from the street, when the house was constructed it was cut into the base of the hillside. Typically, when you cut into the base of a hill in New England, the danger of groundwater break out, because what happens as the topography falls away on a hill, groundwater tends to rise to the surface. So if you cut into the base of a hill, which you've done here, there is a common issue of getting groundwater break out. The reason he says this is different, particularly with respect to the existing low point that is between the subdivision and Noon Hill Avenue is there is no excavation proposed down there. Everyone concedes that that is sort of a wet area, so there is groundwater breaking out in that area now. But nothing that is being done on the subdivision is going to affect that in any way. There is no excavation proposed there. The problem that occurred at 177 Seekonk Street, and he's speculating somewhat, it

appears to be a groundwater problem from cutting into the hillside. With respect to the subdivision, there is no construction proposed near the base of the hill within the subdivision.

Tom said these are his thoughts and believes that the Planning Board thoroughly reviewed the subdivision. He does not anticipate that as a result of this construction that there would be damage to adjacent properties. He offered the photographs mentioned as part of the record.

Jonathan made a comment to the applicant that you now see what the conditions are. Do you have any issue with any conditions imposed by the Earth Removal Committee? David Dalzell said no, they are the same conditions as when we started this. Jonathan asked about the Planning Board conditions that were alluded to by Mr. Bullock a few minutes ago. Mr. Dalzell said no problem.

Jonathan asked Bob Bullock if the Earth Removal Committee discussed a dollar amount for the bond. Bob said that was left to the Selectmen. Bob said that he thought typically a bond is \$10,000.

Jonathan asked if anyone from the audience wished to be heard, based on the reports of Mr. Bullock and Mr. Houston.

Ken Lawrence, 50 Noon Hill Avenue. Mr. Lawrence said he appreciates the information from the ERC. He said he is right behind what will be Lot 2. What happens once the four lots are sold and a problem does develop, as a homeowner, how does that get resolved? Bob said the Building Code requires that you cannot allow the water runoff from your project onto an adjacent property. That's where the water problem would come into play. That would have to be remedied by the contractor or the homeowner of that property. That is all going to happen during the construction of the project. Once everything is done, especially when the grass grows in generally that will retain the water a lot better than during the construction process.

Bob said you have to realize, too, that when they did the perk tests on this lot, it was perfect gravel all the way down to bedrock and all 8 perk tests, 2 perk tests on each lot, each went down roughly 210" and hit bedrock and no water was found on any one of them. Bob said he realizes the abutters are skeptical because of the situation that happened on Seekonk Street, but this is the difference between not having a stormwater drainage system and having one. This is designed 300% higher than what the town requires.

Jonathan asked Bob if the Seekonk Street property was an approval not required plan so therefore the Planning Board didn't have any jurisdiction over that. Bob said correct. Ken said he was wondering that, and was glad someone asked.

Bob said Seekonk is an old, old road. It never had the stormwater drainage in it. There isn't anything in the Code that says you can't allow the water to run down the driveway into the street. That's where he had backed off. It wasn't going into the neighbor's property on either side; it was going out into the street. Every house always has the driveway pitched toward the road so that the water isn't running toward the house. Bob said they are trying to blame one particular house, but it was an accumulation of water from all the homes. He said there are 12 or 15 driveways that come from the high point of that road that all run down to the Noon Hill intersection there and the house right on that corner is conservatively lower than the street, and without any curves or without any drainage, it's going to find its natural course. Now with the drainage in place, Bob saw puddles after a heavy rain storm recently, puddles alongside the road, but he didn't see any in that one yard anymore. He feels everything is corrected because of the stormwater drainage system.

Tom said Bob is correct, it isn't one house. It's a cumulative effect of developing multiple properties. The DPW's solution is working, and putting curbs and gutters along the street and it has solved that problem – a surface water runoff problem.

Ray Ewer, 52 Noon Hill Ave. He said he sent two emails to Mr. Hathaway – doesn't know if he forwarded them to the Board. Jim Lehan said yes, he did. Mr. Ewer submitted them and asked that they be entered into the record. Ray reviewed the fact that this Board of Selectmen does have the authority to impose whatever conditions you feel appropriate on this permit. Perhaps there are conditions already in place. He said before the lots are released, the Planning Board covenant does, in #46, say that it's up to the Planning Board to make sure there is no drainage problems to any of the adjacent properties. Is it correct that if in construction, and before the lots are released that the Planning Board will have jurisdiction and oversight to make sure there are no drainage problems to any abutting property, no matter which property that is. Tom Houston said that is correct. Ray Ewer asked Bob Bullock if once the lots are released, then the Building Commissioner has the jurisdiction to make sure there is no drainage problem from a lot in the subdivision to any abutting lots or water flow problem from lots in the subdivision to any abutting lots. Bob said that's true, but will preface it by saying if it's natural grade that's there now, and the water is flowing to your property, then that's not something the person is responsible for. It is only if they change the grade during construction or change in their backyard or whatever, that that change of grade now causes a problem to drain that water onto your property. That would become an issue under the Building Code.

John Quillan, 18 Day Street. He said he would like to hear from the Conservation Commission. What do they think? Did you talk to them at the meeting, what their concern was.

Jonathan said we're the ones who take in the information and make a decision. Under the bylaw, the first step is the ERC. So he would ask Bob to speak on this.

Bob said their concern basically was whenever you have a stream or it falls under the Rivers Act, you are supposed to stay outside the 200' riparian zone. You need to stay 200' away from that. It is drawn on the plan, that none of this construction is within that 200' riparian zone. What Mr. Shaw brought up is he feels as though on the other side of Day Street, the very beginning of the street there is one corner of it that possibly falls under that 200' riparian zone. That is something that Conservation would have to address. You have to realize that during the Planning Board hearing, they were all notified at that time and if there were any comments from any of the Boards or Committees on the subdivision, all he can do is surmise that they chose not to make any comments at that time.

Bob said you heard at the earth removal hearing, Conservation was sent three emails to three different addresses and they decide not to come to the first earth removal hearing. We had a second earth removal hearing, and that was the concern that they brought up. Bob said that's all he can tell you.

Bruce Johnston said he went to the post office on Friday and David Dalzell's wife was there and told Bruce in the parking lot that they just got a letter from the Conservation Commission. It was a notice to Apache Consulting to David Dalzell and it said that they had reviewed the earth removal filing for the project and a site inspection of the property was also conducted. As a result, the Commission is concerned that a portion of the proposed roadway, Redwood Circle, may be located within the second riparian zone regulated under (Mass Law and Town of Norfolk regulations). Their recommendation is that a Notice of Resource Area Delineation (ANRAD) be filed determining the boundaries of this resource. No work on the proposed roadway shall be commenced until the final ORAD is issued. The Commission also observed that the wetland flags delineating the boundaries of the bordering vegetated wetlands that impact this site are in poor condition. Bruce said he checked, and what they wanted is between 11 and 13 Day Street, the perennial stream goes under Day Street, it goes around the back of those two houses and if you look at it, at Day Street you can't see it. He said he imagines that's why it wasn't done by Landmark, aside from the fact that again, no one came to the Planning Board hearing a year and a half ago from the Conservation Commission, and all the Planning Board asked was a determination of an intermittent or perennial stream which we got from the Conservation Commission indicating it was a perennial stream, and that was on the edge of the property at the time he owned it, and they had the riparian zone

flagged, we had the river bank flagged, we had the 100' wetland area flagged, they had the 200' riparian zone flagged and Conservation had the chance to review that a year and a half ago like every other committee and board, but what they've done here to try and help is the botanist who did the flagging went with him and flagged the back of that old brook and stream. Bruce said they took an actual tape and measured it and it was well over 200' to actually Day Street. They didn't go through a lot line. What they do need to do and will do for them, and that's the letter from Landmark Engineering that the Board is reading now, that we will make a delineation on the subdivision approval plans showing that it does not come within the 200' riparian zone or 100' wetlands or Rivers Act.

Dave Dalzell said to keep in mind they got the Conservation Commissions' letter on Friday afternoon. They said they are trying to do this as fast as they possibly could. Town Hall was not open on Friday.

Jim Lehan thanked the residents for participating in the process. Jim said that one reason he and Mr. Smith agreed to delay this was to ensure their questions and concerns were adequately heard and you had every opportunity to have whatever assurances we could provide that your property is not going to be damaged or impacted in any way. Hopefully you have heard that. Jim said that this is the first time, to his knowledge, that we have done this twice. For the record, he did want to reinforce a couple comments. We want to be very respectful of Conservation's needs and requirements. We want to ensure that they have every opportunity to evaluate whatever conditions are appropriate under their jurisdiction, but it should be noted that we have worked very hard to set up a process that makes it a fair process for all parties involved. That's why we have these roundtables, that's why we have these committees that get together where all parties, Planning Board, Conservation – everyone concerned and citizens are always welcome, and we regret that one of the gentlemen was not notified and you certainly should have been – another reason why we wanted to delay that. To do that, the participating boards and groups have to work with us to make that happen. It should be noted that Conservation was fully notified of that hearing. All parties, including their representatives, were notified at several different email addresses, and all emails were acknowledged, so they were fully aware of that permitting hearing. Yet for reasons only known unto them, they did not attend. Planning Board would also attest that Conservation was notified throughout the entire planning process for over an 18 month period where they had every opportunity to participate in the process, and to express whatever concerns or issues put before them, and for reasons known only to them, they did not. It is unfortunate for the citizens actually, that that doesn't happen in a more appropriate and beneficial way for you folks.

Jim said that their areas of jurisdiction and their concerns are very valid and we want to assure that they are heard and, again, this is why we delayed it. Jim said it is also important to note that our boards have to work well together, and we need to do better at this. We need to play our fair share in assuring that we don't cause concerns for neighbors, and we don't cause unnecessary delays for people who have legal rights to proceed with whatever appropriate development they may be involved in to meet all the requirements of all the various boards. In that regard, Jim feels this is a process we failed. He apologized to the citizens, because we are a part of that process. He said we need to do this a little better and become more efficient. We don't have a lot of these, but they are all important. He hopes we have addressed everyone's concerns, and he's glad they all attended.

Jim said that in terms of the liability issues that Mr. Ewer raised, we have looked into the documents and those concerns are very well addressed within the document itself. All of the protections for the town and yourself are there, but most importantly, the protection you are looking for are really more downstream when these lots get developed, but that resides with the Planning Board and Mr. Bullock and your questions were very appropriate. Jim said he is reluctant to add additional language that is over and above that for each individual set of circumstances, unless it is peculiar to that set of circumstances. He did look at the document, he did review the concerns and thinks that the current language does provide you, well, covers you.

Jonathan said that the letter that David Dalzell gave him, did he hear right that Landmark expects that there is no part of this property within the 200 foot riparian zone? David said they delineated it today. The markers are up and took a 300' tape measure and went to where they thought the road might begin and it's much greater than 200. Obviously, he won't commit to anything until he sends his surveyors out. Jonathan said he is trying to think of a way to accommodate everyone. Would you be amenable to a condition that says that the plan that Landmark drafted does not show anything within 200 feet. David said that's what he was hoping for tonight.

Jonathan asked Jim if he is comfortable with that. Jim said he was trying to draft a condition, and yes, he agrees. Jonathan said also building a house on any particular lot might also be subject to a particular notice of intent with the Conservation Commission, depending on where you intend to site the building. Just so the neighbors know that, too, for any particular house that might be built in here over and above the road, it appears from the plans that at least for sure two of the lots would require Conservation approval. He's not sure about the other two. They are pretty close depending on where you intend to disturb the ground. David said so as he understands it, it will be conditioned on the Conservation Commission having the plan by Landmark showing that the

roadway is greater than 200'. Jonathan said that there is no disturbance within 200' and that the drains... Jim said the only question at issue is whether it does fall in the 200' riparian zone. So with a condition that says you will not commence any work until Landmark Engineering provides Conservation Commission with the appropriate assurance that this does not fall within the 200' riparian zone. Jonathan said we want to get all the information in within a reasonable time and be able to close the hearing and make a judgment based on information that we have. If it turns out that something comes in and it's not, then we wouldn't allow it. Jim said we can condition approval and he has listed 7 items, the seventh being that Landmark provide the appropriate certification that it doesn't fall within the 200' riparian zone. Jim is fine with the \$10,000 bond.

Jack said with respect to the 200' riparian zone, if he read the memo correctly from the Conservation Commission they have to abide by the CMR and Wetland Protection Regulations regardless of what our condition is. Jim agrees with that, but said it's indifferent to this. Jack said if you are going to limit them to not disturb within the 200' riparian zone, say Landmark's walk with the tape was wrong and they are actually 195', what happens then? I think under the Code, Conservation has ways to replicate or otherwise negotiate so they can work within the 200'. But if you are going to say they have to stay outside the 200', you may be more restrictive than you have to be.

Jim said good point, but anything that would fall within the 200' would be a condition that would be under the authority of the Conservation Commission, not this board. So we should probably word this in a way that states that any remediation of that would be at the discretion of the Conservation Commission.

Bruce said it would have been nice if a member of the Conservation Commission was present tonight to answer questions and clear up a few concerns.

Jim said if the 200' consideration is not an issue, we have no issue. If it is, then you have to work that out with the Conservation Commission. For purposes of our role in this, Jim said he would like to somehow frame it this way, that if it is outside the 200' concerns, and that certification is provided to Conservation... Jim asked Tom Houston to help him out here.

Tom said he understood that the Commission would be issuing the ORAD by March 28th, - no, Landmark would be - he suggests the Board list a condition that no further work on the property will occur until the CC issues their ORAD and should they choose to assert juris that all further work will comply with any Order of Conditions that would be issued by CC. This may be somewhat burdensome on the applicant because we're asking him to stop until the ORAD is

issued, but it's a matter of law and regulation. It might be prudent to ask the applicant to hold until they get an ORAD from Conservation.

Jack asked hasn't Conservation already asserted their jurisdiction here in this letter to the applicant. It says do not continue work until you have an ORAD, so why do we need to complicate this permit with that same assertion? Tom said he did not see the letter, but if it's already in there, there is no reason to reinforce it.

Tom said he did download streams and topography from State GIS, and there could be small tributaries that don't show, but on the plan, the stream is accurately delineated up to Day Street. It's beyond that that's in question. At least the State maps, show the stream continuing straight across Day Street. If that is the case, the roadway would not be 200'.

Jim agreed that Jack's point is well taken. Let's leave this to the applicant and the Conservation Commission, and not condition our permit. It's a matter of law, and they have to deal with it. It's a separate matter that should not be part of our agreement.

Jonathan said the reason he wanted this as a condition is that he understands they can make their own decisions, but that means they could second guess every plan that's ever been done by the Planning Board even if they were involved in the process the whole way. That seems to be the implication here. He just wants to make sure that that is not what we want it to be. Jim said we can't control that anyway. There is a point of reason that is imposed on all of us. That won't occur here. This will or will not meet the requirements, and we have to let the process take its course. Jonathan still feels more comfortable that they do provide the plan to us this week, and show that it's outside 200'. Jim said that they are only two votes, so they have to come to an agreement. Jim wanted to do something as simple as saying this approval is subject to full compliance of all concerns associated with Conservation Commission. Jim said he doesn't want to complicate the process by imposing in a separate document a condition that is not within the privilege of this Board, and is under another Board that will do it very well and thoroughly. Jonathan said this is not a condition, but this was a fact that was part of the basis of our decision and that fact was provided by engineers that were hired by the applicant and petitioner to show that this project was outside the 200' zone. Jonathan said he can go with this not being in here at all if it is okay with the petitioner.

Bruce said would you consider it that close the hearing and approve based on what you've said and what the discussions have been at the hearings, subject to the work not being within that 200' zone. Jim said what he does not want to do is delay a decision and condition the decision to be sure all parties are protected.

Jim said we should approve this subject to the following conditions, one of those conditions simply is that they comply with all of the concerns associated with the Conservation Commission or however we want to word this. David Dalzell said he is fine with that. Jonathan said to remove the seventh point.

Jim Lehan moved to approve the earth removal permit for Noon Hill Acres, Redwood Circle subject to the following six (6) conditions: (1) an inspection would be done after the installation of sediment control devices and prior to earth work to begin. (2) Hours of operation to be from 9 a.m. to 2:30 p.m., Monday through Friday according to the subdivision plan approval. (3) Truck travel will follow Day Street to Noon Hill to Seekonk Street toward the direction of Medfield. (4) If there is a problem in the course of construction, it will be fixed within a 24 hour period (dust, noise, erosion control, etc). (5) As-Built plan when work is complete showing final grades as shown on earth removal plan per the subdivision. (6) A bond shall be posted for \$10,000. All areas disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the subdivision plan. Jonathan Smith seconded, and it was **so voted**.

Jim Lehan moved to close the hearing. Jonathan Smith seconded, and it was **so voted**.

MPG MOTOR SPORTS, CLASS I LICENSE

Present was Joseph Crowley, applicant.

Joseph Crowley introduced himself and told the Board he would like to sell scooters and small motorcycles. He owns property at 262 Dedham Street, and has a storefront.

Mr. Crowley had brochures for the Board. He told the Board that all vehicles need to be registered except the small one.

Joseph Crowley now does lawn and garden. It used to be John Deere, but is now Crowleys Lawn and Garden. The Board discussed hours, and Mr. Crowley said he may want to open one night later. He now closes at 4 p.m.

Ramesh Advani moved to award a Class 1 license to MPG Motor Sports of 262B Dedham St., Norfolk. Jim Lehan seconded, and it was **so voted**.

CHIEF BUSHNELL – FIRE BUDGET

Present was Chief Cole Bushnell and Captain Peter Petruichik.

Chief Bushnell discussed a budget issue due to two staff who had non-work related injuries and two with work related injuries. He said there is no wiggle

room in the budget because they are bare bones. Looking at the budget, they have money that they want to have only used with absolute necessity. They have 3 firefighters on a call after 4 p.m. Chief Bushnell goes with the day shift. He said that all the money is now for the 24/7 shifts. He is down to 19 people. They had 21, but two call people have left. The department covered 97% of ALS calls.

Chief Bushnell said he is looking for the monies come from the Reserve Fund and have the Reserve replenished from the ambulance account. He would like this to use as an option. They are looking at an additional \$4,500.

Jim Lehan moved to approve \$29,831.56. Ramesh Advani seconded, and it was **so voted.**

PWED GRANT HEARING

Remo Vito, DPW Director present.

Jonathan Smith opened the public hearing.

Butch Vito displayed a plan of the project. He told the Board that he is present tonight to talk about the PWED Grant. This is the grant that the town has been pursuing for the past 3 or 4 years. This was for the Liberty Lane Extension.

Butch explained that part of the grant process is this public hearing, notice to abutters. He said he realizes we have talked about this in the past at many meetings, but it was not an actual advertised public hearing. This goes back to the middle to late 90's. He said we are talking about the B1 district that was formerly the Musto property and now owned by the Borelli's.

Butch explained that when we did the road configurations back in the 90's with the Planning Board, we had an economic development grant for this section here (shown on the plan). We looked at the traffic that was going to be generated through the Musto concept of this area. After that, Mr. Borelli bought it. The Borelli's looked at a little different concept. A little more density because of a wastewater treatment plant. This section is high priority to us – how's it going to look; how's it going to work. Butch said if you look at this piece of land, it is offset through Main Street – one way in, one way out. As we started to look at this through the Borelli proposal, we started to see that we were going to have a problem right at this intersection. The intersection, under the conditions of the plan, is looking at a signal at full buildout. With that being said, in the middle 90's we did look at this area as far as an access area. Late 90's, early 2000 we had the ability to meet with the landowner, Mr. Chipman. We did discuss it and were able to acquire the piece of property and town meeting voted it and gave us the ability to come in and come over and get to this bridge area. Over the

past few years, we have been talking to the State who is the other component of this which they have now bought onto this and looked at it and at the meetings have very good support for this.

Butch said what this is going to do is it's a new connection to this area of the town center. This area is going to be part of the B1 district with the full buildout. There are condo units built up here, and 16 more units will be going in that area, and Walgreens will be going in, and the Planning Board is looking at building Liberty Lane all the way in.

Butch said he applied for the PWED grant in 2005. At that time, the cost of this was roughly around \$3 million. The new numbers are down around \$2.5 million. He did talk to the MBTA and he has letters of support from Congressman Barney Frank's office. We put the project together from 2005 until now, and submitted for the grant in November of this year. Right now, we have the grant in, and we are waiting to hear from the Executive Office of Transportation (EOT). He heard back from Congressman Frank's office this morning who has been in touch with EOT. They are waiting for this hearing to be done, and are waiting for the comments of the Selectmen and abutters .

Butch said they looked at many concepts to address traffic issues, and he did look at a huge rotary. The roundabouts were put in place instead. They did not have the acquisition of land from takings at the time, but have since acquired what they need and it is all coming to fruition at this time.

Butch said that the MBTA will actually pick up 15 more spaces. They are allowing us to come through their property with the road, so we are reconfiguring the parking lot and with their parking lot, they will pick up 15 more spaces. There has been talk about moving the station up here as well, because with the roundabouts, the train stops right at the edge of the road and the gates stay down, stopping traffic in the center. If we could get the train to move forward, more west, the gates will come up and it won't block traffic. Butch said another thing we have done through Police Chief Stone, is to take a survey of the parking lot. 70% of the cars parked here come from Franklin and Millis. When they unload, they all come down to Independence Drive. The new plan would allow them to unload the other way over the bridge and head away from the center.

Jonathan questioned if this grant was contingent upon moving the train station. Butch said no. He said they looked at circulation, the problem of the gates staying down. The MBTA already did a conceptual plan of moving the station which we have. Jonathan just wanted to make sure this wasn't a condition, and Butch said no, they are not together. They are two separate projects.

Butch said we have done well with the Planning Board. He is still looking at circulation and access and different concepts. Jonathan asked if a signaled intersection is part of the PWED application. Butch said it is. Right now it is an engineering amount. Engineering will tell them whether it will be a signaled intersection. Butch said it could be phased in as the intersection happens.

Ramesh Advani asked if the MBTA has sent a letter of support. Butch said yes, a very high letter of support. Ramesh said that will help the whole commuter issue. Butch said he and Jack met with the MBTA. There is also some access issues on the Stop & Shop property, and we discussed all that while we met with them.

Jim Lehan asked Butch to describe the funding source so everyone will understand how this will be paid for. Butch explained that we put in for the grant itself for \$2.5 million. Part of that \$2.5 is the community contribution which is roughly around \$400,000. We have also put in a development contribution which we estimate at around \$150,000. Between municipal and private funds, it comes to around \$550,000. We hope to get \$2 million from the state. There are some federal funds, but the federal funding comes down to the state, and the state dictates how they are going to be spent. Because this is a real high transportation issue, since the money is in transportation, he thinks this is a more high priority. This is two year funding. The first year, which is '08 – for 12 months the first year we would spend \$1 million. The second year, '10, will be final construction. Butch said there is a retail store and bank that are pretty far along in the Planning Board.

Jack Hathaway asked if we get credit for any of the work we've already done, such as drainage. Butch said no, that was in preparation for this. It doesn't count. Mr. Borelli did contribute toward the roundabouts, so there has been developer contributions to get us to where we are today.

Jonathan asked if any abutters or the public would like to comment.

Peter Chipman, 201 Main Street, an abutter. Peter asked what the Board is approving tonight. Jonathan said that in order for this project to proceed, it needs a public hearing with statements of support for the project from the effective parties and the Board of Selectmen. Peter asked if there is any town meeting action needed. Jonathan stated no. Peter asked where the engineering funding will be coming from? Butch said we haven't planned any funding source as yet. It could be fall town meeting – we may ask then. Or he may have the option to use Chapter 90 to get going to offset some of the costs. There are options, but none have been decided as yet.

Jerry Walsh, 225 Main Street, an abutter. Jerry said from what he heard, there is approximately \$350,000 that has to be appropriated by the town. Does that have to go before town meeting for approval? Jonathan said yes, but not until the project is approved. Then we have to come up with our share. That is not a condition for the project to be approved initially. Butch said once we get the approval, they deduct the developers contribution and the town's share. That's set in stone; we have that grant. Then it comes back to the Board of Selectmen and we pursue the funds. We don't lose the grant because we don't have the funds. We are committed to a share and they will placehold the grant. Jerry asked how long they'll hold the grant. Butch said approximately a year. Jerry asked why are we adding spaces to the MBTA? Butch said because the road goes through their parking lot and they are going to lose spaces. Butch said this is MBTA property and they are going to sign over to the town the rights to go over for the bridge crossing and the parking.

Ramesh asked what happens if the grant gets approved and we start to actually do the work and the estimates come in differently? Their commitment is to just whatever they've approved. We have to anti-up the difference, right? Butch said we will know the answer to these questions after the bidding process or cost estimate process. Ramesh said but the PWED amount won't change, correct? Butch said no, it won't change. We will be going back to Boston, so we'll get more answers. Ramesh said then what happens will be up to us. Jonathan asked if we can design down a little bit so that we can get through without taking a financial hit on the town's side. Butch said on the town center project, we only constructed what we had the money to do.

Jerry Walsh asked about the drainage that's already there. Is that going across the bridge or does it stay this side of the bridge? Butch said it is going to cross the bridge. Jerry asked if the drain line is adequate to take on this? Butch said yes, but we may design it a little different once we get to this point, because this is the T parking lot, so we may talk to the T about this. We are talking the new parking lot. The drainage on the other side will take it. Butch said the Town's share is engineering. The grant is all the construction.

Daniel Boone, 229 Main Street, an abutter, questioned lighting. Does the State commit only to the dollar value and not the scope of the work? The Board said yes. It is based on what we submit. Dan asked if there is room down the road to opt not to do it. Butch said yes, at any point we can opt not to do it but if we hit that point, we will probably look at other grant mechanisms that we could piggy back with this one. Dan asked if we determine that we do need a light, would be look for developer contribution to help out? Butch said we would absolutely look at that option and any mitigation issue. The Planning Board looks at that.

Ramesh asked that all abutters and the Economic Development Committee send letters of support to help us with this grant.

Jonathan asked about the review process. Butch said he will be doing the review, not like TIP where the State does the review process. He will try to get support letters from the Boards, as there are no stormwater issues.

Peter Chipman asked for an itemization of costs. Butch said he will get that to him.

Jim Lehan moved to provide a strong letter of support to the State on this project. Ramesh Advani seconded. Jim stated that when this does come to fruition, we will ensure that we won't create a burden for the community in terms of unfinished projects or cost. It would be done in a way that we stay within our finances, but yet it will be completed and then pieces that were not finished would be finished over a period of time with available funding so that it will not cause unnecessary burden to the taxpayers. Jonathan strongly supports this and has for many years. He said we get close and hopes this one goes through. It was **so voted**.

At 8:37 p.m., Jim Lehan moved to close the public hearing. Ramesh Advani seconded, and it was **so voted**.

EARTH REMOVAL HEARING – ROCCO REALTY TRUST

Jonathan opened the public hearing and read the hearing notice.

Present from Rocco Realty Trust was Evan Wilmarth, Engineer and Trustee, Alan Quaglieri.

Evan Wilmarth represented Rocco Realty Trust. He said they need an Earth Removal Permit for 17 Pine Street because they are very limited on the site for the area of use. They need to remove the top soil and subsoil. That is what is coming off site. He said the entire site built up 3 to 7 feet of what is existing now. Mr. Wilmarth said they need the permit to get the excess material off the site. They have no use for it.

Jim said they are building up one area and taking out another area. Evan said it's the topsoil and subsoil that they will use again. The pavement and the building is what they have no use for and they want to remove it from the site. It's basically road gravel.

Ramesh said they have the recommendation of the Earth Removal Committee who support this.

Ramesh asked what is going to be built there. One story building with walk out basement area in the back. Offices – 4 units on the top and 2 units down in the basement. Mr. Quaglieri will be occupying one of them. Evan said final approval is pending from Board of Health. Planning Board has done the site plan. They are hoping for the beginning of June to start construction.

Bob Bullock said he has no issues. The bylaw states that you can't dig within 10' of the water table. He said the Earth Removal Committee met with the applicant, and the Committee is in favor of the project. He didn't see any issues.

Mr. Wilmarth presented the green receipts from the certified mailing to abutters.

Jim Lehan moved to authorize the earth removal permit for Rocco Realty Trust subject to the following conditions: (1) An inspection would be done after the installation of sediment control devices and prior to earth work to begin. (2) Hours of operation to be from 7 a.m. to 4 p.m., Monday – Friday. (3) Truck travel will follow Route 115 to Rt.1A. (4) If there is a problem in the course of construction it will be fixed within a 24 hour period (dust, noise, erosion control etc.) (5) As-Built plan when work is complete showing final grades as shown on earth removal plan per the site plan. (6) The bylaw states that a bond shall be placed on the site and a letter from the owner allowing the Town to legally enter the site with personnel and equipment to make restoration to the site in the event of default (Article VII Section 2 & 5). A \$10,000 bond will be posted.

(7) All areas that have been disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the site plan. Ramesh Advani seconded, and it was **so voted**.

TOWN ADMINISTRATOR REPORT ACTION ITEMS

Jim Lehan moved to vote the replacement water bond(s) for the Massachusetts Water Pollution Abatement Trust in the amount of \$18,786 to replace the portion of the \$234,828 General Obligation Sewer Bond issued to the Trust dated November 16, 2005 that was prepaid on November 9, 2007 as follows:

(1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$18,786 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed at the 2004 Annual Town Meeting (Article 7.4) to replace the prepaid portion of the Town's \$234,828 General Obligation Sewer Bond dated November 16, 2005 and issued to the Massachusetts Water Pollution Abatement Trust (the "Trust") for the construction of sewers and other water pollution control facilities project identified in such vote (the "Project");

(2) that each Bond shall be issued as a single registered security, and sold to

the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;

(3) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond, and to execute a Loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds, such date, form and maturities and the specific interest rate or rates of the Bonds to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds;

(4) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

(5) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

Ramesh Advani seconded, and it was **so voted**.

Friends of the Norfolk Public Library have requested permission to install the banner on Town Hill, as done annually, to promote their Annual Book and Bake Sale. They would like to install it around April 7th and remove it after the sale – April 28th.

The Board discussed the two week limit on signs, and said that they would have to abide by that as well.

Jim Lehan moved to allow the Friends of the Norfolk Library to install a banner on Town Hill beginning April 14th and remove it on April 28th. Ramesh Advani seconded, and it was **so voted**.

Norfolk School Committee recommends the following appointments be made to NEEF: Anita Mecklenberg, John Silveria, Wendy Browne, Joan Marsden, Maryellen Horgan-Currier, Ronald Zullo, Dr. David Lu, and Linda Andrews. Jonathan discussed whether Mr. Zullo was a conflict of interest since his wife is running for school committee. They decided it wasn't a conflict after discussion. It's just a committee to raise funds.

Ramesh Advani moved to appoint Anita Mecklenberg, John Silveria, Wendy Browne, Joan Marsden, Maryellen Horgan-Currier, Ronald Zullo, Dr. David Lu, and Linda Andrews for a term of one year. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to grant Norfolk Community League permission to hold their annual Run/Walk on Community Day, June 7th same route, beginning at 9 a.m. Ramesh Advani seconded, and it was **so voted**.

Ramesh Advani moved the following ballot question for the Annual Town Election on May 6, 2008 as follows: Shall the Town vote to have its elected Town Clerk become an appointed Town Clerk of the town? Yes – No. Jim Lehan seconded. Ramesh said he would like to amend the language to say subject to Town Meeting approval. Jack Hathaway said he did not think we could amend the question. Ramesh said he would like Town Counsel's opinion. It was **so voted**.

Ramesh Advani moved to allow the installation of up to four (4) directional signs for the PanMass Challenge as recommended by the Director of Public Works at the locations mentioned in his memo of March 12, 2008. Jim Lehan seconded, and it was **so voted**.

BIWEEKLY CALENDAR

Jack reviewed the biweekly calendar with the Board.

NEW BUSINESS.

Jack told the Board that he had a reserve fund transfer request from the Moderator for \$400 for signs advertising town meeting. He would put them at the town borders.

Jim said this is a good idea, and we used to do this, and Jim commends him for trying to stir up interest in town meeting. Ramesh felt that we should send a certain tone. He agrees that in the recession, we should tighten our belts regarding anything to do with town government. He said that these signs could still happen through donations or other sources of funding. Ramesh said he would be happy to contribute toward a sign or signs. Jim agreed and said he would as well. The Board was all for the Moderator's efforts, but feel there is a different way to fund it.

The Board discussed a meeting with the Everett Street residents. We will try to do it on April 29th at 7:30 and will try to have Butch there, too.

Jonathan gave a short update on KP.

At 9:53 p.m., Ramesh Advani moved to go into executive session for purposes of contract negotiations and pending litigation. Jim Lehan seconded, and it was a roll call vote: Ramesh Advani, **aye**; Jim Lehan, **aye**; and Jonathan Smith, **aye**. The Board will not come back into open session except to adjourn the meeting.

At 10:38 p.m., Ramesh Advani 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 March 24, 2008.



Ramesh H. Advani, Clerk

SPECIAL MEETING

April 7, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan, and Jack Hathaway, Town Administrator.

Jonathan called the meeting to order at 7:40 p.m. This was a working session for the Board to review warrant articles and the budget.

The Board discussed the warrant briefly. Ramesh said he would prefer to have the budget first, and follow with anything not budget related.

The Board agreed to move articles 4, 5, 6, 7, and 8 to after the rock article (41). Restate article 37 as Economic Development Authority. There will be a 43D roundtable on April 30th at 7 p.m.

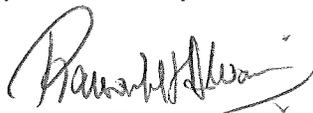
The Board spent the rest of the meeting working on the budget.

Jim Lehan moved to appoint William Crump to the Affordable Housing Trust Committee, replacing Robert Garrity. Ramesh Advani seconded, and it was **so voted**.

Ramesh Advani moved to go into executive session for collective bargaining and contract negotiations. Jim Lehan seconded, and it was a roll call vote: Jim Lehan, **aye**; Ramesh Advani, **aye**; and Jonathan Smith, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:56 p.m., Ramesh Advani 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 April 7, 2008.



Ramesh H. Advani, Clerk

April 14, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan and John P. Hathaway, Town Administrator.

Jonathan called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

AFFORDABLE HOUSING COMMITTEE INTERVIEW

Stephen Cote, Miller Street was present. Mr. Cote was interested in the Affordable Housing Committee. He grew up in Millis. He has lived in Norfolk for 10 years. He is looking for something to do, and wants to work with this committee. He has talked with Sarah DelMastro, Chair.

He has been reading over materials that Sarah has given him. He explained what he knows.

Ramesh Advani moved to appoint Stephen Cote to the Affordable Housing Committee until June 30, 2009. Jim Lehan seconded, and it was **so voted**.

BUDGETS

Jim Tomaszewski was present.

The Board discussed the KP budget. Ramesh stated that he is okay with 9%, but is not in favor of others being cut so that KP can have what they want. Jim is okay with 9%. Jim said if the \$75,000 will help Wrentham, then we will find it. He is committed to going with a 9% budget for KP. He said the case they have made is compelling.

Jonathan said he was with 10%, so he is fine with 9.

Chief Cole Bushnell, Fire Department

Cole gave an overview of where they are with the public safety building. He reviewed what is wrong with the building.

WARRANT

The Board discussed the 43D article. Dave Lutes reviewed the process with the Board. The Board will review this on April 29th at a meeting with all boards.

ACTION ITEMS

Jim Lehan moved to allow Norfolk Girls Softball to do a fundraiser at the Transfer Station on April 16 and 23rd from 4-6 p.m., and April 19th all day. There will be one adult and three children. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to approve the 4th annual Kids PanMass bike ride in Christina Estates on June 8th. Ramesh Advani seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack reviewed the bi-weekly calendar.

OLD BUSINESS

Jack said there were discussions with Franklin to discuss the water debate. By the end of April, DPW directors and Town Administrators would help make a decision. They will meet again in May and Jack would like a BOS member there.

NEW BUSINESS

Jack reported that there will be a SWAP meeting here Wednesday.

Jack reviewed what Bob Bullock found at Call & Wait. They aren't keeping up with the percentage progress to make the June deadline. George will talk with Atty. Hannington.

Jack reviewed the Chapter 90 monies for 2009. \$281,331. A 10% increase over last year.

Jim stated we need a Tri-County representative.

Jim noted a thank you letter from residents praising the public safety officers in assisting them to Caritas Norwood.

Ramesh discussed a date for the School Committee appointments. It appears it may be mid to end of May. They talked about extending the date for applicants.

Jonathan mentioned a Reserve Fund Transfer to the Advisory Board for \$90 from Conservation for business cards. Jim Lehan moved to approve the transfer of \$90. Jim asked if there was anything unique about this Transfer request. Jack said no. Ramesh was adamant that they should not have purchased these cards if they didn't have the money. Jonathan stated that they should have come for the Transfer Request to be approved before spending the money. The motion was not seconded. Jim withdrew his motion. Unless there is something extenuating, they won't approve it.

Jack announced KP 7th and 8th grade band won gold medals at the MICCA Festival. They will all be at Symphony Hall on May 3.

ACCEPTANCE OF MINUTES

Ramesh Advani moved to accept the minutes as noted on the agenda. Approved minutes are January 10, 2008 – special meeting; January 17, 2008 – regular and executive session; February 11, 2008 – regular and executive session; February 11, 2008 – special meeting; and February 25, 2008 – regular and executive session. Jim Lehan seconded, and it was **so voted**.

At 10:19 p.m., Jim Lehan moved to go into executive session for contract negotiations. Ramesh Advani seconded, and it was a roll call vote: Ramesh Advani, **aye**; Jim Lehan, **aye**; and Jonathan Smith, **aye**. The Board will not come back into open session except to adjourn the meeting.

At 10:38 p.m., Ramesh Advani 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 April 14, 2008.



Ramesh H. Advani, Clerk

April 28, 2008

Present was Jonathan P. Smith, Ramesh H. Advani, James C. Lehan, and Jack Hathaway, Town Administrator.

Jonathan called the meeting to order at 7:30 p.m. Jack read the agenda contents.

MUNICIPAL EMPLOYEE AWARDS

Jack Hathaway read the names and years of awards for municipal employees. The Selectmen presented the award and shook their hand.

Five years: Joseph DiRosario, DPW; Christia Sena, Police. Ten years: Kathryn Astley, Library; Douglas Johnston, Fire; Mark Haigh, Fire; Hilary Cohen, Animal Control; and David Eberle, Police. Fifteen years: Karen Turi, Building; and Robin Glasser, Library. Twenty years: Dorothy Strohl, Advisory Board and Bonnie Durand, Library. Thirty years: Cheryl Kelley, Treasurer/Tax Collector.

The Board also presented Jonathan Smith with a certificate of appreciation for 19 years of service to the Town of Norfolk, having served on various committees including three years with the Board of Selectmen. Tonight is Jonathan's last night on the Board of Selectmen.

MEDWAY BRANCH WATER ARTICLE

Remo (Butch) Vito, DPW Director, present.

Butch talked about residents coming to him to see if they could pursue water. Butch told them that they would have to come before town meeting and there would be a betterment. After the bids came in, the betterment cost is \$8,509 per resident if they want to pursue it. There are 12 residents, 1400 feet of water main. For a 10 year betterment, it is \$850 per year.

Ed Nolan asked what the interest rate is. Butch said 4.49.

Butch said \$226 is the total project cost. Construction is \$149,000 and engineering is \$18,500. Loam, seed, etc. is \$5,000. Legal fees \$5,000. Interest is \$47,500. Everything was the same except construction.

Butch said with the road, they stopped the top coat until they know if this project is going to happen. They will cut through driveway entrances.

The Board discussed the charges to hook up, and how it works for the residents.

Ray Angelone, 1 Medway Branch asked the water rate. Butch said \$4.75 and explained the tiered system.

Butch said he would start in the summer.

John Wayne said he is hoping it will alleviate his electric bills. Ray Angelone said he's against it. He has a well, and is happy. Also factor of a water hydrant.

John Wayne said he is probably selfish. He wants to be able to put in water in case the well goes down.

Bill Smith, 3 Medway Branch. He is concerned about sodium in his well. He's afraid not having water would affect the sale of his home. It is very expensive to put in a new well. A fire hydrant is a plus.

Jennifer Woodard complements water with purchasing water. She's looking at all the costs. They are happy with their well, and their well water. How do you know what the quality of Norfolk water is and how often it's tested?

Ramesh explained how the wells are tested and hydrants flushed etc. He said that there is information on the website.

Ed Nolan asked how much the town borrows. Butch said we borrow the whole amount. Ed said that if we borrow through the water does it hurt the borrowing rate? The Board said no.

Angela Wayne said that because the road is torn up, it would be a good time to do this and with the high sodium in the well, they feel they could eventually be at risk. If something happened later, they would pay even more for water later.

The majority of residents in attendance are in favor of the water.

KEVIN ROCHE, PETITION ARTICLE

The Board reviewed the articles with Kevin. Kevin said he doesn't feel that the second article will fly, so he is going with the first article.

Kevin said that he feels that if the Town owns the lake, we should own the dam.

Andrea Langhauser, Chair of CPC said they hadn't seen the article, but had heard it was out there. CPC has no recommendation as they haven't discussed this.

Jonathan asked Kevin if he's ever had the dam inspected. He said no, but it is 300 years old and made of rock and is sound.

Jim asked about the barn that had car repairs. There is a shed and a garage. Kevin said it had a concrete floor because Jim was concerned about spillage from the vehicles.

Ramesh and Jonathan questioned how he came up to \$150,000. Kevin said that's what it was assessed at on his tax bill.

Andrea said that CPC told Kevin if he wanted to use CPC funds, he would have to go before them with an application. Ramesh said he would be opposed to any of the ways he asked for (sources of funds) because he feels that there are enough funding issues without purchasing a dam. He said if we were using CPC funds, he would think differently.

Jim said he would not support any other type of funding for this, and he said there are a lot of questions. He has concerns about the condition of the property, and he feels that they don't want the liability of buying a problem. He also said that CPC doesn't have the answers and they need them. Jim said the most glaring issue is that he doesn't know what fair market value is, and we would need to know that. There are a lot of open questions that he should work through.

Kevin said it is hard to get a fair appraisal. He said that there are comps and where would you get another lake with a dam? Andrea said they are professionals, and that is their problem.

Jonathan said that CPC would be the only viable source of funding. Jonathan said that even if residents wanted to use CPC funds, you cannot do it from town meeting floor, because you can't force CPC to use the funds. He agrees with his two members that this Board recommend this article be indefinitely postponed.

Betsy Pyne asked if we own any other dams on man-made lakes. Jack said we control Mirror Lake Dam and City Mills Pond. Betsy questioned if DOC owns any of the dam.

Scott Dittrich suggested that if Kevin doesn't want to be responsible for the dam, he could donate it to the town and be rid of the responsibility. That way he would continue to own the garage and the property. Then he wouldn't have to have control of it. Andrea said these are the types of discussions they could be having.

Jim said that when the town purchases something, there is usually a consideration and reason why. He hasn't heard that. He would find it difficult to consider this now. There are too many open questions.

Andrea told Kevin they would seriously work with him if he were to give them an application, and help him.

WARRANT ARTICLE

Andrea Langhauser discussed Article 22 and said they are committed that this is the right thing for the town to do. They are recommending using CPC funds for this. The appraisal came in that the land is worth what the purchase and sale stated. They are going forward with their recommendation to purchase.

Ramesh stated he is against this article.

TOWN ADMINISTRATOR REPORT

Action Items

Jim Lehan moved to grant American Legion Post #335 permission to conduct their annual poppy drive at the Transfer Station on Saturday, May 17th from 8 a.m. to 4 p.m. There will be 2 adults present. Ramesh Advani seconded, and it was **so voted**.

Ramesh Advani moved to allow the Norfolk Lions Club permission to hand out flyers at the Transfer Station on Sat., May 31st. Jim Lehan seconded, and it was **so voted**.

The Board discussed the Norfolk Lions Club request for permission to hold a "White Cane Day" and would like to solicit vehicles (boot drive) at the Main Street/Route 115 roundabout/intersection, and also fundraise at the Transfer Station. They would like to do one of three dates: 5/17, 5/31 or 6/21.

Chief Stone told the Board that he does not approve of fundraisers at the roundabouts. He feels this presents a safety issue with drivers trying to negotiate the roundabout and see what's going on. He suggested other locations to do this, and asked the Board to consider a policy against fundraisers here so that no other organization could ask to do it.

Ramesh agrees with Chuck. Jim wondered where else they could do it.

Ramesh Advani moved to ~~do~~ allow the Norfolk Lions to fundraise at the Transfer Station on either 5/31 or 6/21 – their choice. Jim Lehan seconded, and it was **so voted**.

Per the recommendation of Butch Vito, Jim Lehan moved to award the Water Main Improvement Project to Tornare Construction Corp. for the amount of \$579,601.46. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to award the Gold Street Supplemental Well Construction Project to Dankris Builders Corp., for the amount of \$88,200.00. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to authorize Remo Vito, as DPW Director, to sign all cemetery deeds. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to approve the Conservation Restriction – Bristol Pond Estates – Lot 17, Land off Marshall Street. Ramesh Advani seconded, and it was **so voted**.

ACCEPTANCE OF MINUTES

Jim Lehan moved to accept the minutes of January 23, 2008, Special Meeting and Executive Session; and January 28, 2008, Regular and Executive Session. Ramesh Advani seconded, and it was **so voted**.

BIWEEKLY CALENDAR

Jack read the calendar events.

BUDGET

Jack did an update on the budget, based on their meeting last week.

WARRANT

The Board reviewed the warrant.

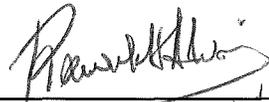
NEW BUSINESS

Jack read the letter of commendation from Foxboro Police Chief on Officer Susan Fornaciari for her assistance to the Foxboro Police Department.

At 10:40 p.m., Jim Lehan moved to go into executive session for the purpose of contract negotiations. The Board will return to open session only to adjourn. Ramesh Advani seconded, and it was a roll call vote: Jim Lehan, **aye**; Ramesh Advani, **aye**; and Jonathan Smith, **aye**.

At 10:55 p.m., Jim Lehan moved to adjourn the meeting. Ramesh Advani seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of April 28, 2008.



Ramesh H. Advani, Clerk

SPECIAL MEETING

May 6, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh Advani called the meeting to order at 8:21 p.m. following the annual election. Rob Garrity had been elected replacing Jonathan Smith who did not seek re-election.

Jim Lehan moved to have Ramesh Advani serve as Chair of the Board. Rob Garrity seconded, and it was **so voted**.

Ramesh Advani moved to have Jim Lehan serve as Clerk of the Board. Rob Garrity seconded, and it was **so voted**.

At 8:24 p.m., being no further business, Jim Lehan 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 May 6, 2008.



James C. Lehan, Clerk

SPECIAL MEETING

May 13, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity and Jack Hathaway, Town Administrator.

This meeting took place at the end of the first night of the Annual Town Meeting at King Philip Middle School.

At 11:50 p.m., Ramesh called the meeting to order.

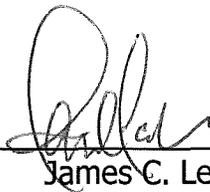
Rob Garrity moved to award the SERSG Paper Contract to WB Mason for one year, commencing July 1, 2008. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to award the SERSG DPW Supplies to the individual bidders listed on the award sheet, commencing July 1, 2008. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to approve the bike ride for the Hockomock Area YMCA for Sunday, July 13, 2008. Jim Lehan seconded, and it was **so voted**.

At 11:55 p.m., being no further business, Rob Garrity 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 13, 2008.



James C. Lehan, Clerk

SPECIAL MEETING

May 20, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity and Jack Hathaway, Town Administrator.

At 6:40 a.m., Ramesh called the meeting to order.

The Board discussed getting the list of appointments out. They discussed the ballot question for the June 24th election.

Jim Lehan moved to approve Question 1 for the Special Election as follows: Shall the Town of Norfolk be allowed to exempt from the limits of Proposition 2 1/2, so called, the amounts needed to pay for the bonds issued for the purpose of paying costs of architectural and engineering design, construction, originally equipping and furnishing a new public safety building including any renovations and changes to the existing building and the payment of all other costs incidental and related thereto? Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve Question 2 for the Special Election as follows: Shall the Town of Norfolk be allowed to assess an additional \$414,910 in real estate and personal property taxes for the purposes of Norfolk Elementary School, Public Safety, Library, and Department of Public Works expenses for the fiscal year beginning July 1, 2008? Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to set the special election date as June 24, 2008. Jim Lehan seconded, and it was **so voted**.

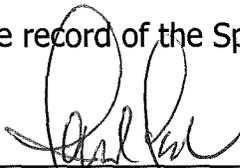
The Board will have Marian put a list of vacancies and reappointments to various boards and committees together for the June 2nd meeting.

The Board will review the rules and guidelines for discussing overrides.

The Board will review the list of current liaisons prior to the next meeting.

At 7:10 a.m., being no further business, Jim Lehan moved to adjourn the meeting. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate record of the Special Meeting of May 20, 2008.



James C. Lehan, Clerk

June 2, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh Advani opened the meeting at 7:30 p.m. Jack Hathaway read the agenda contents.

POLE HEARING

Paul Schneider, Verizon was present.

Ramesh opened the hearing at 7:30 p.m. This is a joint pole relocation request from Verizon New England and Boston Edison Company for Park Street: On the easterly sideline, approximately 15 feet north of existing Pole No. 19, place new Pole No. 19. 1 JO pole to be relocated.

Paul Schneider said the pole relocation would be on Park Street for Avoca Village. The pole is in the middle of the street, and the work is in the July schedule.

Jim Lehan moved to approve this pole relocation. Rob Garrity seconded, and it was **so voted**.

SIGNATURE OF BANS

Cheryl Kelley, Treasurer Collector, and Gail Bernardo, Town Clerk was present. Cheryl presented the Board with a Bond Anticipation Note in the amount of \$1,372,375. The successful bidder was Eastern Bank with a rate of 2.25%. The Board signed the Bond Note.

GOALS

Jack read the goals. The Board reviewed a list of the goals and will consider them and get back with their ideas. They looked at both lists, and considered maybe having formal goals and action steps. The Board will try to revisit this on June 30th.

LIAISONS

The Board approved the following liaisons for 2008-2009:

Ramesh Advani

Advisory Board

Capital Outlay

Community Preservation Committee

Economic Development Committee

King Philip School – Ramesh – primary; Jim - backup

Southwood Development

Jim Lehan

Affordable Housing Committee
Historical Commission
Insurance Advisory Committee
King Philip School – Ramesh – primary; Jim - backup
Library
Norfolk Schools
Public Safety
Re-Engineering Committee

Rob Garrity

Cable
Conservation Commission
Council on Aging
Dept. of Public Works
Board of Health
Personnel Board
Planning Board
Recreation
Tri-County School
Zoning Board of Appeals
Zoning Bylaw Study Committee

Jack Hathaway

Metropolitan Area Planning Council
MBTA

APPOINTMENTS

The Board reviewed the list of committee members up for reappointment and discussed vacancies, etc. The Board will interview interested candidates for open positions on the 30th.

NEW BUSINESS

Jack told the Board that Robbie Alford is leaving. We will need a Chief Assessor as well as a Town Accountant and/or Finance Director.

Jack said he has talked with new School Committee members re consolidating some of the school business personnel. Jack said both offices do payroll, bills, and human resources. Both municipal and school has staff doing both. Maybe see some efficiencies. A good candidate for Town Accountant could replace the school business manager. Jim said there are some vacancies that provide us

opportunities and fresh ideas. It's a good idea. Ramesh said we shouldn't let it drag out or it'll become ineffective.

Jack hired a contractor, District Tech of Norfolk, to fulfill the IT role for a year. We will save significant costs. They previously worked mainly with the schools. This is their first venture with municipalities.

Jack announced that it is Buckle Up Week and asked the Board to read a proclamation for the Police Department. Rob Garrity so moved the reading of the Proclamation. Jim Lehan seconded, and it was **so voted**.

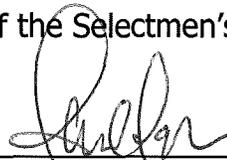
Jim said he would like John Weddleton as a member for the Affordable Housing Trust. There is some sense of urgency and he would like to have this member to help. He brings a wealth of knowledge that the Board lacks. There is no conflict and he has the time to help.

Jim Lehan moved to appoint John Weddleton to Ramesh's term expiring at the end of June, 2008. Rob Garrity seconded, and it was **so voted**.

Jack gave an update. He said the next date is July 30 with Call & Wait. Bob Bullock emailed an update. It is worrisome to Jim because he's not moving material.

At 9:35 p.m., Rob Garrity 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 2, 2008.



James C. Lehan, Clerk

June 16, 2008

Present was Ramesh H. Advani, Robert J. Garrity and John P. Hathaway, Town Administrator. James C. Lehan was not present.

Ramesh Advani called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

MAPC – DISASTER MITIGATION

Brad Stoler of MAPC was present. He presented a PowerPoint presentation to the Board explaining the Disaster Mitigation program. The Board needs to adopt the program in order for us to obtain grant funding.

ACTION ITEMS

Rob Garrity moved to approve the concerts on the common on Thursday evenings from June 26th through August 14th from 6-8 p.m., as requested by the Recreation Director. Ramesh Advani seconded, and it was **so voted**.

Rob Garrity moved to approve the directional signs for Jane & Paul's Farm for 4 signs as on file in our office; and Norfolk Rink Management for 7 signs as on file in our office. Ramesh Advani seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack read the Bi-Weekly calendar.

OLD BUSINESS

Jack said that he and Chief Stone attended the school discussion on bus fees. They expressed their concerns.

COMMITTEE INTERVIEWS

Joseph Flanagan, 15 Cleveland Street. He is interested in the Associate ZBA position and/or Zoning Bylaw Study Committee.

He recently married in April and bought a home on Cleveland Street. He works in a small law firm in Milford. No municipal board experience. He would be fair and impartial and to keep the character of the town the way the town wants it. No experience with the town's zoning bylaws.

Joseph asked about the Zoning Bylaw Study Committee and which committee he prefers. Ramesh suggested he be on ZBSC first, while Rob felt the ZBA would be a better committee as it interprets the bylaws.

Ramesh suggested he attend a ZBA meeting and see how the meeting is run.

Walter Byron, 80 Fruit Street. Mr. Byron has resided in town for many years. His children attended Norfolk schools. He is interested in the EDC. Mr. Byron said that he is interested because he wants to see commercial industry to come into town.

He also would like to see something happen with the moonscape. He had worked with the Planning Board and Bob Nicodemus, in particular, for 3 years on the Master Plan Study Committee.

Lori Scholl, 23 Marshall Street. She has been in town 7 years. She is retired Army. Ms. Scholl is now a Senior Project Manager. She worked for 2 years with Bob and Walter on the Master Plan Committee. She would like commercial to come into town, but doesn't want to see it built up like with a mall and traffic.

Bob Nicodemus questioned about the offer for Caritas Christi regarding the auction. Should there be representation at the auction by anyone within the Town. Is it a good idea to reach out and talk before the auction? Jack said they are aware we were considering the 43D. Should we have an educational component? You are allowed to do 5 or 6 different uses. Bob thinks we need to have looked at the zoning. There is a meeting on the 23rd and should they educate themselves at least enough to know the issues. Bob said the status of the property relative to its hazardous materials link and they should study this and knowledge and awareness of the options. This will happen as part of the 43D anyway by his committee. It's a prerequisite anyhow.

Ramesh suggested that Jack and Bob meet with Mr. Fleming prior to the auction.

NEW BUSINESS

Jack reported that the Fire Department is training at a residence on Medway Street this week.

Jack has been working with the School Committee and wants smoke detectors in the Freeman School. Jack is exploring it.

Jack reported that he spoke with Tim Mahoney from Stop & Shop. Little bit of loam dumped and spread. The hole hasn't been filled yet, but they will when they do the Walgreen's. Mr. Mahoney would like to come in and discuss this with us in the office, but not at a meeting. Ramesh said wait until we've signed things with Walgreen's.

Jack reported the situation in Wrentham where the police officers assisted at a restaurant on Route 1. Letters will be sent to the officers.

Jack said he will put as much information out as possible on the override through the media, cable and website. Jack gave a breakdown on the override.

At 9:28 p.m., Rob Garrity moved to go into executive session for the purpose of pending litigation. The Board will return to open session only to adjourn. Ramesh Advani seconded, and it was a roll call vote: Rob Garrity, **aye**; and Ramesh Advani, **aye**.

At 9:35 p.m., Rob Garrity moved to adjourn the meeting. Ramesh Advani seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of June 16, 2008.



James C. Lehan, Clerk

SPECIAL MEETING

June 17, 2008

This was a joint meeting of the Board of Selectmen and Norfolk School Committee, held in the Norfolk Public Library Meeting Room.

Present was Board of Selectmen members Ramesh Advani, James Lehan, Robert Garrity, and School Committee members Ross Gilleland, Marie Zullo, John Olivieri, and Dean Manning.

The School Committee meeting was already in progress, and the Selectmen joined them at 7:30 p.m.

Discussion centered on the School Building Committee. Ramesh Advani gave a history of changes to the Permanent Building Committee.

At 7:50 p.m., the joint Boards did interviews:

Beth Gilbert, 22 Castle Road. Beth was a member of the King Philip School Committee, and is business manager for the Wrentham Public Schools. She is considering this position only for one year, but isn't sure. She feels that she has a lot of KP School experience, and would be able to help out.

At 8:17 p.m. was Jonathan Hurwitz, 4 Standish Road. Jonathan spoke of concerns about the funding and program changes at both Norfolk Public Schools and King Philip. He is concerned about safety – no smoke detectors, curriculum, and cutting the Library. He would run again, and said he didn't run in May because it just hit him as his kids are reaching that age.

At 8:45 p.m. was Linda Andrews, 5 Old Mill Road. Linda is very heavily into education. Her specialty is SPED. She has lived in town 25 years, and is interested in what is going on. She would run for the position in a year.

At 9:20 p.m. was Shawn Dooley, 76 Cleveland Street. He recently moved to town from Wrentham. Feels we have great schools. Shawn has a financial services background, and owns a construction company. He said that he would run again in a year.

Kenneth Squires, 36 Ridge Road was also a candidate but could not attend this evening due to a prior commitment.

At 9:45 p.m., Ramesh explained that each member will elect their top two candidates, then Ramesh will tally the votes and the Committee will select the top candidate.

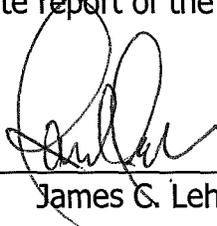
Results were: Beth Gilbert – 4; Linda Andrews – 4; Shawn Dooley – 3; Ken Squires – 2; and Jonathan Hurwitz – 1.

The Committee voted the two top candidates as Beth Gilbert and Linda Andrews.

Ross Gilleland moved to appoint Beth Gilbert as School Committee member. James Lehan seconded. The vote was: Dean Manning, no; Marie Zullo, yes; Ross Gilleland, yes; John Olivieri, yes; Ramesh Advani, yes; James Lehan, yes; and Robert Garrity, yes. Motion passed 6-1.

At 10:02 p.m., Rob Garrity moved to adjourn the Board of Selectmen's meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Special Meeting of June 17, 2008.

A handwritten signature in black ink, appearing to read "James G. Lehan", is written over a horizontal line. The signature is cursive and somewhat stylized.

James G. Lehan, Clerk

June 30, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

Jack read the Bi-Weekly Calendar.

COMMITTEE INTERVIEWS

Carolyn VanTine – Corrections Advisory Committee. She did a lot of pro bono work for prison related matters. She did a lot at Walpole. She enjoys prison work and finds it interesting.

Elaine Federico, Litchfield Avenue – interested in volunteering. Has experience in real estate, disabilities and art teacher. She said possibly zoning because of her real estate background. Telecommunications experience. She said she has no experience in Conservation, but lives on a lake and feels it should be cleaned up. She could be interested in the Arts Council. She told the Board that she preferred Conservation and Zoning. Jack suggested the Assessors. He said that with her real estate background, it could be interesting. We recently had a resignation on the Board. She could be interested. The Board suggested she talk to the chair of both boards to see the commitment.

Brad McCreedy, Bridie Lane. Brad is interested in Insurance Advisory and Capital Outlay. He has a Navy background. He likes the town and intends to stay here, and would like to be part of the community. Brad said he chose those committees because of his skill set. He said he doesn't come with an agenda or ideas. He read the town report and has an idea of what committees do. He has lived in town 4 weeks.

OLD BUSINESS UPDATE

Jack gave an update on Call & Wait. Nina Pickering is working on that and will be going back to court.

We have heard from the MPO – Rt. 115 may get moved up a year.

The Board would like to schedule a work session with Butch. Jim would like to do it sooner than later. He is worried about the Chapter 90 money which is the primary funding for roads. The Board will give us dates for off nights and try to do it in July.

Ramesh would like the Patriot Place discussion to happen with the neighbors.

COMMITTEE INTERVIEW

Christopher Roberts. He is interested in the Arts Council. He has a BFA from University of the Arts. He is a performing artist with a background in arts, dance and theater. Christopher is opening a business in Holliston; Holliston School for Performing Arts. He finds community service rewarding. He grew up in Medway and the family moved to Norfolk in 1994. He has attended several Arts Council meetings.

NEW BUSINESS

Jack said that the Municipal Housing Trust is interested in a house, but opted out for several different reasons. Jack will check with the ZBA and see if we can extend the permit for the Populatic area.

Jack announced that the Superintendent has been chosen for the schools. He has been in Marblehead for 30 years. He started as a gym teacher.

COMMITTEE INTERVIEWS

Mark Nelson, Barnstable Road. Mark is interested in Conservation. He's a scientist and pharmacist. He is interested in environment. He hasn't personally sat in on a meeting, but he has watched them on tv.

He chose this committee because he's interested in Conservation. He looked at other committees, but none appealed to him. He is more comfortable with scientifics than finances.

Donald Seymour, Union Street. Tri-County Representative.

Ramesh mentioned the significant increases in the budget. He said that he wants a rep who will speak up and not just go along with it. There were no new teachers hired, and the increase was health care benefits and busing for fuel costs.

Also Norfolk has an increase of students going to the school. It is \$9600 per student.

Don asked where he could help. The Board said that they would like to have Don come and inform the Board when budget conversations are happening so that we are aware of what is going on. He would like Don to go before the Advisory Board to inform them of what Tri-County's budget is.

OPEN POSITIONS

Jack reported that there is a new Assistant Town Clerk who started today. We have a new IT firm – Charles Brown of District Tech. He is hired by schools and us.

Jack said he has about 10 applicants for Chief Assessor.

Finance Director – will advertise, but will talk to the school as well. Combine with Business Manager.

Caritas Southwood – July 17th at 9:30 a.m. for the auction. Rob and Jim are interested. Rob wants tour of the land.

Override Question – Committee for Public Safety Building – talked about asking for residents who are interested in being on this committee. No decision made.

SCHOOL BUILDING COMMITTEE

The Board discussed appointing the School Building Committee. The Board explained to a group of residents who had been working as this Committee that they cannot legally have associate members, and therefore this Board cannot appoint them. They suggested the School Committee themselves could appoint a non-voting Advisory Committee that can assist the Building Committee but would have no powers and cannot vote.

Rob Garrity moved to appoint Andrew Bakinowski, Leo Bedard, Dennis Stone, Annette McBride, Bob Bullock (ex-officio), and Michael Guidice. School Committee members Ross Gilleland and Beth Gilbert; Dr. Chris Augusta-Scott, Superintendent and Jack Hathaway, Town Administrator. Jim Lehan seconded, and it was **so voted**.

Annette McBride spoke saying that she was disappointed that Danielle Rochefort wasn't appointed. She said that she had the expertise and was the knowledgeable one on this committee. She said that she would like to see Danielle appointed instead of herself. Annette said Danielle was the person that the SBA recognizes. The Board said they will not change their vote, but will speak with the School Committee.

APPOINTMENTS

Rob Garrity moved to appoint Thomas Terpstra, Kent Schenkel and Nancy Wirtes to the ADA Compliance Committee for a term of one year. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint William Crump, Sarah DelMastro, Jeffrey Chalmers and Stephen Cote to the Affordable Housing Study Committee for a term of one year. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint James Lehan, Scott Dittrich and John Weddleton to the Municipal Affordable Housing Trust Fund Committee to expire 6/30/2010. Ramesh Advani seconded, and it was **so voted**. Jim Lehan recused himself.

Jim Lehan moved to appoint Robert Luciano as a full member of the Zoning Board of Appeals, term to expire 6/30/2013, and David Pergola as a full member of the Zoning Board of Appeals, term to expire 6/30/2012. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Joseph Flanagan as an associate member of the Zoning Board of Appeals, term to expire 6/30/2009. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Maria Tomaszewski and Christopher Roberts to the Arts Council, term to expire 6/30/2011. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint John Spinney, Jonathan Smith, Jamie Masterson and Jack Hathaway to the Cable Advisory Committee for a term of one year. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint James Rayner, Raymond Ewer and Andrew Addison to the Capital Outlay Committee, term to expire 6/30/2010. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Carolyn VanTine and Kevin Roche to the Corrections Advisory Committee, term of one year. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Kevin Hughes and Cynthia Andrade to the Community Preservation Committee, term to expire 6/30/2011. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Daniel Crafton to the Conservation Commission, term to expire 6/30/2011. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Tom Elder, Ellen Friedman, and Janice Nelson to the Council on Aging, term to expire 6/30/2011. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Geraldine Tasker to the Historical Commission, term to expire 6/30/2011. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Jennifer Burke, James Dyer, Eric Dupont and Bradley McCreedy to the Insurance Advisory Committee for a term of one year. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Jack Hathaway as representative to MAPC for a term of three (3) years, with Ramesh Advani as the alternate, for a term of one (1) year. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Jack Hathaway to the MBTA Advisory Board for a term of one year. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Gail Bernardo as a Registrar of Voters, term to expire 6/30/2011. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Catherine McDonagh, Ari Alpert, Jack Campbell, Eric Carlson and Thomas Doyle to the Re-Engineering Committee, for a term of one year. Jim Lehan seconded, and it was **so voted**.

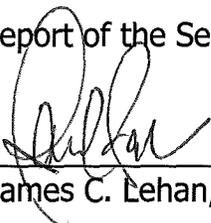
Jim Lehan moved to appoint John Olivieri as Veterans' Graves Officer for a term of one year. Rob Garrity seconded, and it was **so voted**.

GOALS

Ramesh asked the Board to review this and get back to Jack and sign off on it. We can adopt it and read it out at our next meeting.

At 10:57 p.m., being no further business, 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 June 30, 2008.



James C. Lehan, Clerk

July 14, 2008

Present was Ramesh H. Advani, James C. Lehan and Jack Hathaway, Town Administrator. Robert J. Garrity was not in attendance.

Ramesh Advani called the meeting to order at 7:33 p.m. Jack Hathaway read the agenda contents.

RICHARD CLANCY

Richard Clancy said that he is interested in being the Emergency Management Director. He said that he noticed some places that need improvement and would like to give it a shot. Jack said that he was recommended by the Public Safety Chiefs.

Jim expressed concern about him being a paramedic and being part of the response team that would have to be his first priority in an emergency. Jim wondered how he could be Director and a paramedic during an emergency. Richard said that if there is a plan in place already, he wouldn't be needed during a real crisis, as manager. Jack said that Richard would be the contact to the State. The decision maker would be Jack with the Chiefs. Richard said that this position is basically a resource. He said he would willing to take more training from the FEMA Resource Center.

Richard suggested a web page for EMD suggesting phone numbers and locating shelters, and just giving basic information on what to do. Richard said that an LEPC (local emergency planning committee) needs to be in place. He said you can get money from MEMA and the federal government if you have a LEPC. Richard said we need to get the MRC involved. Jim liked the idea that an exercise be in place with the MRC for them to train.

OLD BUSINESS

Jack said the agreement with Call & Wait expires 7/31. They should be completely cleaned out by then, but of course that won't happen. Counsel has begun the process.

Everett Street. We had suggested a meeting with the residents on the same night as the work session. Walpole doesn't want to discuss truck exclusions. They don't want to direct trucks up Winter Street.

Jack mentioned Town Emergency Procedures. He said we would discuss that more after the conversation we had tonight. We have the MRC in place, and need to look at organizing an LEPC.

Jack said that Buckley & Mann was defeated at town meeting. We need to figure out our next step. We will work with the property owners.

Jack told the Board that he and Butch attended a meeting at the Executive Office of Transportation in Boston regarding the PWED bridge. They got a lukewarm reception. They were concerned about overall costs. They want us to get to 25%.

EARTH REMOVAL – 90 Pond Street

David Simmons, attorney, represents Joseph Lorusso. He presented the Board with green cards as proof of the certified mailing to abutters. Also present was Bob Bullock, Building Commissioner.

Atty. Simmons told the Board that this has been before the Planning Board. The public hearing has been closed. He said it is a real simple site. It's at the crest of the hill on Pond Street. It's a cart path and just beyond is a small ledge. Grade in, slope inward. Buildings sit level. Retaining wall 4' high. Only site perk. Septic 34-25. The Board of Health approved the site plan.

Atty. Simmons presented updated numbers to the Board for the actual work being done. Work was done by Bay Colony Group out of Foxboro. He said the amount of cut for the site is 8,930 cubic yards, and the amount of fill is 4,170 cubic yards. It will all stay right on the site.

Atty. Simmons questioned the Stabilization Bylaw. He wanted to know whether it will be done differently than the Earth Removal application.

Bob Bullock appeared. Bob spoke on behalf of the Earth Removal Committee. He said this is definitely a hardship in order to build a building. Bob read his memo from the committee as follows, including conditions as noted:

The Earth Removal Committee met on July 8, 2008 @ 6 PM in Rm. 214 to discuss and review an application from Pond St. LLC with the owner Joseph Lorusso II, Engineer Bill Buckley and Dave Simmons (Attorney). The applicant gave the presentation and answered questions from the committee. The Committee was made up of John Robbins (Assessors) Out Sick, Mike Findlen (Board of Health), Tom Burke (Planning Bd.), and Robert Bullock (Building Comm) (Conservation) Did not have any representation after being emailed numerous times and personally asking their Admin. Assistant which Committee member would attend.

The Committee heard the presentation from the applicant which included site plan, soil tests done for the hydrological evaluation. The Committee heard the presentation from the applicant's representatives and found that there was a discrepancy with the bylaw where the high water table was closer than ten feet stated in the bylaw. The committee discussed this issue and agreed that they did not feel this was a significant

problem since there was still seven feet above the water table and the area of earth removal will be impervious with a parking lot and building. The Plans for the site were reviewed and found that there was a hardship, given the amount of material needed to be removed were within reason given the foundation, drainage, driveway and existing grades. There was a unanimous vote to recommend this Special Permit be issued but have the following recommendations that the Board may want to incorporate into its decision:

Hours of operation to be from 7 AM to 7 PM Mon – Saturday.

Truck travel will be all on site moving the material to the rear of the adjacent lot with same owner.

If there is a problem in the course of construction it will be fixed within a 24 hour period. (Dust, Noise, erosion control etc.)

As-Built plan when work is complete showing final grades as shown on earth removal plan per the site plan.

The bylaw states that a bond shall be placed on the site and a letter from the owner allowing the Town to legally enter the site with personnel and equipment to make restoration to the site in the event of default (Article VII Section 2 & 5).

All areas that have been disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the site plan.

The Special Permit request for the Property Stabilization Bylaw was also looked at and the committee would make the following recommendation to waive strict compliance of this bylaw for one year allowing the applicant to construct without the hindrance of this new bylaw.

Jim asked if there were any Conservation issues. Atty. Simmons said none. No wetlands, no rivers, etc. There is a piece of town owned Conservation land, but it isn't wetlands. He has not heard anything from them. Atty. Simmons said from the beginning, they have filed documents with the Conservation Commission.

As far as their general plan, Joe Lorusso said that as soon as he has Planning Board approval, he hoped to begin late August. He hopes to be finished late October.

Atty. Simmons said he had a problem with the wording of the truck traffic removing earth. The Board discussed it, and it was fine as worded.

Atty. Simmons questioned the as built. Bob said the earth removal permit will cover that. As built once it's done.

Ramesh is perfectly comfortable with waiving the stabilization compliance for the first year. Jim said he is as well.

Jim Lehan moved to close the hearing. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to issue an earth removal permit to Pond Street LLC amending the application to reflect the new numbers. This permit is for one year subject to following conditions: Hours of operation to be from 7 AM to 7 PM Monday through Saturday.

Truck travel will be all on site moving the material to the rear of the adjacent lot with same owner.

If there is a problem in the course of construction, it will be fixed within a 24 hour period. (Dust, Noise, erosion control etc.)

As-Built plan when work is complete showing final grades as shown on earth removal plan per the site plan.

A bond in the amount of \$5,000 shall be placed on the site and a letter from the owner allowing the Town to legally enter the site with personnel and equipment to make restoration to the site in the event of default (Article VII Section 2 & 5). All areas that have been disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the site plan.

Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to waive strict compliance of the Stabilization Bylaw for one (1) year from July 14, 2008 to July 14, 2009. Ramesh Advani seconded, and it was **so voted**.

OLD BUSINESS

Jack will discuss the PWED with Butch.

EARTH REMOVAL – GOMES CORP., 10 Sharon Avenue

Ramesh opened the public hearing at 8:25 p.m. and read the hearing notice. As no one from Gomes Corp. had arrived as yet, Ramesh moved to continue the hearing to 8:40 p.m. Jim Lehan seconded, and it was **so voted**.

OLD BUSINESS

Jack mentioned the Special Town Meeting, and said we need a date. Jack said the Advisory Board strongly recommends November. The Board suggests the 18th and 19th of November.

Discussed the EDC. We will arrange for the Planning Board to possibly attend our next meeting on the 28th to jointly appoint the EDC. Can they be the EDC Corp. as well?

Jack said the School Building Committee is formed and meet July 23rd at 7 p.m. in the town library.

Jack said we need names for the Public Safety Committee. The Board will put it on the working session to discuss. Ramesh would like the individuals in to meet them. Jim would like this done in August.

Jack reported that there are two open positions in Town Hall. Chief Assessor is one. We need a selection committee. Ramesh is interested. With respect to the Town Accountant, Jack wants to talk to Mr. LeClerc as far as being business manager. He may be surprised.

EARTH REMOVAL HEARING – GOMES CORP., 10 Sharon Avenue – continued

At 8:40 p.m., Ramesh opened the continued hearing.

Mario Gomes, Gomes Corporation, Lot 10 Shire Park was present. Luke Joannides, president of Shire Development was also present.

Mario said he would be removing excess fill on the left hand side of the property facing the street – 5,000 cubic yards of fill from Lot 10 to Lot 11 in Shire Park. That is where the building is going to be put.

Luke said he would like Lot 11 as the designated area and will keep the excess to build up lots as needed. On open space they backstock it. They are not taking it off the lots, and they are not selling it. They keep it on an empty lot until they are ready to use it. They discussed him storing material on Lot 19 because there is no bylaw to accommodate this.

Bob said there isn't a problem with putting it on 3 lots. Luke will get a separate earth removal permit.

Ramesh questioned that Mario needs some material off of Lot 10 and some from Lot 11. Bob explained to Ramesh why it is both lots.

Luke gave an easement to Mario so that Mario can use his property. Bob said that slope easements are always given on properties. Bob said the easement is more of a Planning Board easement than an earth removal permit. Jim feels that the permit should be in the singular name. The easement component is a Planning Board issue. It was decided to amend Lot 10 and 11 and moved to Lots 7, 8, and 9.

Bob Bullock read the memo from the Earth Removal Committee:

The Earth Removal Committee met on July 8, 2008 @ 6 PM in Rm. 214 to discuss and review an application from Mario Gomes the applicant at the meeting to give the presentation and answer questions. The Committee was made up of John Robbins

(Assessors) Out Sick, Mike Findlen (Board of Health), Tom Burke (Planning Bd.), and Robert Bullock (Building Comm.,(Conservation) Did not have any representation after being emailed numerous times and personally asking their Admin. Assistant which Committee member would attend.

The Committee heard the presentation from the applicant which included site plan, soil tests done for the hydrological evaluation. I have asked Mr. Gomes to bring in a letter stating the amount of material to be moved and removed from his site engineer since we didn't have that on the plan. We have also asked him to come in and clarify where the material is being moved if it's staying within the subdivision. The Plans for the site were reviewed and found that there was a hardship, given the amount of material needed to be removed were within reason given the foundation, drainage, driveway and existing grades.

There was a unanimous vote to recommend this Special Permit be issued but have the following recommendations that the Board may want to incorporate into its decision:

Hours of operation to be from 7 AM to 5 PM Mon –Friday.

Truck travel will follow Sharon Ave to Shire Drive to Rt.1A.

If there is a problem in the course of construction it will be fixed within a 24 hour period. (Dust, Noise, erosion control etc.)

As-Built plan when work is complete showing final grades as shown on earth removal plan per the site plan.

The bylaw states that a bond shall be placed on the site and a letter from the owner allowing the Town to legally enter the site with personnel and equipment to make restoration to the site in the event of default (Article VII Section 2 & 5).

All areas that have been disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the site plan.

The Special Permit request for the Property Stabilization Bylaw was also looked at and the committee would make the following recommendation to waive strict compliance of this bylaw for one year allowing the applicant to construct without the hindrance of this new bylaw.

Dave McClean, 8 Sharon Ave., an abutter spoke. He told the Board if they approve, he would like 3 concerns: (1) No trucks enter or exit Sharon Ave – use Shire Boulevard. (2) Hours of operation. (3) Blasting – if you take gravel out, inform the neighbors that blasting will be involved. He would like 24 hour notification.

Jim Lehan moved to close the hearing. Ramesh Advani seconded, and it was **so voted**.

Jim Lehan moved to award an earth removal permit to Gomes Corp. for one year subject to the following conditions: Hours of operation to be from 7 AM to 5 PM Monday through Friday. Truck travel will follow Sharon Ave to Shire Drive to

Rt.1A. If there is a problem in the course of construction, it will be fixed within a 24 hour period. (Dust, Noise, erosion control etc.) As-Built plan when work is complete showing final grades as shown on earth removal plan per the site plan. A bond in the amount of \$5,000 shall be placed on the site and a letter from the owner allowing the Town to legally enter the site with personnel and equipment to make restoration to the site in the event of default (Article VII Section 2 & 5). All areas that have been disturbed in the course of construction will be loamed and seeded or other suitable means of landscaping as per the site plan. And if blasting is necessary, a 24 hour notice will be given to all residents of Sharon Avenue. Ramesh Advani seconded, and it was **so voted**.

Ramesh is uncomfortable with the Stabilization Bylaw. He wants to hold on that.

On another issue, Jack mentioned that Luke talked to him about concerns with developers, water connection fees, Planning Board review fees. Luke hoped there could be a roundtable to listen to the effect it's having on him trying to get tenants into his industrial park. The Board was all for it and Jack will talk to the Planning Board and possibly have EDC attend as well. Luke is losing tenants to other industrial parks in the neighboring towns.

JOE SEBASTIANO – ZONING BOARD OF APPEALS

Joe said now that his Advisory Board position is through, he would like to commit to another Board with his experience. Jim thanked him for his service to the town.

Ramesh echoed what Jim said. Ramesh questioned if he has attended a meeting. Joe said not currently. Joe feels like he is bringing unbiased decisions to the Board. He thinks there is a way to balance and approach as far as development in town.

OLD BUSINESS

Jim said the new Superintendent is on board. He commended the Committee for the exemplary work and keeping Jack in touch with the Superintendent's search. They have worked hard to engage folks.

BI-WEEKLY CALENDAR

Jack read the Bi-Weekly Calendar.

NEW BUSINESS

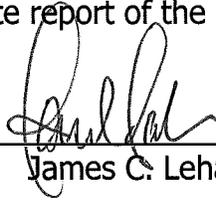
Jack asked the Board to make the Town Counsel appointment as it hadn't been done yet, and we need to have George appointed. Jim Lehan moved to appoint George A. Hall, Jr., as Town Counsel, term of one year. Ramesh Advani seconded, and it was **so voted**.

Jack reported on the Stop & Shop matter. He has left messages for Tim Mahoney of Stop & Shop, and had trouble reaching him. Ramesh and Jack said that they have spoken with him and he doesn't want to meet at a meeting.

At 9:47 p.m., Ramesh Advani moved to go into executive session for contract negotiations and litigation. Jim Lehan seconded, and it was roll call vote: Ramesh Advani, **aye**; Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

At 9:54 p.m., Jim Lehan moved to adjourn the meeting. Ramesh Advani seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of July 14, 2008.



James C. Lehan, Clerk

July 28, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh called the meeting to order at 7:30 p.m. Jack read the agenda contents.

ACTION ITEMS

Jim Lehan moved to approve the consent agenda as follows:

1. Please approve the Fall Town Meeting Schedule.
2. Please approve the request of Arthur Marshall to conduct their annual Life-Line fundraiser at the Transfer Station on Wed. 9/17 and 24 from 10:30 a.m. to 1:30 p.m. and Sat. 9/20 and 27 from 8 to 11 a.m.
3. Please approve the annual Dunkin Donuts DARE to Run 5K Race on Sunday, September 21st – usual route. All proceeds go to Norfolk DARE.

Rob Garrity seconded, and it was **so voted**.

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

PUBLIC HEARING – NORFOLK PUBLIC SCHOOL, UNDERGROUND STORAGE

Present was Don LeClerc, School Superintendent, and Toby Lyons, School Facilities Director. Also present was Butch Vito, DPW Director.

Jack Hathaway explained the reason for the hearing was because the Fire Marshal's office, after the massive mill fire in Uxbridge in 2006, has been reviewing licensing procedures. After reviewing our files, Chief Bushnell advised us that the underground storage licensure for the Norfolk Public Schools was incomplete. In order to complete it, we had to hold a public hearing by law.

At 7:35 p.m., Ramesh opened the hearing and read the public hearing notice.

Andy Bakinowski questioned new regulations. He will provide everyone with a copy of the regulations.

Robert Fenton, an abutter at 1 Malcolm Street said he was never notified when the tanks were installed. The Board determined it was approximately 13 years ago, and wasn't sure if he was notified or not, but assumed he was.

Toby and Butch explained about the tanks and how they are in the new vaults that prevent them from leaking into the ground. They are better because they send off an alarm to alert them of a leak.

At 7:40 p.m., Jim Lehan moved to close the hearing. Rob Garrity seconded, and it was **so voted**.

SCHOOL SUPERINTENDENT

Donald and Meaghan LeClerc were present. Don introduced himself and his wife, Meaghan. Don was recently appointed School Superintendent, replacing Chris Scott, who resigned.

Don said he worked for the Town of Marblehead for 32 years. He first was a teacher and then principal for 11 years.

The Board welcomed them both, and wished Don the best of luck in his position, and offered their support and assistance, as needed.

Jim Lehan moved to appoint Don LeClerc to the School Building Committee. Rob Garrity seconded, and it was **so voted**.

DPW SUPERINTENDENT

Present was Remo (Butch) Vito, DPW Director and Robert McGhee, DPW Superintendent.

Butch introduced Bob to the Board. Bob was recently hired as Superintendent, and begins work on August 4th. Bob is a Norfolk resident.

ACTION ITEMS CONTINUED

Jack mentioned a letter from Walpole asking to be able to put up signage on Everett Streets. It is okay with Chief Stone. It would prevent traffic on heavy game days or significant events at Gillette Stadium. It is only allowing residents onto the street.

Ramesh questioned how the residents could access the road. Jack will look into it, and see how Walpole plans to do it.

Jim Lehan moved to erect portable signage at the intersection of Pine Street (Route 115) and Everett Street during stadium events and sell outs. Rob Garrity seconded, and it was **so voted**.

MELISSA WAINWRIGHT - Corrections Advisory Committee

Melissa would like to settle here and bring up her kids. She said she would like to be a better fit on another committee, but she said that she can't commit right now because she travels for her job. She said that she could start here slow. She has been in town two months.

SHAWN DOOLEY

Shawn is a resident of Cleveland Street and has been in town since last September. He is interested in the Zoning Board of Appeals, and Conservation Commission. He had 15 years in finance as a financial analyst, consultant, etc. He has now owned a general contracting firm for the past 5 years. He is happy to help anywhere, but felt he had the most experience in ZBA. He understands zoning. A proponent of development.

With respect to the Conservation Commission, he is not as knowledgeable as zoning. He said that he would have a more common man approach.

Shawn has not attended any ZBA or Conservation meetings. Ramesh encouraged him to do so. Ramesh said our policy is that you go before a board for certain committees before being appointed. That way you get a feel for the people on the board and how the committee works.

ANDY BAKINOWSKI – CLEAN ENERGY

Andy explained the Clean Energy Fund. He gave the board a copy of the grant.

He talked about the program, funding, grants, etc. He gave the Board signatures from petitions they circulated at Community Day. Andy discussed grants and funding with the Board.

Jim Lehan moved to join the Clean Energy Choice program. Rob Garrity seconded, and it was **so voted**.

OLD BUSINESS

Jack suggested the night of August 13th or 19th for the work session. Do you want to do the same night with Everett St? He suggested the work session around 6 and do the Everett Street around 7:30. The Board agreed, and would prefer August 13.

With respect to Call & Wait, Jack said that Bob is going out for a final tomorrow. The attorneys are ready to go to court in August; probably next week.

Regarding Buckley & Mann, Jack said the owners attended the Caritas auction as a lesson possibly for themselves.

Buckley & Mann owners could discuss this with Jack and Cole and Bob.

Caritas received a \$2 million offer, and it was rejected by the Church.

NEW BUSINESS

Jack has a committee together for the Chief Assessor position. He will get to the resumes this week.

As far as the Town Accountant, Jack discussed this with Donnie and they will discuss it in depth and see if they can blend it.

Jim gave an update on the working session with the schools today.

Jack needs to do an update on how FY08 ends.

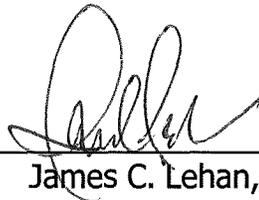
ACCEPTANCE OF MINUTES

Jim Lehan moved to accept the minutes of March 4, 2008 – Special Meeting and Executive Session; March 10, 2008; March 24, 2008 – Regular and Executive Session; April 7, 2008 – Special Meeting and Executive Session; April 14, 2008 – Regular and Executive Session; April 28, 2008 – Regular and Executive Session; May 20, 2008 – Special Meeting; June 2, 2008; June 16, 2008 – Regular and Executive Session; and June 30, 2008. Rob Garrity seconded, and it was **so voted**.

At 9:15 p.m., Jim Lehan moved to go into executive session to discuss pending litigation. Rob Garrity seconded and it was a roll call vote: Jim Lehan, **aye**; Ramesh Advani, **aye**; and Rob Garrity, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:00 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 July 28, 2008.



James C. Lehan, Clerk

August 11, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh Advani opened the meeting at 7:30 p.m. Jack Hathaway read the agenda contents.

ADA COMPLIANCE COMMITTEE INTERVIEW

Charlotte Norris, 141 Seekonk Street. Charlotte told the Board she is very interested in ADA, and has a disabled child. She is interested for personal and professional reasons. The Board thanked her for coming forward and said our volunteers are our lifeline.

Jim Lehan moved to appoint Charlotte Norris to the ADA Compliance Committee for a term of one (1) year. Rob Garrity seconded, and it was **so voted**.

ACCEPTANCE OF MINUTES

Jim Lehan moved to accept the minutes of June 17, 2008 – Special Meeting; July 14, 2008 – regular and executive session; and July 28, 2008 – regular and executive session. Rob Garrity seconded, and it was **so voted**.

ACTION ITEMS

Jim Lehan moved to vote an underground storage license to both Freeman/Centennial School and H. Olive Day School, per the hearing held on July 28th. Rob Garrity seconded. Rob questioned the public hearing process and why it wasn't done annually. It was **so voted**.

OLD BUSINESS UPDATE

Call and Wait. Jack told the Board that Bob Bullock reiterated points in Agreement to Town Counsel. They will file it on Friday. Jack wanted the \$41,000 they owe us addressed by the court as part of the resolution. We can also make a claim to \$80,000. Nina Pickering said she would give it her best effort to have this in by Friday.

Jack said they have had Everett Street discussions between the two Chiefs, Jack and Walpole officials. This temporary system hasn't worked very well, and some of it is the way they are directing the traffic. They aren't stopping traffic at Winter Street – they are directing them Summer St. down Everett. So on game day, Everett St. residents are seeing more traffic. Jack has talked to Walpole about changing this. More discussion will happen on Wednesday night.

Jack reported that with Caritas, one of the potential bidders from the auction is doing due diligence and having discussions with the hospital. Good news!

Jack said he attended the School Building meeting, and they are very productive.

BIWEEKLY CALENDAR

Jack read the Bi-Weekly calendar.

NEW BUSINESS

Jack is meeting tomorrow night with the Board of Health regarding the Agent. Attorneys are working on it. If town meeting doesn't appropriate the funding, a contract is null and void.

Jack gave the Board a list of reorganizing in Town Hall. The Board will discuss it Wednesday night at the work session.

Ramesh heard from Tom Burke that the engineering company for Walgreen's had asked some very specific questions about the construction of the building. He takes that as a positive sign.

APPOINTMENTS

Jim Lehan moved to appoint Joseph Sebastiano as a full member of the Zoning Board of Appeals, for the remainder of the term expiring June 30, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to appoint Melissa Wainwright to the Corrections Advisory Committee, term to expire June 30, 2009. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Mary Lou Navin to the Design Review Board, term to expire June 30, 2011. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint Edward Nolan as Emergency Management Director, term to expire June 30, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to appoint David Wildman to the Norfolk County Advisory Board, term to expire June 30, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to appoint Anita Mecklenburg, Wendy Browne, Ronald Zullo, to Norfolk Elementary Education Foundation (NEEF), term to expire June 30, 2011. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to appoint Linda Andrews, John Silveria, and Maryellen Horgan-Currier to NEEF, term to expire June 30, 2010. Rob Garrity seconded, and it was **so voted**.

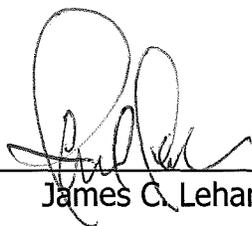
Jim Lehan moved to appoint Joan Marsden and Dr. David Lu to NEEF, term to expire June 30, 2009. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Anthony Mastroianni as Veterans' Agent, term to expire June 30, 2009. Jim Lehan seconded, and it was **so voted**.

Rob will have a proposal by next meeting for the energy committee.

At 8:35 p.m., Ramesh Advani 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 11, 2008.

A handwritten signature in black ink, appearing to read 'J. Lehan', is written over a horizontal line. The signature is stylized and cursive.

James C. Lehan, Clerk

August 25, 2008

Present was Ramesh H. Advani, James C. Lehan and Robert J. Garrity. Jack Hathaway, Town Administrator was absent.

Ramesh Advani called the meeting to order at 7:30 p.m. Ramesh read the contents of the agenda.

FALES MEMORIAL PARK

Barbara Bartholomew came to the Board this evening to request that the Board designate a portion of Highland Lake that was recently acquired by the Town, as Fales Memorial Park.

Approximately 65 years ago, thirteen and a half acres of land was given to the Town by Bertha Fales, for the purpose of creating a land preserve to be known as Fales Memorial Park. It seems that somehow over the years, the exact location, and dispensation of the land has been lost. Ms. Bartholomew would like to rectify this situation. She has spoken to the Community Preservation Commission, and the Conservation Commission and both Boards have been receptive and supportive of this project.

Rob Garrity asked what type of park she was interested in forming. Ms. Bartholomew wants to leave it in its natural state. She read from Ms. Fale's original letters that stated it should be left free and open for all to enjoy.

Rob Garrity wanted to do some further investigation, and said the Board would get back to her.

RE-ENGINEERING COMMITTEE

The Board welcomed the re-engineering committee to the table. Catherine MacDonagh, Jack Campbell, Eric Carlson and Thomas Doyle were present.

Mr. Doyle presented the reasons there were before the Board. The first reason was to inform the Board as to what they had achieved to this point, and the second was to discuss what their focus would be from this point forward. He reviewed their summary sheet for August of 2008.

Executive Summary

Committee Mission:

The mission is to research and evaluate opportunities to increase efficiencies, explore non-tax revenue prospects and enhance service delivery to the

residents of the town of Norfolk.

Areas of Inquiry:

The Committee determined to focus first on Public Safety, Schools, and Town related items (such as town employee benefits). A synopsis of those areas follows:

Public Safety:

The conclusion was there were no opportunities to increase efficiency or decrease costs in this area. The town should continue efforts to address the public safety building.

Schools:

Opportunities exist in two specific areas of administration/budget as well as the school building project. We recommend researching what other school districts have done to streamline costs and implement improvements. Examples of opportunities noted include opportunities within budgeting such as the addition of independent financial oversight to the budgeting process. We also recommend a review of the purchasing process as well as a staffing review.

Town:

This remains as an opportunity for committee review going forward. To date we have noted the need for improved communications between the various town committees. We also feel value in making the meetings minutes more easily accessible for the town residents.

Misc:

Some of the items the town could consider going forward include, online procurement system for the town and schools, development of a renewal energy plan, and seeking additional revenue streams

The committee looks forward to discussing our report at greater length in addition to further service to the town of Norfolk.

Catherine MacDonagh spoke of the Re-Engineering Committee's success with Chiefs Stone and Bushnell. They complimented both Chiefs on their, honesty, openness, and willingness to cooperate with the committee.

Eric Carlson mentioned that the committee's goal was to bring an objective "outside eye" to all that they have observed, and asked the Board what direction they should go.

Jim Lehan felt that the Re-Engineering Committee will be needed to spread the word about the conditions at the Public Safety building. Jim Lehan referred to their recommendations concerning utilization of town vehicles and wanted to

know more about it. Thomas Doyle said that the Town could make better decisions on vehicle purchases, or possible regionalization.

Eric Carlson asked if they could be more efficient, and do the same with the schools. He felt that a good look at School Administration would be a way to maximize savings. Jack Campbell mentioned that it was difficult for the Re-engineering Committee to access the School Committee budget. Catherine MacDonagh felt that the current School Committee was more amenable to begin a new discussion process.

Eric Carlson mentioned that they had talked with Moderator Dan Winslow about the possibility of generating revenue with on-street downtown parking, parking meters and taking over the management of the MBTA commuter lots. Ramesh said that Mr. Winslow has mentioned this before, but there would be many obstacles to overcome to make this into reality.

Ramesh Advani stressed that the Committees goal was to take an objective look at everything.

Jim Lehan said that the School Committee and Superintendent LeClerc are open to changes, and this would be a good time to look at consolidating functions of the town and the schools. He suggested that they work with Jack Hathaway, and the schools concerning this matter.

Jim also said that he would like to see them work on two primary goals.

1. Work on vehicle procurement policies
2. Advocacy for the public safety building

He suggested that they advocate by sharing their facts.

Ramesh Advani thought that going on cable, talking to the media, or going on NorfolkNet to "spread the word" would be helpful.

Ramesh Advani set a goal for the committees. He would like to see them save 2% of the upcoming year's expenses (or increase revenue by 2%) This would be approximately \$500,000 savings for the Town. Jim Lehan suggested they look at it organizationally, to rethink Town Government structure. They recommended the committee speak to Jack about this. Ramesh Advani suggested they look at Board of Selectmen's goals for 2009. Don't pursue anything that will spend money.

The Board requested that the Re-Engineering Committee return to a Board meeting in mid-November.

ACTION ITEMS

Jim Lehan moved to approve the request of Victoria Abramo for the placement of a wooden box in Town Hall so that residents may dispose of old American flags. Robert Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve a fee for commuter parking by residents to be set at \$75.00 a year – an addition \$5 for a second sticker. Robert Garrity seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Ramesh Advani read the bi-weekly calendar. There was no old or new business.

APPOINTMENTS

Jim Lehan moved to appoint Shawn Dooley as a one year associate member of the Zoning Board of Appeals. Robert Garrity seconded, and it was **so voted**.

Ramesh Advani said that there has been a lengthy discussion of the appropriate candidate for appointment to the Conservation Commission. There were several candidates, and they would like to put them on file for future consideration for appointment to committee. The Board discussed the merits of appointing Joyce Terrio to the position. Ramesh Advani moved to appoint Joyce Terrio to a 3 year term as a member of the Conservation Commission. Jim Lehan seconded and it was **so voted**.

ENERGY COMMITTEE

Ramesh Advani said that the board has interest in forming an Energy Committee. Rob Garrity highlighted the major points of the handout he had created. The purpose of the Energy Committee is to investigate opportunities for energy efficiency, renewable, and distributed energy developed for Norfolk's municipal government and to heighten public awareness of energy efficiency and renewable and alternative energy opportunities. The Board talked about the makeup of the board. They felt that seven (or up to 9) members would be an appropriate number and that they should be chosen from the general population. They wanted to see the Town Administrator, the DPW Director, the Building Inspector, as well as the Facilities Manager to be members of the committee. Ramesh Advani thought that the DPW Director and the Building Inspector should be voting members as opposed to an ex-officio status.

Jim Lehan feels they should be voting members as well since they would be the ones to implement the changes. Jim wanted financials added. He felt a return on investment should be made with all recommendations. Ramesh asked if this

should be included as an article on the Fall Town Meeting warrant. Jim and Rob felt that it should be included.

MEETING MINUTES

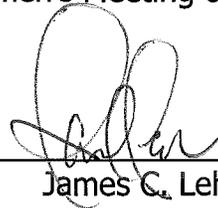
Jim Lehan moved to approve the minutes from the Board of Selectmen's meeting of August 11, 2008. Robert Garrity seconded, and it was **so voted**.

EVERETT STREET

Rob Garrity wanted to talk about the Everett Street issues that have come up over the past few weeks. Butch Vito has talked to the County, they recommended that we have a meeting with the Walpole Board of Selectmen, then meet with the County representatives. Rob also recommended that a public meeting should be held to inform the neighborhood, and answer any questions they may have concerning the plans. Jim Lehan mentioned that there has been substantial traffic growth over the last year, and that the problem has been pushed back to Norfolk to deal with.

At 9:15 p.m., being no further business, Jim Lehan motioned 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 25, 2008.



James C. Lehan, Clerk

September 8, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and John P. Hathaway, Town Administrator.

Ramesh Advani called the meeting to order at 7:30 p.m. Jack Hathaway read the agenda contents.

ACTION ITEMS

Rob Garrity moved to approve the Norfolk Lions Club Ridin' for the Blind 2008 Run to benefit blind veterans on Saturday, September 20th. The route is the same as last year and approved by Chief Stone. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to approve the snow removal rates as requested by Remo Vito for the winter 2008-2009 season, per his memo of September 3, 2008. Jim Lehan seconded, and it was **so voted**.

BIWEEKLY CALENDAR

Jack read the biweekly calendar.

OLD BUSINESS UPDATE

Jack gave an update on Call and Wait. He said the 10 days just expired, and we can now wait for the Court.

Jack said he will set up a meeting with Stop & Shop. It will be himself and anyone else who would like to attend.

Jack told the Board he will have updates for the next meeting from both the roundtable and DPW work sessions.

Jack is waiting to hear back from Walpole. Jim may be out of town and unable to attend the meeting, but hopefully someone else can sit in if it's held while he's gone.

Rob mentioned talking with Butch about water pipes rotting from the house to the connection. He said this is in newer homes, and would like to talk with Butch about this. Jack will work up the issues for the Water Department, and schedule a meeting.

PLANNING BOARD

Planning Board members Peter Chipman, David Roche and Steven McClain were present.

The Planning Board met with the Selectmen to jointly appoint members to the Economic Development Committee. David Roche moved to appoint the new candidates for the Economic Development Committee, term to expire June 30,

2009: Bob Nicodemus, Walter Byron, Lori Scholl, and Greg Mirliss. Jim Lehan seconded, and it was **so voted**.

Bob Nicodemus discussed the B1 Zoning District approved as a Priority Development Site under the article 43D Expedited Permitting, with everyone in attendance.

Peter Chipman, as a property owner, recused himself from this discussion.

Bob said you can only get the grant once. He would like it for both properties, if he could. He said this was approved for the annual town meeting, but we changed our minds at the last minute and it was too late to put it back on.

Ramesh said that it was decided to remove B1 after the work was done. He wants to review why it was removed. If all the reasons were addressed, then we need to look at this.

Jim said he would like to see the B1 district move forward. He said he attended a meeting in May and felt that a lot of this was taken care of. He said we need to look at this.

Bob said that we need to apply for the grant this fall. We can't wait until the spring. Dave Roche said that he feels we need to do this now. He said we are not committed to any of these things. He said any opportunity to get the down town going, we should act on it.

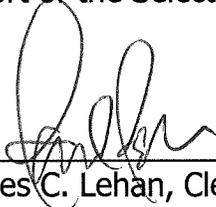
Bob said he would also like an article of 7 members and not 5. Jack said it may have to be done at the annual town meeting, and not a special.

NEW BUSINESS

Rob Garrity moved to convene the open discussion and public comment period for the water and solid waste rates for Fiscal 2010. Jim Lehan seconded, and it was **so voted**.

At 8:25 p.m., being no further business, Rob Garrity 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 September 8, 2008.



James C. Lehan, Clerk

September 15, 2008

Present was Ramesh H. Advani, James C. Lehan, and Robert J. Garrity. John P. Hathaway, Town Administrator was not present.

Ramesh Advani called the meeting to order at 7:30 p.m. Marian Harrington read the agenda contents.

PUBLIC SAFETY BUILDING COMMITTEE

Present was Fire Chief Cole Bushnell; Bob Bullock, Building Commissioner; John Wayne and George Cronin, residents.

Ramesh discussed the formation of the Public Safety Building Committee. He wanted to open it up for discussion, and Jim will be the representative from the Board of Selectmen. Jim said that George Cronin was interested, and has a lot of experience. He also said that John Wayne is interested and served on our former PBC. Jim said we are looking for other members as well. It will be a time consuming project, probably meeting weekly, and years of commitment. Jim asked residents to email their desire to be on this committee to the office.

Ramesh said this committee consists of 10 members, 9 voting. The Building Commissioner is ex-officio. There are five (5) members, a Selectman, Town Administrator, Fire Chief, and Police Chief.

Rob Garrity moved to appoint George Cronin; John Wayne; Jack Hathaway, Town Administrator; Cole Bushnell, Fire Chief; Charles Stone, Police Chief; Bob Bullock, Building Commissioner; and Jim Lehan, Selectman to an indefinite term on the Public Safety Building Committee. Ramesh Advani seconded, and it was **so voted**.

Rob Garrity moved to appoint Building Commissioner Bob Bullock as an ex-officio member. Jim Lehan seconded, and it was **so voted**.

ACTION ITEMS

Jim Lehan moved to approve the annual Rodman Ride for Kids to be held on Saturday, September 27th. The route is Pine Street only, and we have Chief Stone's approval. Rob Garrity seconded, and it was **so voted**.

BIWEEKLY CALENDAR

Ramesh read the calendar.

TOWN ADMINISTRATOR REPORT

Rob Garrity moved to close the warrant for the fall town meeting. Jim Lehan seconded, and it was **so voted**.

NEW BUSINESS

Rob mentioned the Energy Committee. It can be done by the Selectmen without town meeting. We need seven people to meet and research. Residents and citizens and our Building Commissioner. We will post this committee for volunteers to contact us.

Jim wants to follow up with the revenue source list. Jim will do it for our next meeting, and come back with some recommendations.

Jim hopes the meeting with all the boards doesn't get away from us. October 1st is the meeting for chairs of all boards.

Jim wants to discuss water rates/penalties.

ACCEPTANCE OF MINUTES

Jim Lehan moved to accept the minutes of August 25, 2008, and September 8, 2008. Jim then withdrew his motion. No one seconded, and Rob wanted to be able to review minutes before approving them.

At 8:23 p.m., Jim Lehan moved to go into executive session to discuss- pending litigation. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan, **aye**; and Ramesh Advani, **aye**.

The Board will return to open session.

The Board returned to open session at 9:00 p.m.

DEPARTMENT OF PUBLIC WORKS – WATER PIPE ISSUES

Remo Vito, DPW Director present.

Ramesh mentioned the water issue and that it's on Norfolk Net. These issues could be significant.

Ramesh explained the history of the Water Department/DPW to the listening audience.

Ramesh asked Butch to explain the water programs and what's in place now.

Butch went back in history and wanted to elaborate on what Ramesh said.

Butch said the real management of the Water Department happened in 2005. Copper tubing corrodes from electrolysis. Older homes are grounded to copper. Possibilities of corrosion could be electrolysis or even shoddy workmanship. These 52 are residents only. Parts of the town still have copper, steel and lead. They used the consultants to find what the problem was. When he defines history, he is going back to 2001. Jim asked if you are hopeful that these tests will show why there was a leak. Butch said yes.

Over the past two years, they have picked up 52 leaks. 17% of the total. They have been in a program to keep corrosion down since early 2000. He also looked at copper pipe, and changed over to PVC. In 1995, codes changed and you can't ground anymore with PVC.

Butch said they do a walk by. They will go onto property if they hear something. Out of 2200 homes, they have found 52 leaks. Ramesh asked Butch to give data on how many homes have steel, copper, etc. 20 years is the best for copper pipe. It's been said it lasts 40, but that's a misnomer. If you are having problems inside, you will also have problems outside only it's amplified because of grounding. If a rock hits a piece of copper and it puts a dent, water going through the dent will wear it out and create a leak. Rob asked who inspects. Butch said the water division employees. They make sure it's 5' deep, bedded in sand and check connections and they do diagrams. Then they sign off inspections on everyone's service.

Butch said they do an aggressive sampling out of the household themselves. They always sample for Ph or copper. If the tests all come out fine, it keeps your water non-corrosive.

Butch said that specs change throughout the years, and he needs to see what is required.

Rob questioned the new system, Skater system that does pH. Butch said it will warn you when the levels are high or low. It's automatic. It went into operation in 2002 when they did the Spruce Well. It's on all the wells. Rob questioned the cost of fixing the connection. Ramesh said \$15 to \$19 per lineal foot.

Butch said they recommend to residents that they replace the whole line. They also need to do their electrical grounding system. Try to lump in the water permit with the electrical.

Jim would like information on the 80's and 90's. Define any significant patterns to this. Butch said he is looking at the same things that you are asking us, so we don't keep making the same mistake. Jim said this is a major issue here, in the hundreds of homeowners facing an unexpected expense. In these trying times,

it's a huge expense. Jim said we have a lot of people here that are affected. We have to think this through. Regardless of fault, we are taking fault out of the discussion. Butch said in other communities, insurance was a factor. Some are covered by homeowners insurance. Butch said you can purchase insurance coverage on your water service.

Jim asked Butch to put together some thoughts on how we can deal with this. Butch said they looked at it as a utility. Jim said do it fair and equally for all residents.

Ramesh would like a set of action items. This cannot be a unique problem to Norfolk. Development and expansion in MA in the 70's was rampant with copper pipes. What are solutions that other communities are offering their residents? It has to be a problem with other communities.

Jerry Coleman, 1 Creek Drive. Drew a map of areas affected. King's Grant Estates, King St., Cape Cod Estates, Stop River. Rob asked Butch if he had GPS and can he do an overlay. Butch will look at it and look at the pattern. Mr. Coleman commented that most of the houses in his development have failed.

Ted Butler, 10 Castle Road. There are at least 3 affected homes in his area. The internal pipes inside the house water main before the shut off have deteriorated. They thinned from the inside out so all they could do is put a patch. He is looking for a repair and to replace the water main all the way to the street. Driveway, landscaping, walk. His house was built in late 89. Ted said he was told to do it now, because the cost will increase in the winter.

Joe Collins, 1 Magnolia. He stated that he had a leak.

Dan Crafton, 99 King Street. He noticed it in the basement like everyone else. Butch's equipment couldn't detect this leak because it was a slow leak. It's above the concrete in the basement.

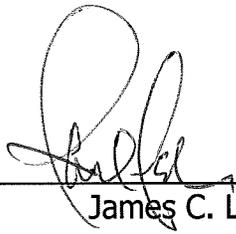
Ramesh suggested the following for our next discussion. Identify patterns. If no patterns and multiple issues, still address the problem. Oct, 6th come up with the findings and results and what are proposed actions that can be taken. The Selectmen will review and support or add to those. It is the residents' burden, and it shouldn't be a burden. Look at area communities for similar issues.

Butch said they resubmitted the PWED. The cost went up to \$3.1 million due to escalation. The mix alone went up 65%. Steel has gone up. Now suggesting a 2 phase. 1 phase 2.1 million, and the second phase is 1 million dollars. Looking at that through other grants and funding.

Butch will send it in email and distribute to the Board.

At 10:44 p.m. being no further business, Rob Garrity 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 September 15, 2008.



James C. Lehan, Clerk

October 2, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity and John P. Hathaway, Town Administrator.

Ramesh Advani called the meeting to order at 6:30 p.m. Jack Hathaway read the agenda contents.

REVIEW OF THE WARRANT

Jack did a review of the warrant with the Board.

The Board was not happy with the Bylaw Committee article.

ACTION ITEMS

Rob Garrity moved to approve the action items as a consent agenda as shown below. Jim Lehan seconded, and it was **so voted**.

- award the salt bid to Eastern Minerals, Inc., Lowell, MA at \$70.20/ton. Alternate will be Eastern Salt Company, North Chelmsford, MA at \$75/ton.
- proclaim October 24th as United Nations Day. A proclamation has been prepared and executed by the Board.
- approve a request by the Boy Scouts to sell popcorn at the Transfer Station from 9-3 on Saturday, October 11th.

OLD BUSINESS

Jack reported that Call and Wait was filed and we are waiting for the court date, which is October 31st.

NEW BUSINESS

The Walpole Board of Selectmen Chair will meet with the Town Administrator's and Chair of our Board on October 9th at 9 a.m. Jim will attend in Ramesh's place.

Jack gave a brief summary of the Chair meeting held last night. Present was Board of Health, ConComm, ZBA, Planning Board, CPC, and Recreation as well as Ramesh and Jack. They discussed storm water, earth removal, and fees. There will be another meeting in December of land use chairs, and then open it up to all boards thereafter.

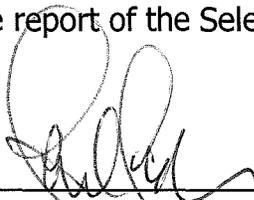
Jack gave an update on the School Building project and where that is going.

ACCEPTANCE OF MINUTES

Jim Lehan moved to accept the minutes of August 25, 2008, regular and September 8, 2008, regular. Rob Garrity seconded, and it was **so voted**.

At 8:48 p.m., being no further business, 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 October 2, 2008.



James C. Lehan, Clerk

October 20, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Jim Lehan called the meeting to order. Jack Hathaway read the agenda.

Ramesh Advani held a Moment of Silence at the beginning of the meeting for Maddie Savoie, a ten year old from Norfolk who passed away from cancer, and Taylor Meyer, a 17 year old Plainville student who had been missing since Saturday night from a party in Norfolk, and was found dead earlier today in Norfolk.

LIBRARY AWARD

The Board of Selectmen presented an award to Ann Asci who served 20 years at the Library, and will retire at the end of the month. Sarina Bluhm, her supervisor who has worked with her these years, also commended Mrs. Asci.

CAPITAL WITH ADVISORY BOARD

Arlie Sterling, Chairman and Pat Snead, Vice Chairman of the Advisory Board were present. Board members also present were Jim Tomaszewski and Cathy Elder.

Ramesh discussed how to go forward with the capital needs in the future.

Ramesh noted that \$192,000 in prison mitigation money was cut from state funds. That would have been our capital budget.

Arlie said fundamental changes are going to have to take place. They will rise to the challenge. The Advisory Board had hoped to get back on track with capital spending, but that probably won't happen now – such as ambulances, cruisers and computers for the school. This is a big disappointment when they realized they couldn't get back on track.

Arlie said the moratorium should continue at least until another town meeting. We have made great investments in keeping vehicles and roads in great shape. Cruisers are an important item and a new ambulance. We will plan for little or no increases in revenue, at least now. Arlie said he doesn't believe we can defer capital for one more year. We need to keep it up. Arlie felt smoke detectors at the school is an important one. He doesn't think we can not do it. He will look at increases in fixed cost. If revenues don't increase, then the cost we control will decline.

This would be a million dollars which is a huge amount of money. We have no program to deal with this, but need to present a balanced budget. We need to find a million dollars or not spend capital, and discuss how could cuts be made, and what would happen.

Jim said a lot of information regarding this subject took place at the last Advisory Board meeting. The statement was made that they are reducing state aid for either 2009 or 2010. They have begun the process of looking at services with the Chiefs, schools and other departments. He suggested more open forum meetings. Maybe get input from citizens. There will be cuts in police, teachers, etc.

Rob said that he is opposed to the Library user fee, but here is a direction in which we are going to go. He said we need to open it up to the town. There are different levels of things we can do.

Ramesh said we are all coming at it from a different spectrum. We are not where Rob is, but early doom and gloom. He can't talk about specifics, but need to make an effort to communicate. The expectation is that there will be cuts. This will be a difficult situation, and we need to start the information process.

Arlie said that the information process has already started. The town has already tried a few things such as not mailing the warrant and bylaws as the Bylaw Committee has written.

Ramesh mentioned the sorter for the Library, new ambulance and smoke detectors for the school. He said these are issues if we don't have a town meeting. Arlie said we put a vehicle replacement program in place. It is \$8000-\$12,000 to repair ambulance. We could make the payment in the fall with an Advisory Board transfer for the sorter. Cost of approximately \$10,000. Smoke detectors for the school are \$17-21,000. They may have the flexibility to buy time. The School Committee is aware of the issue.

Pat Snead said we shouldn't react, but we should use the time to come up with a contingency plan to be ready.

Jack said he came up with the idea of cancelling the fall town meeting. Jack said we started out with 22 articles. We are down now to 12 articles. Jack has talked to several department heads about their shortfall. He left a message with the Bylaw Committee, and we haven't posted town meeting or any legal issues. We have the flexibility to call a town meeting at any time. It saves us about \$5,000, which is paying for printing, mailing, town clerk costs, constable posting, police details, etc. Jack doesn't think we need the town meeting at this time,

and we can always call a special if something comes up, or we can wait until the spring meeting.

Jim thinks we should cancel the meeting. Rob was concerned about the 43D going in before we vote the downtown. Jack said it won't change our availability for funding. It'll change dynamics. The deadline is October 28th, which is before town meeting. We can add the B1 district at a later date. Rob hates to see fall town meeting go, but is okay with cancelling it.

Arlie said the Advisory Board has not had a chance to discuss this. They have spent a lot of energy on these issues, and you can defer and take up action later and respond to the town's financial situation. They can take up initiatives since last town meeting. Arlie did say the EDC and Bylaw Committee were passionate and may not have the enthusiasm later.

It was agreed by all to cancel the Fall Town Meeting.

WATER DEPARTMENT DISCUSSION

Stephen Olson, P.E., Environmental Partners Group and Remo R. Vito, DPW Director present.

Ramesh said that this is not a public hearing. He said this is not open to discussion and questions from the public. You can listen and be informed, but this meeting is mostly to inform the Selectmen. This is not complete information and there will be another meeting. Ramesh said that once we have all the information, we will have a public hearing for the residents.

Jack said this has been a trying time for both the residents and the town water department. He said it is expensive and we realize that. Jack said that Steve Olson is a qualified engineer with Environmental Partners Group. What the Water Division and department have done is to react to the quality of water and development of the water system in Norfolk. They looked at causes of the issues and preliminary results. We had some discussions with the lab looking at pipes we submitted. We have some information to share from a variety of sources, but not from the lab.

Butch said they went back from 1980 forward. Butch said they will look at issues. Steve has researched all the records and researched the water system from 1980 to now. Butch said we have some results back on the pipes and preliminary actions we can take, but we still don't know that much about the pipe. To do this, they solicit homes and take a piece of pipe and have it analyzed. They don't think it's inside problems. They need to do more extensive analysis and look deeper.

Steve Olson said he has worked with the Town about a year and a half. He has been on this issue for about a month. He gave his biography and said his specialty is drinking water and treatment.

Steve explained a timeline that he had given out.

Steve said they looked at water quality and found the pH of water is 6. Tapwater sampling and tapwater copper levels were decreasing. LCR is the lead and copper rule. He said they take samples from customer's houses. It is taken first thing in the morning as it needs to be 6 hours stagnant. They take a one liter sample. 23' of 1" pipe is 1 liter. If there is a filter on a tap, you don't use that tap; you use another one.

High pH, low alkalinity, and low chlorides are the 3 things that cause pitting corrosion.

Steve said pitting corrosion is different than uniform corrosion. Lead and copper rule is uniform corrosion. Butch said that pitting is a new thing they are looking at. Uniform creates the health issues, pitting doesn't. Pitting is more a surface issue. By resolving uniform, we may be creating pitting.

Steve said he has not seen this to this extent in any other community. Mostly pinhole leaks in other communities. Steve feels Norfolk is unique in communities with copper. He is seeing pitting, but not in concentration like he's seeing here.

Butch will check other towns. Wrentham switched to PVC because of it.

They want to know the type of copper and know that it was Type K.

ACTION ITEMS

Jim Lehan moved to accept a donation from the Brabants family of a 4 foot granite park bench to the Town of Norfolk for the Norfolk Cemetery. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow Norfolk Community League to conduct their annual Jingle Bell Run/Walk on Saturday, December 13, 2008. They will secure police details as required. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow the Knights of Columbus (John Macalone) to conduct their annual fundraiser for special needs children at the Transfer Station on Saturday, October 25th from 8 a.m. to 2 p.m. Rob Garrity seconded, and it was **so voted**.

BIWEEKLY CALENDAR

Jack read the Biweekly Calendar.

OLD BUSINESS

Jack said that Franklin agreed to sign today, satisfying the water issue.

Everett Street meeting. Jim said the Walpole Selectmen agreed it's a dangerous road and were very supportive, and agreed no truck traffic on Summer/Everett. It was suggested to put up a barrier "local traffic only" at end of Everett. Also stop signs.

Jack said the School Building Committee is meeting tonight and reviewing the Request for Services for an Owner's Project Manager.

NEW BUSINESS

Jack mentioned the Committee Chair meeting. He discussed the Stormwater and follow up to the Stormwater article, earth removal and inspection fees. The boards will consolidate data and send to Jack.

Jack said they discussed reorganizing staff in town hall, but now did it and under 43D, they need that to happen. They are now under Bob Bullock. Rob said the best benefit of that is cross training the staff so that the public is always served.

Jim Lehan moved to appoint John Weddleton to the Public Safety Building Committee for the life of the project. Rob Garrity seconded, and it was **so voted**.

Jack said on a serious note, with respect to the tragedy in town (Taylor Meyer death) over the weekend, he wanted to publicly state that the public safety officials did an amazing job from Saturday, around 5 p.m. when we first found out about it. Many of them worked straight through today (Monday) with some of them sleeping in offices in their chairs, but the work they did coordinating efforts of a tremendous amount of different communities was exceptional. We owe a level of thanks to the different communities and METRO LEC and they all came and assisted with detective work and coordinating the searches on the police side. Jack said that anytime there is a tragedy, you have to think about the crime side of it, if there is one. On the fire side, there was mutual aid. There was 100-200 firefighters from area communities helping, and the same on the police side with people helping. Jack highly commended Police Lt. Carroll, Fire Deputy Chief Wood, as well as Chief Stone and Chief Bushnell. They did yeoman's work, and an outstanding job. Jack said this had a horrible ending, but the work they did was very impressive. Ramesh thanked Jack for his assistance as well as he devoted his own time over the weekend to helping. The

Board will send commendation letters and letters of thanks to area communities who assisted.

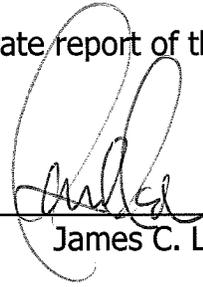
ACCEPTANCE OF MINUTES

Rob Garrity moved to accept the minutes of September 15, 2008, regular and executive session, and October 2, 2008. Jim Lehan seconded, and it was **so voted.**

At 10:35 p.m., Rob Garrity moved to go into executive session for pending litigation. Jim Lehan seconded, and it was a roll call vote: Rob Garrity, **aye**; Ramesh Advani, **aye**; and Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:50 p.m., Rob Garrity 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 October 20, 2008.



James C. Lehan, Clerk

November 3, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh called the meeting to order at 6:30 p.m. for a work session in the Selectmen's Office Conference room.

Also present was Remo Vito and Steve Olson, engineer of Environmental Partners.

The Board discussed the ongoing water pipe issue, and what the test results that have come back so far indicated, and what options they should consider.

At 7:30 p.m., the Board then moved the meeting downstairs to the meeting room for our regular meeting.

Ramesh called the meeting to order and Jack Hathaway read the agenda contents.

CLASS II LICENSE – R&D AUTOMOTIVE, 46 Main Street

Ramesh Advani said that we are considering an application for a Class II license for R&D Automotive, 46 Main Street; Richard Gleason, owner.

Richard Gleason, owner of R&D Automotive was present. He told the Board he let his previous Class II license go because he wasn't selling enough cars to make it worth while. 2006 is the year the bond requirement went through. He said now that the economy is bad, people are looking for inexpensive cars.

He told the Board that he would like his license the same as before, with only three cars. He told the Board his hours would be 8:00 a.m. to 5:30 p.m. weekdays, and Saturdays by appointment only.

Jim Lehan moved to grant a Class II license to R&D Automotive with the condition that no more than 3 cars are on display at any one time; contingent upon zoning and to check zoning to be sure the grandfathering for this license isn't lost. Rob Garrity seconded, and it was **so voted**.

Jack will check with the Zoning Enforcement Officer to be sure the zoning allows for a Class II license at this property.

BIWEEKLY CALENDAR

Jack read the biweekly calendar.

WATER DISCUSSION

Present was Remo Vito, DPW Director and Steve Olson, Engineer at Environmental Partners.

Jack said he will put the final report online.

Butch said they are still looking into the grounding issue with NSTAR. Ramesh wants a report.

Steve gave some findings from the draft report. He said they found pits and scales on the pipe, and found trace levels of silica. The prominent species is chloride. There was some water quality trace found. Electrical stray currents and underground electrical utilities. Steve said the findings are not much different than the conversation he had last time with the BOS.

Steve said there isn't anything that we didn't treat right.

Ramesh asked his conclusion. Steve said after looking at the draft report and reviewing samples taken two weeks ago, it does appear that part of the issue is water quality contribution to the pitting, but he doesn't know to what extent.

Jim wants the distinction of water quality. Should we have known this or dealt with this? These are pinhole leaks, not uniform corrosion.

Copper is a metal that oxidizes and comes to the surface and creates a scale. A scale is a good thing. It creates an insoluble film which is a protective seal. Jim asked if there was anything we could have done in the 80's or 90's that would have prevented this? Steve said not to our knowledge. Ramesh said the quality of the water could be one of the significant factors. Steve said you were trying to make things better, and a combination could have been a contributing factor.

Nancy Flynn, Beaverbrook Road, said she doesn't have underground utilities.

Cindi Andrade, Worcester Road, said they do not have underground utilities.

Ed Barrett, 4 Crossbow Road. He said his service failed in April. He said the Water Department personnel were incredibly responsive and very, very helpful. \$3,000 was an expense he didn't want to incur. Let's face up and fix the problem. His furnace has been plumbed twice because of sodium phosphate crystals around the furnace.

Ted Butler, Castle Road. He wondered if Butch had gotten numbers as he promised. Butch said he doesn't have hard numbers. Ours is less than 1%. He

said the towns he has talked to has been looking for leaks, too. What we find may help them with what they are looking for. Ted said where were the pipes tested from? Butch said Noon Hill and Stop River area. Butch said the chemical issue we are finding now can't go back before 2003, because that's when we started using ortho phosphate.

Mr. Barrett said he is worried about the water service under the street. He said that this needs to be done. Butch said that when they started looking at the street, they weren't as deteriorated as from the curbstop to the house.

Rob said that Butch is doing a balancing act. Butch said they did do some, but it wasn't as bad so he didn't continue. Rob said they do know that there is a systemic issue and we will go from main to house anyway.

Mr. Frontzak, 14 Main Street, said the site has sat unused. Does the water have to flow through it to the pit, or will standing water affect it?

Dale L. Powell, New England Regional Manager for the Copper Development Association, Inc. was present. He said oxygen, corrodant and piping systems that are new have oxygen flowing through it. Standing probably doesn't have it. The more oxygen you have in the water or system, the more corrosion.

Bill Coleman, 1 Creek Drive asked did the pipe test show from inside out or outside in. He was told it started on the inside. His pipes were tested by Mr. Powell.

There is no documented evidence that says that stray electrical currents are the problem. Dale Powell said if grounding is what was causing these failures, it would be outside in. Soil side failure and not a water side failure.

Jim said it is a single source of water flowing through all these homes. Why are we not seeing this in any area of town, and only on Creek Drive? Jim asked why this is unique to this street. Why hasn't it happened anywhere else in town? Why are some streets newer and some streets older? He wanted to try and find an answer.

Rob said although they know about pitting, figuring out the particular combination of chloride is relatively new. Rob said he was trying to find out if there is something we should have been doing 5 years ago that we weren't, and Dale said no. Most changes are new. We lowered the pH and then we will do the ortho.

Steve said Norfolk doesn't have aluminum showing.

Both Steve and Dale pretty much agreed, and had the same answer.

Ramesh told the residents that the Board will listen to them and try to help.

A resident questioned if there is a health issue here. Steve said there is no health issue as far as drinking the water.

Steve Hutchinson, 5 Whites Pond Road told the Board he needs to have his leak taken care of before winter.

John Lavin questioned the wells and do they have treatment plants on them. Wanted the distribution explained. Butch explained the distribution and said the water is treated as it leaves the stations.

Ted Butler asked about 1992 to 2002 and what happened in that 10 year span when it was being ignored? Butch said that it has only been the last 4 or 5 years.

There was discussion about the water and tanks and where it comes from.

Harvey Ford, 30 Stop River. Questioned what are we supposed to do? What kind of relief?

Ramesh would now like to have the discussion about what we are going to do.

Jim feels there is an extensive problem and we really don't know how extensive. Aggressively find as many leaks as we can. We should try to help people, especially in this bad time. The process by which we will assume the responsibility – establish a process where someone has a failed pipe or well, can repair it on their own, or the Water Dept. will do the repair and bill the homeowner over a period of 5 years and can pay it back through your Water Bill. It needs to be approved by town meeting. Enterprise Fund which is only for these projects. Water Dept. should bid this through a list of 4 or 5 contractors so that we can get a competitive rate and discount. This would include water takers or people on wells. The other thing is to survey all the 2200 water takers to see if there are water problems down there that we aren't aware of. It will help us get our arms around this. For people who have already experienced it, Jim is torn between the legal side and the moral side.

Rob agreed with Jim. They discussed whether or not to charge interest. Jim says no.

Butch mentioned an insurance policy. He will look into it.

Jack said we need to have special legislation to do a revolving fund within the Enterprise Fund.

Jack said when we change the phosphates, we will need to flush the mains more frequently. Flushing is more expensive. Manual flushing causes discolored water.

Jim thinks we need a well defined management process. We need to do this as a priority and focus on the steps taken. People need to know everything in advance and why we are doing it. Steve said blended phosphate would have a small amount of ortho. Butch said to listen to what Jack said and do a couple different options and combine what we want.

Ramesh said be clear regardless of the issue, as long as it involves water.

Mr. Coleman said we could waive fees for permits and give a break on the water. The Board said we can't do that.

OLD BUSINESS UPDATE

Jack discussed Call & Wait. They didn't live up to the Agreement. Business is now padlocked and police taped. Receiver will sell off all materials on the site and use the funds to pay to clean up the site. Call & Wait has been ordered to pay us the old legal fees he owes us, and he has to pay that now.

Jack gave a brief update on the School Building Project.

NEW BUSINESS UPDATE

Jack gave an update on the Public Safety Building Committee. Everyone agreed that something has to happen in the spring.

Jack said he met with the School Superintendent, and made some progress with ideas as part of the budget for shared cost savings. He is also meeting with Town Administrators from Wrentham and Plainville on Thursday.

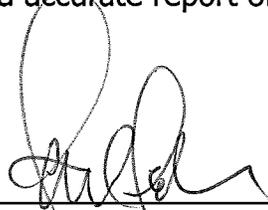
Jim said that David Lutes is in favor of 43D and wanted to be sure there is nothing in our bylaws that isn't updated so that it won't impede us going forward.

Jim Lehan moved to appoint the following individuals to the Council on Aging: Joseph Mariani, term to expire June 30, 2009; Joann Squitieri, term to expire June 30, 2009; and Jason Talerma, term to expire June 30, 2011. Rob Garrity seconded, and it was **so voted**.

At 10:25 p.m., Rob Garrity moved to go into executive session for contract negotiations and collective bargaining. Jim Lehan seconded, and it was a roll call vote: Rob Garrity, **aye**; Ramesh Advani, **aye**; and Jim Lehan, **aye**.

At 10:57 p.m., Rob Garrity 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 November 3, 2008.

A handwritten signature in black ink, appearing to read 'James C. Lehan', written over a horizontal line.

James C. Lehan, Clerk

November 20, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity and Jack Hathaway, Town Administrator.

Also present was Remo R. Vito, DPW Director.

Ramesh called the meeting to order at 6:30 p.m. in the Selectmen's Conference Room in the office.

BOARD OF ASSESSORS

Rob Garrity had not yet attended the meeting, and was not part of this discussion.

Present was John Robbins and Pat Salamone, members of the Board of Assessors. The Selectmen received the name of Maggie Leavitt of Lake Street as a candidate for the Board of Assessors. Ms. Leavitt could not attend tonight.

Jim Lehan moved to appoint Maggie Leavitt to the Board of Assessors, term to expire May 5, 2009. Ramesh Advani seconded, and it was a roll call vote: Ramesh Advani, **aye**; James Lehan, **aye**; John Robbins, **aye**; and Pat Salamone, **aye**. It was **so voted**.

DPW DISCUSSION

Butch Vito discussed the Everett Street signs with the Board. Butch discussed several Stop signs and will check to be sure they can be allowed.

Butch said that the target for the TIP project is July 4, 2009. They will advertise in July.

They discussed Planning Board inspections. The DPW could take it over and collect the fees. Under the jurisdiction of the Board of Selectmen. They could request time on the Planning Board's agenda to discuss this.

The Planning Board consultant does all the inspections. The developer pays a fee to the Planning Board for the consultant. If the DPW staff did the inspections, it would offset salaries by collection a fee. The employees are licensed. You could lose the consultant out in the field. Would like it in place July 1st.

Butch said they are working on Stormwater. Have the DPW as the inspector – not their inspector. Engage the EDC to be involved.

The Selectmen, EDC, Planning Board, ZBA and Conservation need to focus on the town center. The status and where we've been and where we're going. They should meet with the Selectmen to discuss Stormwater before going to other boards. Talk it through and strategize.

Water Issue

The Board discussed waiving the permit fee. They should reimburse people who have paid the permitting fee, and waive the fee for FY08/09 and up for reconsideration. They will already spend it, or will spend it this year.

Butch said we are responsible for the service from the street to the meter. Jack said a combination of compounds contributed.

Ramesh said we should keep everything focused only on the Enterprise Fund. Water Dept. - \$50 for a permit and \$100 for an inspection.

Jim Lehan moved to reimburse residents for permitting fees associated with the Water Department, and who incurred that expense in connection with FY09. Rob Garrity seconded, and it was **so voted**.

Stop & Shop

The Board said there is a bond in place for the upper road work. Jack discussed the six month extension and said we are still not in their plan. The Board said they would encourage not approving without something in return. They said enough is enough, and agree to enforce the bylaw.

ACTION ITEMS

Jim Lehan moved to award the contracts for the SERSG DPW Services for a twelve month period, commencing 1/1/09. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow the Norfolk Girl Scouts to sell cookies at the Transfer Station every Saturday in January and February, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve the Santa Parade/Town Hill celebration for Sunday, December 7th. Rob Garrity seconded, and it was **so voted**.

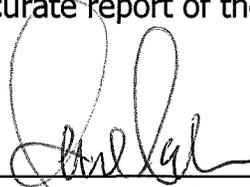
Ramesh Advani moved to give Jack Hathaway permission to sign all documents related to the Federated Church. Rob Garrity seconded, and it was **so voted**. Jim Lehan recused himself as he is an officer of the Federated Church.

At 7:50 p.m., Jim Lehan moved to go into executive session to discuss arbitration. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**;

Ramesh Advani, **aye**; and Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

At 8:00 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 November 20, 2008.

A handwritten signature in black ink, appearing to read 'James C. Lehan', written over a horizontal line.

James C. Lehan, Clerk

December 1, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh opened the meeting at 7:00 p.m. and read the agenda.

Present at the meeting were members of Boy Scout Troop 80 and their Scoutmasters.

PUBLIC SAFETY BUILDING COMMITTEE INTERVIEWS

David Capone, 82 Boardman Street. David is interested in the Public Safety Committee. He said he has spent a lot of time in construction. His company did the radio communications on jobs. He was involved in the Pond Street facility, Senior Center and the H. Olive Day School addition. David has worked in 25 public buildings. He said we definitely need a public safety building – our current facility is an embarrassment.

Greg Mirliss, 3 Longmeadow Road.

Greg has an engineering background. His degree is in civil engineering. He has worked on state, federal, public and international projects. He has worked on many projects and had to rectify issues. He said he hasn't seen a project from start to finish. He wants to see the project efficient and not go over budget. Greg said he is available and can juggle his schedule.

ACTION ITEMS

Norfolk Boy Scouts Troop 80 request permission to conduct a fundraiser at the Transfer Station on Saturdays, December 6, 13 and 20th.

Thomas McCarty, a Boy Scout, read a letter to the Selectmen about their fundraiser.

Jim Lehan moved to approve the fundraiser at the Transfer Station on Saturdays, December 6, 13 and 20th. Rob Garrity seconded, and it was **so voted**.

Jim said he is impressed with the work by Norfolk Boy Scouts, and thanked them all. Rob and Ramesh agreed and complimented them on their good work.

OLD BUSINESS

Rob discussed the Energy Committee and their makeup. Rob said this is driven by the Green Energy Act.

Jim moved to appoint Rob Garrity as representative to that Committee. Ramesh Advani seconded, and it was **so voted**.

Jim discussed the water issue. He said that at our last administrative meeting, we took a vote. We voted to waive all water department fees going forward and retroactive in FY09 for those experiencing it and may experience it in FY08.

Jim questioned the survey being sent to water users. Jack said the survey is being considered and he talked to Butch today about doing it online or by mail. Jack said it would cost between \$1,000 and \$1,500. Jack said they discussed mailing it with the water bills in April, but that is months out. Jim said to send a postcard telling people the survey is online, or available at town hall. Ramesh disagreed, and said that they will throw the card away. Ramesh agreed with putting it in the bills, but that is a ways out. Rob said costs could go through the Enterprise Fund. Jack said that he is still looking at it. Jim said it should be done sooner than later. Jack said that he would put something on top of the survey form that indicates that although it was mailed, you can reply online. They suggested using the reverse 911 calling as well.

Jim responded to writings on NorfolkNet about health issues with the water problem, and said we are monitoring this very closely and followed state guidelines, and the residents do not have to be concerned about health of the community.

Jim said the other rumor floating around is that the settlement that we got was monies related to the water issue. Jim said this settlement was from a class action suit that we were part of with many towns that went years back, and has nothing to do with this water issue.

BI-WEEKLY CALENDAR

Jack read the bi-weekly calendar.

NEW BUSINESS

Jack reported that we did receive the 43D grant. He and Bob Bullock went into Boston and presented on behalf of the town. This grant was put together by the EDC. We got \$60,000. Bob will be in charge of putting this together. Some of the money is for software that will need to be changed. Bill Fleming at Caritas is aware and will meet with the EDC and Jack. Ramesh would like to be present.

Jack said that regarding Everett Street, Butch has met with his counterpart in Walpole and they are discussing putting up the truck exclusions, etc. Butch is also discussing the stop signs to be installed.

BOY SCOUTS

Ramesh asked the Boy Scouts if they had any questions for the Board.

Craig Iacovella. What is the main function of these meetings? Jim said they vary from meeting to meeting. The biggest issue for the Board is financial considerations. We spend a lot of time on this. A lot of it is done in the office during the week, so you don't see it at a meeting. Jim said we are the executive branch of the town, and voters instruct us what to do.

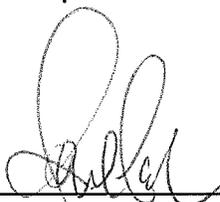
Thomas McCarty. Will Stop & Shop ever go in? Ramesh said no, he doesn't think it will ever go in. Jim said it is privately owned property. They said that they have had it for over 8 years, and all indications lead that they will not ever build. Rob echoed that, saying he doesn't think it will ever be built.

Shawn Lavin. Freeman Centennial being built, added, renovated?? Jack said that any of the above could happen. Jack said he is a member of the School Building Committee and they are looking at all options.

Craig Iacovella asked about leaving the property barren. Rob said that we have a bylaw that will prevent property from being left like it is on the Stop & Shop property. We have worked to ensure that property will be loamed and seeded if not worked.

At 8:13 p.m., being no further business, Ramesh Advani 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 1, 2008.



James C. Lehan, Clerk



December 15, 2008

Present was James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator. Ramesh Advani was absent from the meeting.

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

TAX RATE HEARING

Jim Lehan opened the hearing at 7:03 p.m. Jack read the hearing notice.

Jack said he has talked to our former Chief Assessor, Robbie Alford who is filling in, and to the Board of Assessors, and we need to continue the hearing as new growth hasn't been approved by the Department of Revenue yet. We will not have approval by December 31, and we will need to send out estimated bills.

Rob Garrity moved to continue the hearing until January 5th at 7 p.m. Jim Lehan seconded, and it was **so voted**.

Jack noted that we have been interviewing for Chief Assessor and introduced our candidate, John Neas. Mr. Neas said he lives in Franklin and has two children, 7 and 11 years old. He is a real estate appraiser and teaches real estate classes and seminars. He has no public sector experience. Mr. Neas said he will continue his own business part time, but his first loyalty will be to the town. He will not do business in Norfolk.

Jack said that John was by far the best candidate and was also approved by Pat Salamone, chairman of the Board of Assessors. He would start employment with Norfolk on January 5, 2009.

Jack is looking for confirmation of his appointment of John Neas. Rob Garrity moved to confirm John Neas as Chief Assessor. Jim Lehan seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack read the Bi-Weekly Calendar.

ACTION ITEMS

Rob Garrity moved to award a contract to Advantage Drug Testing, 62 Elm Street, Andover, MA for a three-year period, 1/1/09 to 12/31/11 for the administration of a drug and alcohol testing program for municipal employees.

Rob Garrity moved to allow the Horse 'n Carriage Restaurant, Guido's Restaurant, and Eagle Brook Saloon to extend their hours of operation on New Year's Eve. They would be allowed to sell alcoholic beverages until 2 a.m. on January 1, 2009.

CLASS III HEARING – NORFOLK AUTO

Kevin Roche, 38 Main Street, Norfolk, MA was present to represent Norfolk Auto.

Jim Lehan opened a hearing on the Class III license of Norfolk Auto, Inc., 38 Main Street, Norfolk, Paul E. Roche, owner. This is a routine hearing required by state law.

The Board had no questions, and there were no abutters present. The Board noted there had been no complaints during the year.

Rob Garrity moved to grant a Class III license to Norfolk Auto, Inc., 38 Main Street, Norfolk to expire January 1, 2010, subject to the same conditions as on the current license. Jim Lehan seconded, and it was **so voted**.

ANNUAL LICENSES

Jack read the list of licenses to be renewed for 2009.

Rob said he didn't like the redundancy with the processes. He referred to Café Pesto's liquor license. We granted the license, and then they have to go before the ZBA. We need to take a good look at the zoning bylaws and process for liquor licenses.

Rob Garrity moved to renew the following liquor licenses: Eagle Brook Saloon, Guido's Restaurant, Inc., Horse 'n Carriage Restaurant, Norfolk Fine Wine and Spirits, Sarthi Convenience, Inc., d/b/a Norfolk Food Mart, Provo Discount Liquors, Shubham Variety, Inc., d/b/a Linda's Variety Store, Fore Kicks and Café Pesto. Jim Lehan seconded, and it was **so voted**. Licenses expire 12/31/09.

Rob Garrity moved to renew the following Common Victualler licenses to expire 12/31/09: Eagle Brook Saloon, Guido's Restaurant, Inc., Horse 'n Carriage Restaurant, Norfolk Town Pizza, Bourque's Restaurant, Dunkin' Donuts, Fore Kicks, and Center Ice, Inc. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to renew the following Entertainment licenses to expire 12/31/09: Eagle Brook Saloon – Live Music, secular days and Sundays, 1-5 instruments. Hours - 8 p.m. to 1 a.m.; Fore Kicks – Eleven (11) coin operated

arcade machines, secular days and Sundays. Winter hours - Monday through Friday, 4 p.m. to 9 p.m., and Saturday and Sunday, 8 a.m. to 10 p.m. Summer hours – Monday through Friday, 9 a.m. to 10 p.m., and Saturday and Sunday, 8 a.m. to 10 p.m.; and Norfolk Rink Management Co., Inc. – Six (6) coin operated arcade machines, secular days and Sundays. Hours – 7 a.m. to midnight. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to renew the Class I licenses as follows: Cliff's Cycles and MPG Motorsports, to expire January 1, 2010. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to renew the Class II licenses as follows: Auto Clinic, and Norfolk Auto, Inc., to expire January 1, 2010. Jim Lehan seconded, and it was **so voted**.

The Board had concerns about two Class II licenses – Norfolk Auto Brokers and Mitch's Repair Service and will discuss those two licenses on December 29, 2008.

It was noted that there are no taxi license renewals as Foxfield Taxi of Foxboro will no longer conduct taxi service in Norfolk.

WATER REQUEST

Tim Konowitz, owner of Miles Excavating was present.

Mr. Konowitz told the Board that he donated his time and services to a Norfolk resident whose well recently failed, by installing his new water service to tie him into the Norfolk water supply. Given the fact that this resident recently suffered a family loss and has been unemployed for awhile, he decided to donate his time and services to help. He is now asking that the Board of Selectmen waive the connection charge of \$3,246 and the inspection and permit fee of \$150, because this person just cannot afford the fees.

The Board would like to do it, but wants to be able to know there are no issues here. Jack said he talked to Town Counsel and was told we have the authority to do it, but we should be careful of setting precedent. Jim said they would like to do it, but is struggling with how to do it. He said that with the economy the way it is, many residents are struggling. They are sympathetic to this, but don't know what else may come to them in the future. It was discussed that this could be financed over 5 years through their water bill. The Board is supportive of this, but would like Ramesh's input, too. Jack and Butch will discuss this and come back to the Board on January 5th, if they can come to a decision by then. This will be restricted to residential.

BUDGET OVERVIEW

Jack discussed the budget and gave a brief summary of how the Governor's cuts will affect us.

The Board discussed the municipal, schools and other budgets. They talked about pensions.

EDC

Bob Nicodemus, Chairman of the Economic Development Committee (EDC) was present.

He told the Board that the Town Center should be considered for town meeting for expedited permitting process by EDC. They submitted it in the fall but we didn't end up having the meeting. The Board and Bob discussed a Stormwater program through town center, and development for the spring town meeting. They would like to have a meeting with the Planning Board, EDC and BOS for long range planning infrastructure. We should get going with the pre-planning. Jim said we need all the permitting boards present.

Jim said we need a common vision as we don't have one. We have a lot of disjointed things going on around the town center without a common vision.

Bob would like to do pre-planning work prior to town meeting. We need to get going. Bob said Planning Board meets Thursday night and possibly meet again January 8th. Bob wants specific defined agendas around these meetings.

The Board wants the Capital Outlay Committee up and running quickly so they can be involved in the early stages of this and start looking at what we need.

TOWN ADMINISTRATOR REPORT

OLD BUSINESS

Call & Wait. Leonard M. Krulewich of Newton has been named receiver for the clean up by the Court. Also, George Hall will be filing for fees.

The School Building Committee has filed a request with the SBA to appoint Joslin Lesser as the Owner's project Manager for the feasibility study. They will then negotiate with them, and then hire an architect.

Jack reported that the Public Safety Building Committee has met several times and is reviewing similar projects in the area under the concept of lessons learned.

Bob Bullock attended the Planning Board meeting with Jack to discuss the concept of redevelopment of selected areas. They will meet with them again on January 8th and the Board is welcome to attend.

Town Hall reorganization is complete. Bob and Jack met with the Planning Board to discuss this, and they seem satisfied.

Jack met with the Plainville Town Administrator and School Superintendents from Norfolk, Plainville and KP (Wrentham had a conflict) to talk about the FY10 budget. KP has a February goal in mind. Norfolk and Plainville are in similar boats as far as budgets.

NEW BUSINESS

Jack mentioned that he has resumed Conversation Corner with NCTV. He will also be on WDIS on the Lunch with Len show occasionally.

Norfolk Recreation has received a generous donation for the rebuilding of Kid's Place. NCL and the Lion's Club donated a portion of the proceeds from the Haunted Train Ride.

The Board signed a resolution for energy. Rob gave a synopsis of what the resolution meant. He is looking for members for the Energy Committee.

Jim Lehan nominated Greg Mirliss as a member of the Public Safety Building Committee. Rob Garrity seconded, and it was **so voted**. Rob voted as we had the support of Ramesh who, although not present, had voiced his support to Jack prior to the meeting. Rob had disclosed earlier that Greg was his campaign manager.

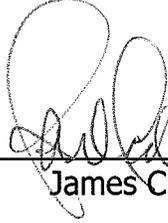
Jim brought up the EDC – corporate. Jim offered to get this process going. They gave a brief summary about Walgreen's and Stop and Shop. Jim said he feels nothing will be done about them loaming and seeding. He said let's give them until April 1st - give them the 60 day notice. We could hold the hearing in March and then we meet April 1. Rob said have this conversation with a full board on the timing. Jack said we will take photos.

We should notify them of us holding a hearing in the spring to light a fire under them. Jim wants them to fix the front part. Jack would like the part that the townhouses look down on fixed.

At 9:13 p.m., Rob Garrity moved to go into executive session for contract negotiations. Jim Lehan seconded, and it was a roll call vote: Rob Garrity, **aye**; and Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

At 9:48 p.m., Rob Garrity 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 December 15, 2008.



James C. Lehan, Clerk

December 29, 2008

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh Advani called the meeting to order at 6 p.m. Jack Hathaway read the agenda items.

This was a brief meeting to discuss issues with Class II licenses.

MITCH'S REPAIR SERVICE

Linda Mitchell, Mitch's Repair; Dan Gardner, Northeast Tractors; and Bob Bullock, Building Commissioner present.

Ramesh said we were here to discuss the Class II license for Mitch's Repair Service.

Linda Mitchell said that this license was previously granted to her husband, Richard, who is now deceased.

Bob Bullock mentioned the zoning violations with respect to Northeast Tractors being part of the business. He said that this business is not allowed under Mitch's Repair Service. Bob said there is a Special Permit that states no displays outside the fence, and they have equipment outside the fence. Bob said some of these issues need to be rectified. Bob said he was putting a letter together, and hadn't finished it. He said he has sent out close to 7 letters; 5 this year. Bob said he had seen progress when he worked with Ashley Bigelow, but he understands he is no longer working for them.

Dan Gardner said that the site plan is done by Landmark Engineering. He said he is working on it. He also is going to apply for a Class 1 license. Dan said he will bring the site plan to Bob. Bob said this needs to go to the Planning Board. Bob said the building permit part needs to be addressed. Bob said now that Mr. Bigelow is not involved, he needs to sit down and get this rectified. Dan said he thought Bob wanted to see the site plan. Bob said he did review it, and suggested some changes, but it goes to the Planning Board. Bob said there are zoning violations as well. He said you need to go to ZBA and get this taken care of. Dan said they want to be able to do whatever MPG Sports is doing. Bob explained they have a Special Permit and MPG doesn't, so that makes a difference. Jack said he thinks it looks fine, but they have to abide by the Special Permit.

Ramesh questioned Dan and who he is, and his relationship to this.

Jim asked if there is a commitment to clean this up. Dan said yes. Jim wants assurances that we are going to get to the ZBA and get this done. Jim wants clarity on what the next step is when you leave here.

Bob suggested that he sit down with them and go over this. They will call him tomorrow.

Jim Lehan moved to issue a Class II license to Mitch's Repair Service with the same conditions as currently imposed, to expire January 1, 2010. Rob Garrity seconded, and it was **so voted**.

NORFOLK AUTO BROKERS

Jeff Margolin, husband of Denise Anderson was present.

Ramesh said he was here for discussion on their Class II license.

Bob Bullock said he was here for violations. He said the license stipulates not more than 5 cars can be displayed. Bob said he has received complaints. He asked about the trailer out in the wetland area. Jeff said it isn't his. It belongs to one of the other businesses in the building. Jack said if the owner is in violation of the Special Permit, it can affect him. Jeff said he will speak with Jim Gagne, the owner.

Rob mentioned that town hall was getting complaints from people who were upset about vehicles they purchased. Jeff said they are very good with their customers, and he has a repair shop and he, by law, is obligated to give a 30 day warranty but he gives a 60 day warranty. He has even offered a full refund. He can't help people calling.

Jim Lehan moved to issue a Class II license to Norfolk Auto Brokers, 84 Rockwood Road, with the same conditions as currently imposed, to expire January 1, 2010. Rob Garrity seconded, and it was **so voted**.

ACCEPTANCE OF MINUTES

Rob Garrity moved to accept the minutes of October 20, 2008, regular and executive session; November 3, 2008, regular and executive session; November 20, 2008, regular and executive session; and December 1, 2008. Jim Lehan seconded, and it was **so voted**.

At 6:33 p.m., Rob Garrity moved to go into executive session to consider the purchase, exchange, lease or value of real property. Jim Lehan seconded and it was a roll call vote: Rob Garrity, **aye**; Ramesh Advani, **aye**; and Jim Lehan, **aye**.

At 6:41 p.m., Rob Garrity 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 December 29, 2008.

A handwritten signature in black ink, appearing to read "James C. Lehan", written over a horizontal line.

James C. Lehan, Clerk

January 5, 2009

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity and Jack Hathaway, Town Administrator.

Ramesh Advani called the meeting to order at 7:08 p.m. Jack Hathaway read the agenda contents.

TAX RATE HEARING – Continuation

Ramesh opened the hearing. He stated that the Tax Rate hearing began on December 15, 2008 and was continued until tonight.

Jack said that New Growth has not been certified, so he would ask that this hearing be continued until January 26, 2009 at 7 p.m. The Board agreed to continue the hearing.

TOWN ADMINISTRATOR REPORT

Action Item

Rob Garrity moved to approve the stop sign at the intersection of Kilpatrick Way and North Street, and submit the vote to the Town Clerk to be entered into the Traffic Rules and Orders, per the recommendation of the DPW Director. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to open the warrant for the Annual Town Meeting to be held on May 5, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow the DPW to deficit spend the Snow & Ice budget. Jim asked if all the supplies have been used to date. Jack said no. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to award the contract for wireless communication sites to MetroPCS Massachusetts, LLC for a lease term of 20 years, which includes a 3% annual increase throughout the lifetime of any lease agreement between the parties, per the recommendation of the DPW Director. Rob Garrity seconded, and it was **so voted**.

OLD BUSINESS

Everett Street will be discussed at the January 26th meeting when Butch Vito is present.

Jim questioned Call & Wait. How has the receiver done? Jack will call for an update and email the BOS.

ACCEPTANCE OF MINUTES

Rob Garrity moved to accept the minutes of December 15, 2008, regular and executive session; and December 29, 2008, regular and executive session. Jim Lehan seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack read the Bi-Weekly calendar.

NEW BUSINESS

Jack said regarding the State budget, the Governor announced there will be cuts of billions of dollars in the FY09 budget, and local aid will not be safe from the cuts. We may know next week. Jack said that he will talk to the Rep and Senator to remind them that we have already been cut once.

Ramesh would like a budget committee: Advisory Board, Schools, KP and Jack. He would like a working session and then have them at our meeting. The Board will decide at our next meeting about the date for the budget meeting.

Jack said the Lt. Governor is looking for infrastructure projects and the deadline is Thursday. They looked at the list. Rob said we should throw in the public safety building. Jim agreed. Jack said we have to be shovel ready 180 days from approval. Can we do that? We would need Town meeting and go through the Boards and try to get this all done. The BOS said go with it and we will make it work. Jack said keep the TIP project out. Ramesh and Rob agree. Jim agreed as well.

Jack reported that the Fire Department received an \$11,044 grant from FEMA for new protective gear. Capt. Petrushik applied for the grant and is his third time receiving this since 2004.

Jack told the Board that Chief Stone will work with the Bylaw Committee on a bylaw on marijuana use.

Rob mentioned a letter from Kingston regarding Green Energy Initiatives and should we write to Senator Brown. The Board agreed to do this. Rob would like people with ideas for energy to come to us.

Jim would like us to go to Stop & Shop and one on one see where we are with this.

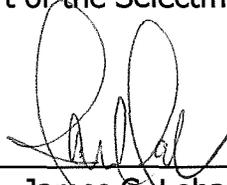
COMMITTEE APPOINTMENT

Jim Lehan moved to appoint John Wayne to the Zoning Bylaw Study Committee, term to expire December 31, 2009. Rob Garrity seconded, and it was **so voted**.

At 8:07 p.m., Ramesh Advani moved to go into executive session for the purpose of pending litigation. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**; Ramesh Advani, **aye**; and Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

At 8:26 p.m., being no further business, 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 January 5, 2009.



James C. Lehan, Clerk

January 26, 2009

Present was James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator. Ramesh Advani was absent.

Jim Lehan opened the meeting at 7:07 p.m. Jack Hathaway read the agenda contents.

TAX RATE HEARING CONTINUATION

Jim Lehan opened the hearing. He stated that the Tax Rate hearing began on December 15, 2008 and was continued until tonight. Rob Garrity moved to continue the tax rate hearing until February 9, 2009 at 7 p.m. Jim Lehan seconded, and it was **so voted**.

ANNIKA LANGE, MMA ESSAY WINNER

Annika Lange and her father were present. Jim Lehan explained that Annika was the winner of the Massachusetts Municipal Association (MMA) Essay Contest. She was chosen out of 2200 student entries. Annika was present at the MMA Conference in Boston this weekend where she read her essay. The Selectmen were present at the conference as well, and Annika received an award and a \$300 prize. Annika read her essay at the meeting.

BI-WEEKLY CALENDAR

Jack read the bi-weekly calendar.

ZONING BYLAW STUDY COMMITTEE

John Weddleton expressed his interest in filling a vacant spot the Selectmen has on this committee. Rob Garrity moved to appoint John Weddleton to the Zoning Bylaw Study Committee, term to expire December 31, 2009. Jim Lehan seconded, and it was **so voted**.

WATER RATE HEARING

Remo Vito, DPW Director was present.

At 7:20 p.m., Jim Lehan read the public hearing notice and opened the hearing.

Butch Vito gave out a handout that showed area communities that he did a comparison on for water rates. He said that we are in the same range. Butch told the Board that if they have an issue with any of the rates, let him know and he'll go back to the community and see how they figured it. He said that some towns have different ways of calibrating their water and the different systems. You have to consider that. We are a young system. We only came online in the

80's. Butch said that looking at the rates of the different communities isn't the whole story.

The Board reviewed the commercial connection fees and the fire connection fees with Butch. The Board felt that the fees were out of line with area communities.

Butch will come back with a recommendation. He will look at these and see what can be done. Jim wants to see the capital plan. They are a ways away. Butch wants to treat the fire services separately and do the capital plan.

Rob mentioned alternate energy for DPW.

Rob Garrity moved to continue the water rate hearing to February 9th at 7:15 p.m. Jim Lehan seconded, and it was **so voted**.

Jonathan Smith told the Board that the Comcast contract expires September 30th. He said the Committee is conducting working negotiations to see where they stand. Hopefully, it will be a speedy settlement.

ADVISORY BOARD – BUDGET

Archie Sterling, Jim Tomaszewski and Patrick Snead were present from the Advisory Board.

Jack reviewed the budget.

Jack said that the Governor announced state aid cut in lottery of 9.74% which is a \$116,000 cut.

Jack said that on Wed., Jan. 28th, we will receive Cherry Sheet. There is a 7.1% reduction in state aid, which includes Ch. 70. It comes out to a 28% cut in lottery with a total \$340,637 cut.

The Board had several options. A wage freeze is one.

Rob Garrity moved to direct the Town Administrator to enter into negotiations with the unions under the purview of the Board of Selectmen for purposes of renegotiating FY'10 contracts, or take any other action relative thereto. Jim Lehan seconded. Jim offered a friendly amendment to authorize the Town Administrator to request the unions to reopen negotiations concerning their current contracts. Rob Garrity seconded, and it was **so voted**.

Jack suggested the Selectmen meet with him and the Labor Counsel to discuss this. He will contact the Board with a date.

Jack discussed the trailer acquisition by Chief Bushnell.

Jack said that Plainville wants to organize a committee of Selectmen and a School Committee representative. Jim Lehan said he would volunteer. Rob Garrity moved to appoint Jim Lehan to this committee. Jim Lehan seconded, and it was **so voted**.

Jack said that Habitat for Humanity wants to partner with us on a couple of projects. He explained a meeting he had last week with them and the Affordable Housing Trust.

At 10:35 p.m., being no further business, Rob Garrity 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 January 26, 2009.



James C. Lehan, Clerk

February 9, 2009

Present were Ramesh H. Advani, James C. Lehan, and Robert J. Garrity. Jack Hathaway arrived at 8:50 p.m.

Ramesh Advani called the meeting to order at 7 p.m. and read the agenda contents.

TAX RATE HEARING - Continued

Ramesh Advani opened the hearing at 7 p.m. and noted that this hearing was continued from January 26, 2009.

Rob Garrity moved to continue this hearing to February 23, 2009 at 7 p.m. Jim Lehan seconded, and it was **so voted**.

WATER RATE HEARING – Continued

Ramesh Advani opened the hearing at 7:15 p.m. and noted that this hearing was continued from January 26, 2009.

Remo Vito was present. He presented another handout where he tried to consolidate area towns and information.

He showed current and proposed. They will do a master plan this year as it hasn't been done since 1992. It was a goal of the Board of Public Works, but it was never done. Butch said they did find the fire commercial fees can go down dramatically. They adjusted the fire commercial fees to \$1,636 for all 3 sizes.

Rob said that he went over this with Butch and this wasn't an arbitrary fee. When you set a fee, you have to account for it. The fire service rate of \$1,636 was pulled out of an old study. They found it in some documents.

The Board had a lengthy discussion with Butch regarding all of the fees.

Jim said he is concerned about being competitive with Wrentham's rates due to where all our commercial is on Rt. 1A on the Wrentham line.

Jim Lehan moved to establish the residential hook up fees 1" service to \$2,850. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to establish the commercial fire service hookup, the 4", 6" and 8" as stated, \$1,638. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to establish the 2" commercial service rate hookup at \$5,700. Jim Lehan seconded, and it was **so voted**.

Butch said they talked about the 10% late charge. They want to standardize it same as the town billing and use flat fee of \$5.

Jim Lehan moved to eliminate the 10% penalty charge and make our late fee consistent with the tax late charge. Rob Garrity seconded, and it was **so voted**.

Butch said with the five year payment plan, a resident can apply to pay for 5 years, subject to interest at a rate determined at time of request. It wouldn't exceed 5% maximum. Jim said this would only be for an existing home, such as someone who had to replace a pipe and needed flexibility in paying for it. Not for financing for new construction. Jim recommends we bid it. Butch said there are two separate things here. One is a new connection. One is corrosive pipes.

Rob Garrity moved to allow the connection fees to be paid over a five (5) year period with interest collected per the Treasurer. Jim Lehan seconded. Ramesh Advani clarified that this is for all connections – residential and commercial. It was **so voted**.

Mr. Coleman stated about was there a study that showed the rates that have been voted the last 3 years. Is the water dept. making money, losing money or what? Jim said the analysis shows we are breaking even.

Rob Garrity moved to set the water rates for FY'10 as reflected in the FY'09 rates: \$4.75 per 1,000 gallons – 0-15,000 gallons; \$5.70 per 1,000 gallons – 15,001-35,000 gallons; \$7.41 per 1,000 gallons – 35,001-50,000 gallons; \$10.37 per 1,000 gallons – over 50,000 gallons. Jim Lehan seconded, and it was **so voted**.

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

Jim discussed a failed well or pipes. We need to create a mechanism whereby we would do the work, and charge them and recover the money through billing. Butch said we need to start a line item in the budget to be voted at town meeting, and have a sum of money to do this. We need to charge interest. Jim wants to see this within the Water Department budget.

Jim said we said we would waive the fee. Butch said in 09 fiscal year, we would apply this as a credit on their 09 bill. Everyone who incurred that cost will be refunded. Butch will send letters to notify the residents that they will be credited.

ENERGY COMMITTEE APPOINTMENTS

Rob Garrity moved to appoint the following people to the Energy Committee: Jim Lehan seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Marian Harrington read the Bi-Weekly Calendar.

OLD BUSINESS

Regarding Everett Street, Jim explained that it wasn't the Walpole Selectmen hindering the truck route, it was the State. He said the stop sign is more complicated. We have to jump through time consuming hoops. We can't just put them up.

Jim wanted to discuss the articles that the Selectmen is going to submit. He was concerned about CPC. He is all for it, but said we are in tough economic times and many taxpayers cannot afford it. It's a substantial amount of money. He said should we give the residents a say. We could lower it to 2%. It's up to the taxpayers, and if we don't bring it forward, no one else will.

Ramesh said he would be in a position to lower it from 3% to 1.5%. But he does not want to eliminate it. The value of the assets are going to go down, too. The Board all felt it was worthwhile putting it on the warrant.

Ramesh is concerned about ALS services. He does not want to see this go, and wondered if we could have a regionalized ALS service. Since Norwood has certification, can we say with public funds we would help fund so the ambulance service stays intact.

Chief Bushnell stopped in and answered the Board's questions regarding the Fire and ALS.

Jack Hathaway arrived, and said regarding the School Building Committee, they will have a walk through for architects to come in. They had twenty tour the building. The Committee will be bringing an article in the fall.

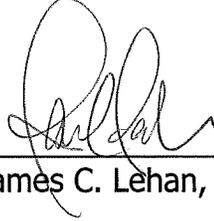
NEW BUSINESS

Jack reported that our Health Insurance is up 7%.

At 9:29 p.m., Ramesh Advani to go into executive session for the purpose of contract negotiation discussions. Jim Lehan seconded, and it was a roll call vote: Rob Garrity, **aye**; Ramesh Advani, **aye**; and Jim Lehan, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:05 p.m., being no further business, Rob Garrity 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 February 9, 2009.



James C. Lehan, Clerk

February 23, 2009

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity and Jack Hathaway, Town Administrator.

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

TAX CERTIFICATION HEARING – Continued

Present was John Neas, Chief Assessor.

Ramesh read the hearing notice, and noted this hearing was continued from February 9, 2009.

Jack said this hearing will be continued one more time as we don't have the state approval as yet.

John handed data for the tax rate and split rate.

Jim Lehan moved to reserve a level rate; a single rate. Rob Garrity seconded, and it was **so voted**.

Jack said the DOR is coming in Wednesday. He suggested we keep the hearing open and the Board may have to reaffirm the vote at the next meeting.

Ramesh noted that the single tax rate will be \$13.85. An average tax bill will increase 3.1%.

Jim Lehan moved to continue the hearing to Monday, March 9, 2009 at 7 p.m. Rob Garrity seconded, and it was **so voted**.

BUDGET DISCUSSION

Present was Norfolk School Supt. Donnie LeClerc, Dick Robbat, KP Supt., Paul Shafer, KP Business Manager, Norfolk School Committee members Beth Gilbert and Marie Zullo, Wendy Robeson, KP School Committee and Advisory Board members Arlie Sterling, Patrick Snead and Jim Tomaszewski.

Jack read the budget handout that he had presented to everyone present. Jack stated that we are down \$29,000.

Jack read four different budget options; different scenarios.

There was extensive discussion about the options, revenues, numbers and what could happen.

The Board discussed the formula for KP and how it has changed from the original formula years ago. It puts Norfolk at an unfair advantage over the other towns, and Supt. Robbat assured us he will look into it and try to get an answer by our March 9th meeting.

ACTION ITEMS

Rob Garrity moved to allow Kevin O'Sullivan of Wellfleet Drive permission to solicit at the Transfer Station on Saturdays, March 7th and 14th from 9 a.m. to 3 p.m. to promote the Norfolk Energy Awareness Day Fair at the Library on March 14th. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to appoint Carol Greene to the Board of Registrars, term to expire June 30, 2011. Jim Lehan seconded, and it was **so voted**.

BI-WEEKLY CALENDAR

Jack read the calendar.

OLD BUSINESS

Jack spoke with Wrentham officials and our public safety chiefs regarding Pine Street. They tried to figure out jurisdiction regarding the intersection.

Jack said the School Building Committee will meet and go into Boston to meet with the MSBA to select an architect.

The Public Safety Building Committee is revising the footprint of the building. Bob went through the different departments and ran into a snag with Conservation Commission regarding a pond that existed 44 years ago and doesn't exist now.

Projects on the shovel ready list are still on the list.

Jack asked the Board if they want to put in the CPC article? 1.5%

NEW BUSINESS

Rob talked about the new Energy Committee. Members from Wrentham, Plainville and Medfield attended the first meeting and will be working with us.

Rob Garrity moved to apply to the EPA for the Community Green Challenge. Jim Lehan seconded, and it was **so voted**.

Jack mentioned budgets and said we know what our revenues are going to be. Build budgets now for 0 and -5. Be ready to review impact statements.

Jim said that on March 5th, we should have a consensus on how to use the \$425,000. We need to know how we are going to use it up front. We should forward a recommendation to them.

We should put \$25,000 back to Enterprise Fund. Earmark \$200,000 for capital and \$200,000 to general fund. Ramesh suggests we work up \$200,000 for the roads program. Rob would like to see it all go to capital since it is non-recurring monies.

\$25,000 – Enterprise Fund \$200,000 capital

Arlie suggested we put it in the vehicle stabilization fund. Rob would be more comfortable with the regular stabilization fund. Jim said he thinks that a couple hundred thousand would be good. We need to wait to see where the wage freeze goes.

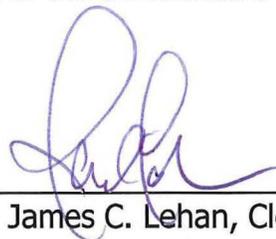
Jack spoke with GATRA . Talked about bus service. Discussed Dial-a-Ride. We need to shift the usage from our bus to the GATRA bus. Potential that GATRA would buy the bus from us.

Jack asked the Board if they still have an interest in the Norfolk County Selectmen's Association as they haven't been attending and the yearly dues are to be renewed. The Board is not interested in being members.

Jack discussed police details at events in town and said this is becoming a budget issue for the Chief. He suggested the Board draft a policy that organizations have to assume the cost of a detail. The Board took it under advisement.

At 10:22 p.m., being no further business, Rob Garrity 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 February 23, 2009.



James C. Lehan, Clerk

March 9, 2009

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

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

TAX RATE HEARING – Continued

Ramesh Advani opened the hearing at 7 p.m. and noted that this hearing was continued from February 23, 2009.

Jack said that the tax rate is certified at \$13.87. Jim Lehan moved to reaffirm the single rate for both commercial and residential. Rob Garrity seconded, and it was **so voted**.

Ramesh closed the hearing.

WARRANT DISCUSSION

Bob Bullock was present to discuss the Zoning Bylaw Study Committee articles. Also present was Patrick Snead, Vice Chair of the Advisory Board; and Dan Winslow, Moderator.

Bob said the article on the expedited permit processing for 43D will be submitted by the EDC. He said members could be added such as the Design Review Board or Historical.

Bob reviewed and explained the zoning articles with the Board.

Bob reviewed the EDC's 43D article.

Bob reviewed the Earth Removal Bylaw changes. Dan Winslow explained that there is a zoning bylaw for clear cutting trees.

The Enforcement Officer will be Planning Board instead of the Board of Selectmen.

Jim Lehan moved to put the Zoning, EDC and Planning articles on the warrant. Rob Garrity seconded, and it was **so voted**.

Dan suggested if there is anything we can defer to the fall, then we should do it. Anything over 50 should be deferred.

Jim Lehan moved to put articles B1 through B7 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article B8 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put articles B10 and B11 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put articles B12 through B16 on the warrant. Rob Garrity seconded, and it was **so voted**.

Regarding Article B19, the Selectmen are in agreement with 1.5 %.

Jim Lehan moved to put articles C1 through C4 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article C5 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put articles C6 through B10 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put articles PE1 through PE8 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put articles BY1 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put articles BY2 through BY4 on the warrant. Rob Garrity seconded, and it was **so voted**.

The Board agreed Article A1 is a budget issue and should not be on the warrant.

Jim Lehan moved to put article A2 and article A3 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article PB1 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article B20 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article E1 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article E3 and article E4 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article N1 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article P2 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article H1 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article F1 on the warrant. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to put article DPW1, 2, 3, 4, & 5 on the warrant. Rob Garrity seconded, and it was **so voted**.

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

TOWN ADMINISTRATOR REPORT

Jack read the Bi-Weekly Calendar.

ACTION ITEMS

Jack asked the Board to approve the Recycling/Transfer Station rates for FY'10 as follows: Bag stickers increased from \$2.10 to \$2.50 per sticker

Vehicle Decals increased from \$55 to \$60 and \$40 to \$45 for Senior Citizens

Bulky Waste fee per 50 lbs. increased from \$3.50 to \$4.00

Approve the Spring newsletter

Rob would like to see a tonnage report within the newsletter. Jim moved to increase vehicle decals and bag stickers. Rob Garrity seconded, and Rob and Ramesh voted no. Jim voted yes. It was not voted. It will be discussed in two weeks when Butch Vito is present.

Rob Garrity moved to approve the petition received by the DPW from Pin Oaks residents to install a double yellow centerline on Holbrook Street Extension. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to grant permission to the Norfolk Garden Club to hold a Perennial Plant Sale on Town Hill on Saturday, May 30th from 8 a.m. to 1 p.m. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to grant permission to the Federated Church to conduct their Easter Sunrise Service at Norfolk Cemetery on Sunday, April 12th at 6:30 a.m. Ramesh Advani seconded, and it was **so voted**. Jim Lehan abstained from voting.

Rob Garrity moved to approve the Norfolk Baseball Little League parade for Saturday, April 25th at 12 noon beginning at HOD School and continuing Boardman Street to the fields, subject to securing detail police officers per Chief Stone. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to appoint William Behling of 30 Grove Street and Lynn Gilleland of 20 Chickadee to the Energy Committee, term to expire 6/30/10. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to appoint Mark Nelson to the EDC. Rob Garrity seconded, and it was **so voted**.

OLD BUSINESS

Jack told the Board that Dick Robbat confirmed with the State that we are using the statutory method. Jack explained how the calculations worked. If we switch to the alternative method, then it would be by per student population and divided by the 3 towns.

The BOS would like to appeal the KP assessment. Pat Snead said we need to know the mechanics of the formula. He said we should know that before we appeal.

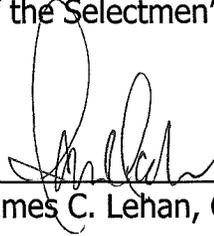
ACCEPTANCE OF MINUTES

Jim Lehan moved to accept the minutes of January 5, 2009, regular and executive session; January 26, 2009; February 9, 2009, regular and executive session; and February 23, 2009. Rob Garrity seconded, and it was **so voted**.

At 10:18 p.m., Jim Lehan moved to go into Executive Session for contract negotiations. Rob Garrity seconded and it was a roll call vote: Jim Lehan, **aye**; Rob Garrity, **aye**; and Ramesh Advani, **aye**. The Board will not return to open session except to adjourn the meeting.

At 10:40 p.m., Rob Garrity 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 March 9, 2009.



James C. Lehan, Clerk

March 23, 2009

Present was James C. Lehan, Robert J. Garrity and Jack Hathaway, Town Administrator. Ramesh H. Advani was not present.

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

WARRANT DISCUSSION

Present was Pat Snead of the Advisory Board.

Rob Garrity moved to open the warrant for reordering and addition of articles. Jim Lehan seconded, and it was **so voted**.

The Board discussed the proposed tree bylaw article and Town Counsel's comments. Jim said this should take care of new construction and not existing construction, i.e., renovations, etc. Jim suggested wording, and asked Jack to have Town Counsel review it.

Rob Garrity moved to add the proposed tree bylaw to the warrant. Jim Lehan seconded, and it was **so voted**.

The Board discussed Article 52 regarding the mitigation measures. Jim told Jack to share George's concern with Planning Board. They may want to tweak it, reword it, whatever. The way it is written will not work.

Pat Snead said that regarding this article, the Planning Board told the Advisory Board that all they were doing was putting a practice into writing. They are already doing this, but don't have it in writing. The BOS agree this is not legal.

Rob Garrity moved to close the warrant for spring town meeting. Jim Lehan seconded, and it was **so voted**.

The Selectmen discussed the King Philip budget with Superintendent Robbat. He said level funded for the schools is \$473,030. 8.75% increase. This is a huge change for us. It is a \$130,000 reduction for us. Jim said that level services was \$842,000.

Rob said we need to do as much as we can. \$473,000 is a much better number, although still high. Rob supports this, but the KP teachers need to get on board with this. Jim doesn't support anything, but he would like to see more. Jim doesn't think Wrentham will go anything above level funded. Jim will support nothing less than level funded too.

Jim noted that Gov. Patrick has \$168 million of school stimulus funds. Norfolk's share is zero. We are over the foundation budget, and have been for several years. KP did not receive any, either. Wrentham and Plainville received small amounts. All towns and KP did receive funds for special education.

TOWN ADMINISTRATOR REPORT

ACTION ITEMS

Rob Garrity moved to allow Norfolk Recreation to use Town Hill on Thursdays from 6:30 to 8:30 p.m. for the summer concerts as listed. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to increase the Transfer Station hours by adding Friday 7 a.m. to 3 p.m. Jim Lehan seconded, and it was **so voted**.

OLD BUSINESS

Jack said that he talked with the Fire Department. They would extend the contract out a year.

Jim said that if all the unions agree to a wage freeze, the Town has agreed to pick up the 7% increase in the health insurance. They felt it was a fair trade.

Jack said that we met with the Police union. They have an open contract and are focusing on years 2 and 3. Jack met with the Town Hall clerical union and discussed the revenues and budget. They are meeting to have a discussion.

Jim and Jack met with the DPW union. They need to get back to them by the end of the month.

NEW BUSINESS

Jack is going to Boston tomorrow with Supt. Leclerc and Beth Gilbert to meet with the MSBA to select an architect for the school building project.

Jim talked about the budget and the next steps.

Rob gave a quick update on the progress of the Energy Committee.

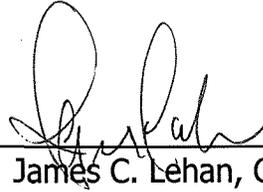
Jim congratulated the Norfolk Community League for their event this weekend. They raised over \$25,000.

At 8:20 p.m., Rob Garrity moved to go into executive session for litigation. Jim Lehan seconded, and it was a roll call vote: Rob Garrity, **aye**; and Jim Lehan, **aye**.

The Board will not return to open session except to adjourn the meeting.

At 8:43 p.m., Rob Garrity 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 March 23, 2009.

A handwritten signature in cursive script, appearing to read "J. Lehan", is written above a horizontal line.

James C. Lehan, Clerk

April 6, 2009

Present was James C. Lehan, Robert J. Garrity and John P. Hathaway, Town Administrator. Ramesh H. Advani was not present.

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

TOWN EMPLOYEE AWARDS

The Board of Selectmen and Town Administrator thanked the employees and presented appreciation certificates. Receiving awards were:

Five Year awards: Jack Hathaway, Town Administrator; Janice Quinlan and Janet Lamonica, Planning Board; Chris Wider, Animal Inspector; Kim Dorsheimer, Treasurer's Office; and Rosemary O'Koren, Library. Ten Years: Betsy Fijol, Board of Health; Debbie Carr, Susan Fornaciari, and Eric VanNess, Police. Fifteen Year: Butch Vito, DPW Director; Mark Kantzer, John Kelley, Mike Findlen, and Jamie Masterson, Fire Dept. Twenty Years: Marian Harrington, Board of Selectmen; Norma Shruhan, Council on Aging; David Johnston, Fire; and Glen Eykel and Tom Degnim, Police. Twenty Five Years: Richard Clancy, James Leary and David Holmes, Fire Dept. Thirty Five Years: Charles Stone, Jr., Police Chief.

BOY SCOUTS

The Board held a question and answer session with the Boy Scouts. They were present as part of their government badge.

WARRANT

The Board reviewed the warrant and reviewed changes by Town Counsel.

BUDGET

Jack gave a budget summary. They will further discuss this with the Advisory Board.

ACTION ITEMS

Rob Garrity moved to grant the Norfolk Grange Hall Committee permission to post a banner outside the Norfolk Grange Hall advertising the open house they will have on May 2nd. The banner would be up from April 18th through May 2nd. Jim Lehan seconded, and it was **so voted**.

Todd Lazarus, 12 Chickadee Drive requests permission to conduct his wedding ceremony on Town Hill on Saturday, August 15th from 4-5 p.m. Jim Lehan seconded, and it was **so voted**.

NEW BUSINESS

Jack said he has been meeting with the Cable Committee regarding the Comcast contract. We need to have a public hearing the last week of April.

Rob announced that the Freeman-Centennial band and 7th and 8th grade band all scored gold and will play at Symphony Hall on May 2nd.

Jim asked for an update on Call and Wait. Jack said there is no new news.

Jim asked about Everett Street. Jack said Butch will update them Thursday.

Rob said we should have Stop & Shop reps in. Jim said we have been trying to get an appointment on their turf, unsuccessfully. Jim said he doesn't think they will come, because they won't even return Jack's phone calls.

Jack will send a letter to Stop & Shop stating the deadline, whenever it is.

At 8:24 p.m., Rob Garrity moved to go into executive session for collective bargaining. Jim Lehan seconded, and it was a roll call vote: Rob Garrity, **aye**; and Jim Lehan, **aye**. No votes will be taken and the Board will not reconvene into open session.

Being no further business, at 9:03 p.m., Rob Garrity 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 April 6, 2009.

James C. Lehan, Clerk

SPECIAL MEETING

April 15, 2009

Present was James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator. Ramesh H. Advani was not present.

Jim Lehan called the meeting to order at 4:08 p.m.

The Board discussed an additional \$231,000 in cuts from the State. Jack said that this news was just received, and we need to know how to handle it.

Jack said he needs to put more money into the unemployment account.

The Board discussed all options, and decided to cut capital by 50%, taking \$100,000. There is presently \$600,000 in the stabilization fund. The Board suggested taking \$75,000 from the stabilization; \$30,000 from schools and \$30,000 from the Town. This would take care of the cuts.

The Board also decided to postpone the budget until June. We would defer it from the May town meeting, and schedule a June 16th town meeting at which time we will discuss the budget. Hopefully, we will have better news by then.

The Board briefly discussed Dan Winslow's consent agenda for town meeting.

Jack asked the Board to consider releasing the Executive Session minutes of December 12, 2005 related to the Pollard case. Rob Garrity moved to release the executive session minutes of December 12, 2005. Jim Lehan seconded, and it was **so voted**.

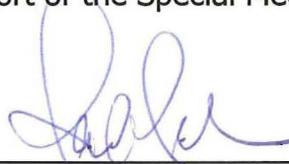
Rob Garrity moved to allow a representative from NCTV use the Transfer Station on Saturday, April 18th from 8 a.m. to 2 p.m. to collect signatures on a petition for Comcast cable services. Jim Lehan seconded, and it was **so voted**.

Jim Lehan said the Chair will speak at Memorial Day services as opposed to the whole Board.

The Board will hold a meeting on Tuesday, May 26th.

At 5:30 p.m., being no further business, Rob Garrity 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 April 15, 2009.



James C. Lehan, Clerk

April 27, 2009

Present was Ramesh H. Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh Advani opened the meeting at 7 p.m. Jack Hathaway read the agenda contents.

Ramesh said some words about leaving, as this is his last meeting on the Board. Jim and Rob presented Ramesh with a plaque from the Board of Selectmen with words of appreciation for his six years of service as a Selectman.

APACHE CONSTRUCTION, INC.

Present was David Dalzell and Bruce Johnston.

Ramesh read the public hearing notice. David Dalzell said with the economic situation and winter, he was not able to continue work. He thought the permit was for two years, not one. This will be a renewal with same conditions.

Ken Lawrence, 50 Noon Hill Avenue, an abutter, spoke. He questioned the truck travel. Jim addressed this.

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

Rob Garrity moved to grant a six (6) month permit through October 1, 2009, with all the same conditions as the original permit. Jim Lehan seconded, and it was **so voted**.

BUDGET UPDATE

Jack gave an update on the budget.

Jack noted that we would like to postpone all the financial articles until the town meeting on June 16th. That way we will have a better idea of the budgets in the House and Senate, hopefully. Jack said some amendments have been filed to restore the prison mitigation money and the police career incentive monies.

Jim said we need to know by May 12th, a balanced budget in case town meeting doesn't defer to June. If we get the prison mitigation \$192,000 and the Quinn money back, we have a balanced budget. The House should know their budget by May 7th.

Jack discussed KP and their cuts and where they are going.

ACTION ITEMS

Jim Lehan moved to grant Norfolk American Legion Post #335 permission to conduct their annual poppy drive at the Transfer Station on Saturday, May 16, 2009 from 8 a.m. to 4 p.m. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to approve a request from the Banks' family to plant a tree in the Norfolk Cemetery in memory of Dorothy Banks. Jim Lehan seconded, and it was **so voted**.

Rob Garrity moved to approve the NCL Run/Walk held on Community Day, June 6th beginning at 9 a.m. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to approve the 3rd annual Triathlon held by the Hockomock YMCA at Luciano's in Wrentham. This would be held July 12th from 6 a.m. to 12 noon. They will use a small portion of Norfolk roads for a bike route. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve a request by Maureen Lewis to hold a block party on the Ridgefield Road cul-de-sac on June 13th (rain date 14th) to begin at 2 p.m. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to grant the Historical Commission permission to use the Gazebo for four consecutive Wednesdays in June for a series of presentations on local history on June 3, 10, 17 and 24 beginning at 7 p.m. for about an hour. Rob Garrity seconded, and it was **so voted**.

OLD BUSINESS

Call & Wait filed for bankruptcy. The Receiver will hold an auction. We have a lien which included the Wrentham property.

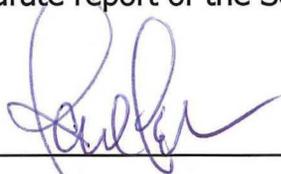
NEW BUSINESS

Jack discussed Health Insurance Rates for employees. Jim moved to offer the Blue Care Elect Preferred PPO employer contribution to be set at 50%. Rob Garrity seconded, and it was **so voted**.

At 7:47 p.m., Jim Lehan moved to go into executive session for litigation and contract negotiations. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**; Ramesh Advani, **aye**; and Jim Lehan, **aye**. The Board will not return to open session.

At 8:45 p.m., being no further business, Jim Lehan moved to go out of executive session. Rob Garrity seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of April 27, 2009.



James C. Lehan, Clerk

SPECIAL MEETING

April 29, 2009

Present was Ramesh Advani, James C. Lehan, Robert J. Garrity, and Jack Hathaway, Town Administrator.

Ramesh opened the meeting at 7:11 p.m. and read the public hearing notice. This was a public hearing regarding the renewal of the Comcast cable license.

Ramesh addressed the audience and encouraged them to give comments and input.

Ramesh introduced the Board of Selectmen; Jonathan Smith from the Cable Advisory Committee and Gerry Buckley from Comcast.

Gerry gave a brief opening statement. He said that they will offer phone and internet services, as well as cable and video. He said his function tonight is to listen and see what the communities needs are so that he can implement them into the license. He said if someone has an issue specific to their home that will impact them only, he will take their name and address and take it back with him.

Rob Garrity said that this is his first cable hearing. He is interested in what people have to say.

Jack Hathaway said that he would like to hear what people have to say. He said the PEG is an invaluable tool. He feels that it is great that people can go onto the channels and we can share information quickly and accurately and is a way people can hear directly from us.

Jack said that he feels that Comcast has been excellent for Norfolk. He said that we have partnered well with Comcast and they have tried to fit cable to all residents.

Jim Lehan said he echoed Jack's comments. He said we now have Verizon as well, as feels it is healthy to have both Verizon and Comcast. He feels it is a plus. Jim feels Norfolk Cable is wonderful for Norfolk and is amazed by the number of people that watch us. He said that it is a wonderful vehicle for us. He feels they have been a very good partner with us. He is interested in Mr. Guertin's comments.

Ramesh Advani said he has been very pleased with the service we have had with cameras and recordings and the quality of the system as it goes out live. He

feels the PEG access is critical for a community like ours. He said the Planning Board and Conservation and the School Committee meetings have issues with the quality of the broadcast because they are taped, and not live. He would like to see Comcast address the equipment. Ramesh said he used to be a Comcast subscriber, but he switched to Verizon. He felt the pricing was not competitive and the quality was better with Verizon. He said that there is programming that he would have enjoyed if it was available in Norfolk and not just other parts of the state. He said that it was not available through Comcast. This is him talking as a user.

Ramesh opened this up to the public for comments.

Cole Bushnell, 3 Medway Street. He is also our Fire Chief. Cole mentioned Ramesh is the sole Selectman who hired him. Cole came here from Connecticut and listening to what Norfolk provides is quite limited. He said one of the first people he met here was Paul Guertin. He said we offer unfiltered access. Unbelievable as an outsider and coming here and surprised at what people watch. Types of service that come out for emergencies or whatever, getting it out and having it available on a 24 hour basis is wonderful. It is essential. He said to see first hand is to watch a Selectmen's meeting. Without that type of access, we have no availability to get the information out. Norfolk Cable TV is the life blood of the community. He would like to see upgrades of the system – one of the things he has is PowerPoint. They do not have the capability to put a PowerPoint on Comcast television. Cole feels that this is essential and would like to see this obtained. Portability of equipment. Very important. The trainer trains. Competitive nature of the industry. Cole said that the resources here and the type of equipment are vital and need to be constantly maintained and upgraded.

Paul Altmeyer, 41 Park Street. He has the service, and problems are fixed very quickly. He is representing Norfolk Cable TV. It is nice to hear compliments. They try to provide this information to residents. He said they are tenants of the school, and it is very costly and time consuming to take apart their studio and move. In a perfect world, they would love to own their own building. They are trying to go from analog to digital. They hope to make progress later this year or early next year. He said that there is always a need for new equipment, and modernizing the equipment. Andrew Eckhard is now full time, and replaces Paul. He is a local resident. He has support from the Town, and would like support from Comcast as well.

Paul Guertin, manager of NCTV. He explained how they operated over the years. In an effort to gather support for tonight, they sent out a survey to the parents and teachers. Received over 250 letters of support for which they are grateful. They have also received support letters from government – CPC, COA,

etc. We have this support because we are able to provide communication needs that a small town needs. They cover now 9 out of 11 municipal meetings. They cover town meetings, and other individual meetings. They need to upgrade equipment, look to the future in terms of webcasting, streaming video, etc. You can look at this on your web. They are getting into this. They are looking for positive feedback.

Richard Connors, 30 Everett Street. Norfolk Cable is a critical area for the seniors. He does a show with Norma Shruhan, and keeps everyone apprised of what's going on. Bulletin boards which lets people know of goings on in town. It keeps the seniors well informed and lets them know where they can go for help. He said he gets Comcast because Verizon is not available on his end of town. He also is a member of NCTV. He told Gerry he would like their help in upgrading our equipment.

Andrew Eckhard of 9 Mass Ave. He said he has Comcast because it's a backup for his satellite when it gets covered in snow. He has Verizon FIOS because it's fast. Andrew said he is the new manager of NCTV. He said he has spent a lot of time under Paul's wing learning and building a great TV station. He said he has spent many hours covering the town. He is trying to get the public involved, because it is their tool. If they want to come in and talk, we are open to that and this is their forum.

Pamela Ruby Russell, 41 North Street. Had a show and will have a show again. She broke her ankle and took a break. Was filming at home and bringing the film into the studio, and is going to learn to edit it. She feels it is important to keep up with this.

Georgia Jones, 43 Campbell Street. Member of the Grange and affiliation with the Historical Commission. Federated Church services are available on the access channel for residents who cannot get out. Vital serve to the town.

Donna Jones, North Street. Volunteer since 1995 and member of the NCTV. Donna has a letter of interest from Russ Flynn who does not have cable of any kind. Donna read a statement from herself.

Joanne Squatieri, 8 Wellfleet. Joanne is the chair of Medical Reserve Group. She said that Comcast access allowed them to have some medical presentations online for people to use.

Eric Lintner, 143 North St. Airwaves belong to the people, and people that use these for profit... Comcast use it for profit and we get to share this resource which is important and healthy. He would like to see the rights preserved.

Jack Hathaway, Town Administrator and resident of 25 Evergreen Rd. He talked about as a resident, sports and NCTV brings the camera with them and they all enjoy the kids being on TV. School events are on TV, and are a highlight for kids and pleasure for grandparents, etc.

Jack said in his Town Administrator role, he has letters from the Fire and Police Chiefs, Assessor, Treasurer, etc. Jack finds it valuable to get information out and share impacts of tax rates or revaluation years or fire training, etc. His wish list – available in the future – on-demand, put things on web or not put things on web. Jack's choice would be on-demand service and it would be a valuable tool such as watching a Selectmen's meeting when you want instead of at a programmed time. He would like to have employees in other towns see the programs, or be able to see other town events. Jack would like INET expanded and brought up to a fiber network so that we could use it for other things – get off the coaxial cable.

Paul Guertin said they have 17 government meetings and 32 other programs on. He would want to be able to continue to do that.

Pamela Russell wanted to thank Paul because he works so hard and have been the heart and soul, and makes you proud.

Jonathan Smith, 26 Robin Road, Chair of Cable Committee. He said the committee is appointed by the Board of Selectmen. They are in the process of sitting down with Comcast to do negotiations. The process is that the Committee has face to face meetings with Comcast and attorneys. We will express concerns you brought toward us tonight. They try to elicit concerns about what the contract will be, expectations after the contract is signed by the town and cable provider. The final arbiters are the Board of Selectmen. Jonathan apologized for the 384 exchange problem with Verizon, and didn't realize that would be an issue.

Jonathan said we need in writing the concerns you have, support for PEG and availability of access. He mentioned the revenues the town will be receiving and entitled to. With increasing bundling of services that both cable companies do right now, the monies are in there for the revenues that Norfolk will receive. He is concerned with equipment and grants during the timing of the contract. He mentioned concerns of programming provided; especially on municipal side that technology is updated for sound, etc. Concerned that the sources be hooked to NCTV and sharing so that the regional committee can go seamlessly through the KP studio. They are committed that the service provides that if the studio is not available, that the cable providers provide a studio and that their services remain uninterrupted. If there is a new school, or renovations, they may not be able to remain at the school.

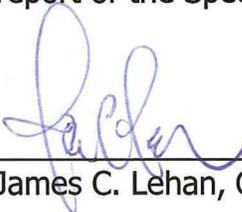
Gerry Buckley summed up the evening and thanked everyone for input. Comcast is very supportive. They are the provider that built out the origination site that most communities use to bring out the video. He said they are not walking away from that commitment and want to work with the local producers to improve what is looked upon as an excellent source of community programming. Regarding the letters of support, he would like copies. Gerry thanked the Board.

Jonathan asked that the letters and documentation be made an official part of the record of these proceedings. Our attorney has some, and NCTV has some. Ruby asked about other letters and they can be forwarded to the Town Administrator.

Jim said that we need to personally thank Paul. We are very grateful for your return, and sad for your departure. You are an institution of this cable service. Jim also thanked the volunteers who have made cable service what it is. Thank you Comcast, but a special thanks to all who make it work. Ramesh seconded it.

At 8:15 p.m., Ramesh Advani closed the public hearing. Being no further business, Jim Lehan 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 29, 2009.



James C. Lehan, Clerk

SPECIAL MEETING

May 5, 2009

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

Jim called the meeting to order at 8:45 p.m. This meeting was held at the H. Olive Day School, following the annual election. Jim Tomaszewski was elected this evening.

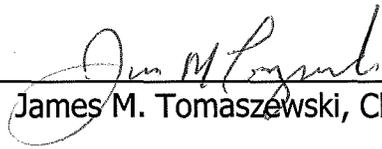
Rob Garrity moved to nominate Jim Lehan as Chairman. Jim Tomaszewski seconded, and it was **so voted**.

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

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

At 8:55 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 May 5, 2009.


James M. Tomaszewski, Clerk

May 6, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator arrived late due to another commitment.

Jim Lehan opened the meeting at 7:04 p.m., and Marian Harrington read the agenda contents.

Jim introduced Jim Tomaszewski to the public and welcomed him to the Board. Jim was elected at yesterday's town election.

The Board reviewed the town meeting warrant. They agreed not to have members speak to the articles. Any member can speak as they wish.

Article 6, Planning Department. Jack will review this with the Bylaw Committee in the morning, and with the Advisory Board tomorrow night. The Board is all on the same page with this.

Road Stabilization Fund. Jim Tomaszewski is in support of it. Jim said this tool is only used by town meeting, so it insures the funds will be used for this.

BUDGET

Jack provided a brief overview of the budget which the Board reviewed.

ACTION ITEMS

Rob Garrity moved to allow the Norfolk Lions Club permission to hang their banner on Town Hill from May 23, 2009 through June 6, 2009 to advertise their annual Community Day. Jim Lehan seconded, and it was **so voted** by Rob Garrity and Jim Lehan. Jim Tomaszewski abstained as he is involved with the Norfolk Lions Club.

Rob Garrity moved to allow the Norfolk Lions Club permission to hand out flyers at the Transfer Station on Saturday, May 30th from 8 a.m. to 4 p.m. Jim Lehan seconded, and it was **so voted** by Rob Garrity and Jim Lehan. Jim Tomaszewski abstained as he is involved with the Norfolk Lions Club.

Jim Tomaszewski moved to approve a new 5K road race called the Monster Dash to be held on October 31, 2009 at 10 a.m. beginning and ending at the Freeman-Centennial School. This is for the NMM Viking Pop Warner Football League. Chief Stone has approved the race without detail officers. Rob Garrity seconded, and it was **so voted**.

NEW BUSINESS

George Hall will be here tomorrow to discuss the warrant with Jack to be sure they are up to speed at town meeting. He does have a scheduling issue on Tuesday. Article 6 will be discussed on Tuesday. The Board wants George present for this article. Jim Lehan said that if we can't do it Tuesday, we will defer it to Wednesday.

Call & Wait

Jack said that Call & Wait declared Chapter 11 so they didn't have the auction. Our attorney was there. The judge ruled that the assets can be freed up and the auction will be next week. Jack said the excavator and 18 wheeler are gone. The court knows and is working to get it back.

Committee Appointments

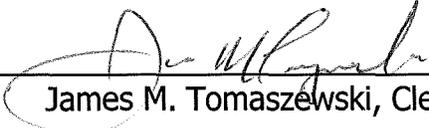
The Board reviewed who is coming up for reappointment and vacancies.

Jim Lehan mentioned he would like Peter Chipman in to our May 26th meeting.

At 7:49 p.m., Rob Garrity moved to enter into executive session for contract negotiations. Jim Tomaszewski 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.

At 8:30 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 May 6, 2009.



James M. Tomaszewski, Clerk

SPECIAL MEETING

May 12, 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 6:55 p.m., prior to the start of Town Meeting at the King Philip Middle School.

Rob Garrity moved to grant permission to David Lutes, 15 Pond View Road to conduct his annual Norfolk PMC Kids Ride on Sunday, June 7th at 4 p.m. with the same route as in past years. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to grant permission to Sarah Singer, 2 Timberline Drive to hold a bake sale at the Transfer Station on Saturday, May 23, 2009 from 10 a.m. to 2 p.m. to support her Relay for Life team, Maddie's Fighters. Jim Tomaszewski seconded, and it was **so voted**.

At 7:00 p.m., Rob Garrity moved to continue this meeting until the end of town meeting. Jim Tomaszewski seconded, and it was **so voted**.

At 11:12 p.m., Rob Garrity moved to hold a special town meeting on June 16, 2009 at 7 p.m., at the King Philip Middle School, Norfolk. Jim Tomaszewski seconded, and it was **so voted**.

At 11:14 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 the Board of Selectmen of May 12, 2009.



James M. Tomaszewski, Clerk

SPECIAL MEETING

May 13, 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 11:20 p.m., at the conclusion of Town Meeting at the King Philip Middle School.

Rob Garrity moved to award the SERSG Office Supply contract to W. B. Mason Co, Inc. of Brockton, MA for a two year period commencing July 1, 2009. Discount will be 56.6% off office supplies, and 31.6% off ink and toner cartridges (subject to specific exclusions in the 2009 United Stationers Supply Catalog). Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to award the Paper Supply contract to W. B. Mason Co., Inc. of Brockton, MA for a twelve (12) month period commencing July 1, 2009. Prices and paper per the award contract as filed in the Selectmen's Office. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to open the warrant for the Special Town Meeting to be held on June 16, 2009. Jim Tomaszewski seconded, and it was **so voted**.

At 11:24 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 the Board of Selectmen of May 13, 2009.



James M. Tomaszewski, Clerk

SPECIAL MEETING

May 20, 2009

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

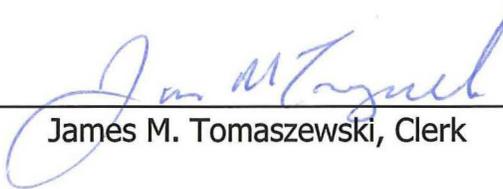
Jim Lehan called the meeting to order at 4:17 p.m.

Rob Garrity moved to put Article 3, about Route 115 on the special town meeting warrant. Jim Tomaszewski seconded, and it was **so voted**.

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

At 4:40 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 May 20, 2009.



James M. Tomaszewski, Clerk

May 26, 2009

Present was James C. Lehan, James M. Tomaszewski.

Jim Lehan called the meeting to order at 8:07 p.m. He noted that Rob, Jack, Donnie LeClerc, Superintendent of Schools, and Beth Gilbert, Chairman of the School Committee would be joining the meeting at 9 p.m.

OPEN ISSUES

Jim Lehan discussed the "open issues" list with Jim Tomaszewski to get him up to date on outstanding issues before the selectmen.

- * Rt. 115, Everett Street and truck exclusion status. Signs are to be put up at each intersection, both in Norfolk and Walpole.
- * Land auction. There is \$100,000.00 worth of revenue anticipated. The auction is in the budget for 2010, approximately 50 properties.
- * Caritas – nothing new
- * Call and Wait – it is pretty well cleaned out, the auction has taken place. We have a lien on both properties and the equipment, which should net us +/- \$125,00.00.

BUDGET DISCUSSION

Jim Lehan handed out the current numbers for the FY10 budget. He reviewed the revenues. These numbers reflect the Senate budget. The Senate numbers are substantially lower when it comes to local aid. We have only \$65,000.00 in Free Cash.

Mr. Lehan and Mr. Tomaszewski continued their discussion of the Unions, Contracts, pay raises and the repercussions of the school's vote to not accept the wage freeze on the FY10 budget.

Jim Lehan said that the bottom line is that there is a \$242,000.00 shortage. He discussed options to close that gap to \$125,000.00. Jim Tomaszewski asked if the state would be able to give us the final numbers by mid-June. Jim Lehan said they he had spoken to both Senator Brown and Representative Ross, and they said to go with the Senate numbers.

At 8:45p.m. Robert Garrity joined the meeting.

Jim Lehan suggested that at the June 8th meeting, the first hour should be a public hearing on the budget. Jim Tomaszewski said he thought it would be a good idea. Rob Garrity also agreed.

Jim Lehan discussed a possibility of an override. Jim Tomaszewski thought people would not be favorable due to their own personal economic circumstances.

At 8:55 p.m., Jim Lehan suggested that the meeting be adjourned until Jack Hathaway, Donnie LeClerc and Beth Gilbert could join the meeting, Robert Garrity seconded and it was **so voted**.

Jim Lehan called the meeting to order at 9:03 p.m. Donnie LeClerc, School Superintendent, Beth Gilbert, School Committee Chariman, and Jack Hathaway, Town Administrator joined Mr. Lehan and Mr. Garrity, and Mr. Tomaszewski at the meeting.

Jim Lehan asked Jack to read the agenda.

BUDGET DISCUSSION

Jack Hathaway reviewed the FY10 budget packet. He said that there was approximately a \$140,000.00 gap that we needed to close, to present a balance budget. Jim Lehan asked Donnie LeClerc about the impact of layoffs on the schools. Donnie said that with level funding, he created two versions. There was one with a wage freeze and another without a wage freeze. The version without the wage freeze will result in a layoff of approximately 8 teachers. The average class size right now is 19.8, with the reductions, it will be 23.1.

Jim Lehan says he wants to be fair. He doesn't want to create different "classes" of people. What do we do? Donnie LeClerc said that the cafeteria workers, custodian and secretaries all agreed to a wage freeze. He told them that a 2% increase would be built in if the teachers did not agree to a wage freeze.

Jim Tomaszewski agreed with Jim Lehan. Decisions will have to be made. Rob Garrity disagrees. It seems that police and fire want to save jobs, but the teachers want to keep their raises. Jim Lehan asked how do we do this in a way that we don't create adversarial situations between departments?

Beth Gilbert remarked that the School is a large department. Making cuts is not inappropriate. Classes are in the average range in relation to surrounding towns. Jack Hathaway said that this will not end well, and there will be hard feelings. Jim Tomaszewski said it would work easier if everyone would agree to the wage freeze.

Jim Lehan mentioned that the Board has about a week or so before they go before the Advisory Board. Decisions will have to be made on what to do. Jack Hathaway mentioned that the Personnel Employees raise depends on Town Meeting. Jim Lehan thinks that the Personnel Board employees should at least get their step raise. Donnie LeClerc said that he has reduced the clerical staff's

hours for summer and has reduced his staff by one position already. Next year looks even worse.

Jim Tomaszewski said he can't make any decisions until he knows the ramifications. Jim Lehan said it would be at least two to three people possible. Jack Hathaway said he will probably reduce the hours in every department. In the next week or so, he will fine tune. He said after he talks with the DPW Union and the Clerical Union, he will have a better idea.

He is trying to keep the same number of employees in the Police Department and the Fire Department, but they will do cuts in the number of call back hours and make other staffing accommodations.

Donnie LeClerc said the teachers may agree to a 2 day furlough on a non-student day, which would be during professional development days. Jim Lehan mentioned that those days are important for their personal and professional development and probably shouldn't be missed.

Jim Lehan said he doesn't want to go back to the schools to ask for more money, but if the state cuts any more from the budget, we may have to.

Beth Gilbert reiterated that since the schools are the biggest department, if we have to absorb more, we will do it.

NEW BUSINESS

Jim Lehan asked the board to award the contract for SERSG DPW Supplies for FY2010 to the bidders as listed on the awards sheet (see attached list). Rob Garrity made a motion to award the contracts as presented. Jim Tomaszewski seconded and it was **so voted**.

At 9:57 p.m. Rob Garrity made a motion to adjourn the meeting to go into executive session for the purpose of contract negotiations. Jim Tomaszewski seconded and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan **aye**; and Jim Tomaszewski, **aye**. The board will not to return to open session except to adjourn the meeting.

At 11:00 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 May 26, 2009.


James M. Tomaszewski, Clerk

June 8, 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 contents.

CLASS I LICENSE – LVJ EQUIPMENT, 262C DEDHAM STREET

David Lovejoy was present. He told the Board that he would like to sell new utility landscape trailers. He would be doing business at the Crowley Power Equipment building at 262C Dedham Street. He will provide new parts and service with this trailer. Mr. Lovejoy gave the board photos to review. There are no environmental issues. No fuel. He has a forklift.

Mr. Lovejoy said he will do repairs inside the building. He has storage in the back. He will put a few trailers on the front lawn for display. Jack said that according to the Building Commissioner, no parking spaces are required.

Rob Garrity moved to grant a Class I license to David Lovejoy d/b/a LVJ Equipment, 262C Dedham Street. Jim Tomaszewski seconded, and it was **so voted**.

BUDGET DISCUSSION

Jim opened the budget discussion. He said that the cuts that we have been forced to make will be felt. There are staff reductions this year in all departments.

Jack said we have four primary sources of revenue: Real Estate, New Growth, State Aid

Jim Tomaszewski said that he is concerned that we are using \$400,000 from a lawsuit that we won't have next year.

Jack said that the local revenue is a place that keeps him awake at night. Also the reserves. Jack agreed that we took a hard line with the unions and took a harder line than we would have had to, and we incurred layoffs. We could soften the number a little, if he wasn't so concerned about next year. We are going to start out in the hole next year because we used so many reserves this year.

Rob said sometimes these things rebound quickly. He said let's not get rid of anything that can't be undone.

Jack gave a broad review of the budget.

Jim Lehan noted that the police are staffed where they were in 1994, but have a 20% increase in residents. Fire is staffed at the minimum in order to keep the paramedic license. If they lose one individual, they will be in danger of losing the ALS service.

Butch said that you can't do much about the budget situation. His department has done restructuring and he thinks it will work very well in the future.

Jim Tomaszewski said that if it gets any worse, we don't have a lot of places to go.

TOWN ADMINISTRATOR REPORT

ACTION ITEMS

Rob Garrity moved to approve a 5 mile run/walk in honor of Sgt. Adam Kennedy to be held on Saturday, October 24, 2009, route as approved by Chief Stone.

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

Rob Garrity moved to approve the installation of a stop sign for Analore Circle, a new street within the Avoca Village subdivision off of Park Street, and to have the stop controls be entered into the town's Traffic Rules and Orders. Jim Tomaszewski seconded, and it was **so voted**.

Jack mentioned a third action item not on the list. He said Butch Vito requests a voluntary conservation of outside watering.

Butch Vito told the Board they are having difficulty meeting supply, and filling the tanks. They are running 24/7. 720,000 gallons per year on the Spruce Road well. 438,000 gals right now – scaled it back. They detected 49 leaks this year.

Butch said he would like to modify the restriction on outside watering to change it from voluntary to hand held only and no automatic devices. He said he is running a water deficit of 200-250,000 gallons. They noticed a spike during Memorial Day weekend. Last year was down. They are not keeping up with demand, and they saw a spike from 600,000 to 800 or 850,000 gallons.

Jack said this is data they are looking at over a short period of time. Jack said the real problem is the well being down 250,000 gallons. Butch said that before DEP will allow us to use any emergency supplies, they want to know that we have exhausted all our means, such as water bans.

Rob Garrity moved to declare state of water supply conservation. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved for all customers connected to the Norfolk Public Water Supply, we ban swimming pool filling, ban all automatic sprinkler use, and restrict outside watering to handheld hoses only, effective June 15, 2009. Jim Tomaszewski seconded, and it was **so voted**.

OLD BUSINESS

Jack received changes from the Board of Health regarding Article 6.

Jack said the Conservation Chairman is okay with Article 6, but hasn't talked with his board.

NEW BUSINESS

Jack said we need to consider appointments. We need to do liaisons.

Rob mentioned Stop and Shop and the Stabilization Bylaw. They won't return phone calls, and they should be doing loam and seed.

Jim Tomaszewski said Community Day was successful and publicly thanked the Holmes family for donating their property. He thanked sponsors and said it was a great time.

Jim Tomaszewski also thanked the Norfolk Police Association for their significant donation and said he has contacted Chief Stone to personally thank him.

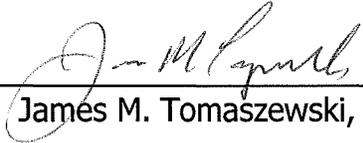
ACCEPTANCE OF MINUTES

Jim Tomaszewski moved to accept the following minutes: March 9, 2009 – regular and executive session; March 23, 2009; April 6, 2009 – regular and executive session; April 15, 2009 – special meeting; April 27, 2009 – regular and executive session; April 29, 2009 – special meeting; May 5, 2009 – special meeting; May 6, 2009 – regular and executive session; May 12, 13, and 20, 2009 – special meeting. Rob Garrity seconded, and it was **so voted**.

At 9:10 p.m., Rob Garrity moved to enter into executive session for purposes of contract negotiations. Jim Tomaszewski 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 9:12 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 June 8, 2009.



James M. Tomaszewski, Clerk

SPECIAL MEETING

June 16, 2009

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

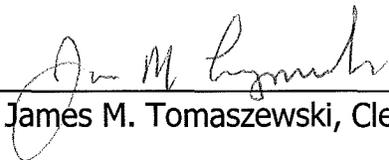
This meeting was held at the conclusion of the annual town meeting at the King Philip Middle School, Norfolk.

At 11:05 p.m., Jim Lehan called the meeting to order.

Rob Garrity moved to amend the previous decision of the Board of Selectmen to grant a Class I license to David Lovejoy, d/b/a LVJ Equipment by substituting LVJ Trailers and Equipment, LLC, David Lovejoy, Manager. Jim Tomaszewski seconded, and it was **so voted**.

At 11:07 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 the Board of Selectmen of June 16, 2009.


James M. Tomaszewski, Clerk

June 22, 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 contents.

ENERGY COMMITTEE

Committee members present were Rob Garrity, Rita Advani, Bob Lombard, Lynn Gilleland, and Ray Angelone. Missing was Tara Henrichon, Bill Behling, and John Olivieri.

Rob introduced the Committee and explained a little of who they were and what they were doing. Rita Advani, Chairperson spoke for the Committee and explained a power point presentation. She gave an update and said they will be working with all departments to try to save energy costs for the town.

REMO R. VITO, DPW UPDATES

Butch said he has an agreement with Wrentham to have them supply us with water on Mondays, to give us a break.

Butch said they have 18 leaks left to do. 31 leaks have been fixed already. There are 49 leaks; 2200 services. Butch said they are going to do an April and October detection so they can stay on top of the leaks. Jim would favor doing more than doing less. Jack said they are. Butch said they will be doing it quarterly. Rob asked if this looks for leaks in the road. Butch said yes. It is all auditory.

Butch said these are all copper services done in the late 80's, early 90's. They are in the same areas of town as last year – Castle Road, Stop River, etc. The only common denominator is underground wiring. If you are grounded to the copper system, get off.

Butch told the Board 31 leaks were fixed within the last month. Jim T. asked if the amount of water pumping has come down. Butch said no, especially with all the rain we have had to date.

Butch said they were down 50% last time he was in. He said that they found malfunctioning meters, and leaks. They are now down around 20%. They need to check the accuracy of the meter to the well, and the meters to the homes.

Butch will be back in to a meeting in July to stay on top of this.

TOWN ADMINISTRATOR REPORT

NEW BUSINESS

Butch will give the Board the total amount left of Chapter 90 and what roads need repair. Where did they rank on the survey? Butch said they are stabilizing main roads. Jim T. wants the ranking of roads.

Jack did a slight recap of town meeting.

Jack said that the one glitch was the vote for the stabilization for the roads. It should have been a 2/3 vote and we did majority. Jack said we will have to reconsider on the fall town meeting. We need to consider the timing of the vote. We should see the schools and the public safety building. Perhaps we have one ballot this fall that will take care of all of it.

Jack and the Board apologized to Mr. Birkner regarding the error made, and said that the Selectmen will sponsor the article so that they do not have to go through the hard work again. Jim T. said he thinks the spirit of what they tried to accomplish was accomplished. We will put the article on the warrant, sponsored by the Selectmen, to prevent them from going through all the work. This was unanimously agreed upon by the Selectmen.

Jeff Birkner made a suggestion to the Board that after each article in the warrant, they could put what vote is needed for each article – majority, 2/3, etc.

Jim T. agreed we should put which vote is required and Town Counsel can research it ahead of time.

Jack said that the budget was delivered on Thursday and is the second to last stop before becoming final. He said that we should know if the Governor signed it or not by June 27th. Jack gave a brief overview of the budget.

Jack reported that the School Superintendent is moving into the Town Hall on Wednesday. He will be bringing three administrative staff with him.

The Board discussed the street name "Canterberry" Lane. It was suggested that Jack send a letter to all residents advising them there is an expense to this that will be their cost. This is referring to changing their deeds, plot plans, etc.

Jim discussed getting the Boards together to finish thinking through the planning component. He mentioned the land sale coming up. Habitat for Humanities with the Affordable Trust. He suggested we reinstitute the meeting with the

chairs that Ramesh started and continue that in the fall. The Board discussed Stop & Shop and public safety.

Jim L. suggested that the Board each take projects and work with the respective departments on them. It was agreed as follows:

Jim T. will do Land Sale and Stop & Shop
 Rob will do Planning Dept., Chairman's Meeting and Habitat for Humanity
 Jim L. will do public safety, EDC and the Sewer Treatment Plant.

Jack will renegotiate contracts with DPW, Chiefs, and DPW Director. Jim L. will work with Jack on his contract.

Jack said the Planning Board Clerk Janet Lamonica will retire at the end of June. Jack said he will look to fill that position.

Jack told the Board he will renew Workers Comp and Building Liability insurance. It came in \$30,000 below budget.

Jack said he received the resignation from the Asst. Mechanic at DPW.

Jim T. and Jack attended a ribbon cutting at Taylor Rental's grand opening.

Jack told the Board that there are two candidates for the Board of Assessors position. The Assessors voted to appoint one person to the Board of Assessors, subject to confirmation of the Selectmen on that vote. Jack will have the Board of Selectmen and Assessors interview candidates.

Jack noted that he has been appointed to the Board for 495/ARC.

ANNUAL APPOINTMENTS

Rob Garrity moved to appoint the following to the ADA Compliance Committee, term to expire June 30, 2010: Thomas Terpstra, Kent Schenkel, Nancy Wirtes and Charlotte Norris. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint William Crump to the Affordable Housing Trust Fund, term to expire June 30, 2011. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Joseph Sebastiano as a member of the Zoning Board of Appeals, term to expire June 30, 2014. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Joseph Flanagan as a member of the Zoning Board of Appeals, term to expire June 30, 2014. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Shawn Dooley as an Associate member of the Zoning Board of Appeals, term to expire June 30, 2010. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Katharine Doyle as an Associate member of the Zoning Board of Appeals, term to expire June 30, 2010. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Janyce Conklin as a member of the Arts Council, term to expire June 30, 2012. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint the following members to the Cable Advisory Committee, term to expire June 20, 2010: John Spinney, Jonathan Smith, Jack Hathaway, and Jamie Masterson. Robert Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Frank O'Neill to the Capital Outlay Committee, term to expire June 30, 2011. Jim Tomaszewski seconded. It was **so voted** by Rob Garrity and Jim Tomaszewski. Jim Lehan abstained from voting.

Rob Garrity moved to appoint Kevin Roche, Carolyn VanTine, and Melissa Wainwright to the Corrections Advisory Committee, term to expire June 30, 2010. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint John Weddleton to the Conservation Commission, term to expire June 30, 2012. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Joann Squitieri, Janice Axberg, Richard Connors and Tom Mirabile to the Council on Aging, terms to expire June 30, 2012. Jim Tomaszewski seconded, and it was **so voted**.

Rob Garrity moved to appoint Robert Nicodemus, Walter Byron, Lori Scholl, Gregory Mirliss, and Mark Nelson to the Economic Development Committee, term to expire June 30, 2010. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Ed Nolan as Emergency Management Director, term to expire June 30, 2010. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint Marcia Johnston, Barbara Bartholomew, and Betsy Whitney to the Historical Commission, terms to expire June 30, 2012. 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 June 30, 2010. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to appoint David Wildman to the Norfolk County Advisory Board, term to expire June 30, 2010. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint Catherine McDonough, Ari Alpert, Jack Campbell, Eric Carlson and Thomas Doyle to the Re-Engineering Committee, term to expire June 30, 2010. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint John Olivieri as the Veterans' Graves Officer, term to expire June 30, 2010. Rob Garrity seconded, and it was **so voted**.

LIAISONS

The Board discussed the liaisons for the upcoming year and chose as follows:

The Board as a whole will be liaison to the Advisory Board.

Jim Lehan

Affordable Housing Committee
 Community Preservation Committee
 Conservation Commission
 Economic Development Committee
 Insurance Advisory Committee
 Norfolk Schools
 Public Safety

Rob Garrity

Council on Aging
 Energy Committee
 Board of Health
 King Philip Schools
 Planning Board
 Re-Engineering Committee
 Zoning Board of Appeals
 Zoning Bylaw Study Committee

Jim Tomaszewski

Cable
Capital Outlay
Department of Public Works
Historical Commission
Library
Recreation
School Building Committee
Tri-County School

Jack Hathaway

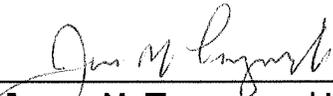
MBTA
MAPC

Jack said he has a meeting on Wednesday with the Union rep. They will discuss layoffs and work with us on the seniority process that we went through regarding layoffs. They will also discuss the grievance and the number of steps.

Rob thanked everyone who came to town meeting. Jim T. was surprised at the light attendance – 137 for a budget discussion.

At 9:40 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 June 22, 2009.



James M. Tomaszewski, Clerk

July 20, 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 contents.

OLD BUSINESS

Jack presented the Board with an email regarding Call & Wait. This is to whether they want to keep the money or give it to the court to clean up the property. They owe us about \$41,000 in legal fees and fines by Conservation. The court owns the property and they will clean it up and sell the property.

Jim Lehan wants to at least get the attorney fees back. Rob doesn't feel strongly either way. Jim Tomaszewski asked if we took the recovery of our fees - \$36,000, where would the money come from to clean it up. Jack said through Waznis, but chances of that aren't good. Do we know the value of the Wrentham property? Jim Lehan feels good about the fact that we recover from Wrentham as well.

Jack said George will be in to talk about the B1 district and we can discuss this.

Rob announced that he and Rita met today with Jack and Don LeClerc regarding energy.

Jack gave the Board a draft policy on hiring relatives to review and discuss next week.

Jack discussed the Highland Lake property. The Board has the authority to authorize who you want to work on the project there – sign, trails, etc. for the Bertha Fales Park. Jim Tomaszewski moved to delegate this project to move and work with Historical and DPW to accomplish the Highland Lake Project. Rob Garrity seconded, and it was **so voted**.

Jack discussed the fall town meeting. He considered Nov. 10th; however the tax rate has to be set before we have the election. And you have to give 35 days to the Town Clerk. Jack figures that to be December 15th.

The Board agreed on November 10 and 12 for fall town meeting.

ASSESSORS POSITION

Present was Pat Salamone and Maggie Leavitt members of the Board of Assessors. John Neas, Chief Assessor was also present.

Jack mentioned that this candidate will need to run in the May election. This appointment is to fill the vacancy because John Robbins term expired and no one ran in the May election.

KATHY MULLINEAUX

Kathy said that she is a town resident and is a town employee working in the Assessors' Office. She is already certified and was an Assessor in Blackstone for 3 years. She feels she is knowledgeable about the town. Kathy said she is available and is familiar with the Vision computer program.

Rob asked if she would run for this. She said yes. Rob questioned her being an employee. Kathy said she is not in conflict because she is under the Finance Director, and not the Board of Assessors.

MICHAEL LAZDOWSKY

Mike Lazdowsky is a Norfolk resident and was on the Board years ago. He filled a vacancy and did run for the position but lost to Donna Putt. His strongpoint is finance. He has a background in real estate. He worked for D'Angelo's sandwich shop. Besides being a sandwich shop, they were into real estate. He has a broker's license. He has never worked in a real estate office, and is not certified.

He is interested because when he did it before; he liked it and found it fun. For the most part, he is available. He works in Boston so it would make a difference how quickly he can get out here. He is taking courses and could be flexible.

Rob asked if he would run for office. Mike said he may or he may not. Depends what's going on at the time.

Maggie Leavitt moved to appoint Kathy Mullineaux to fill the vacancy. Pat Salamone seconded. Jim Tomaszewski said he has known Mike a very long time and should probably decline. Rob said he is troubled by having an employee on the Board, but he understands the need to have someone certified. Jim Lehan said he hopes both candidates would both run as well. Jim said both candidates would serve the town very well, but would agree we need someone certified.

It was a unanimous vote.

KP ASSESSMENT

Jack mentioned the KP assessment was changed and Norfolk will save \$33,000. He is attending a meeting tomorrow because Wrentham is upset because it will cost them much more. He said we should do what's fair.

Jack said that Wrentham spent all their free cash and is out \$43,000. We all need to get together and discuss this.

JEFF KANE – CONSERVATION COMMISSION INTERVIEW

Jeff Kane said he's been on the Conservation Commission for 5 years and was Chairman for awhile. He has seen the Board changeover with new members, and doing regulation changes. Weeber project and CPC.

Jeff said he is a civil engineer. He does ConComm type work among other things.

Rob said he was on the ZBA for 9 years. He said in researching his appointment, he was concerned about the town pond issue. He said the boards started talking at each other and not to each other. Rob said he would like his point of view and it became contentious. Jeff agreed. It was a very technical board. The issue came down to swimming and a plan. It showed parking and dredging the pond. He said show us what you really want to do. If we are going to permit this, it is up to us to follow the regulations. Jeff said it snowballed and personalities got in the way. Rob said he knew that the BOS invited ConComm to discuss this, and ConComm refused to show. Jeff didn't recall, but said it could very well have happened.

Jim Tomaszewski said he was on the Advisory Board for 7 years. He said if you are an advocate for your board, at the end of the day we are all volunteers and need to get the job done. Jim asked how people would say Jeff was to work with. Jeff said hopefully fair and consistent. Jeff said he follows regulations. Jim said with the regulations, there is no way that you go up and beyond. Jeff said there isn't much wiggle room. DEP is rigid. There are policies for almost everything you do. Jim said he did a project years ago and there was wiggle room.

Jim Lehan said he's the only one on this Board with history. He said what disturbs him was there was a blatant unwillingness to attend our meeting. When there was a hearing with the state, not one member from ConComm attended the state meeting. Jim said that we need to take that extra step and be there. Jim Lehan said we were involved in litigation. It is the privilege of the BOS. We sent a note to ConComm requesting you not go into executive session without Town Counsel present. George Hall also asked that he be present, or do not go into executive session. They ignored this and Jeff Kane made a motion to go

into executive session. You have to consider what's in the best interest of the Town. You totally ignored us. Jim said the Town has to be the primary concern. You were more concerned about a non-member of the board that pleaded with you to go into executive session. Jeff said he knows the litigation, and doesn't remember why they went into executive session. Jeff said the members of his board at that time must have felt it was the right thing to do.

JOHN WAYNE – CONSERVATION COMMISSION INTERVIEW

John Wayne. John is a member of several committees and said he likes moving things along with his other committees - Zoning Bylaw Study Committee and Public Safety Building Committee. John has lived in Norfolk 7 years, and currently works out of his home now. He was asked how he would be if someone was asked. John said easy going and a listener. Rob asked about the Public Safety Building Committee – would he remain a member. John said he wouldn't give it up because he's made a commitment. But he is concerned he may need to recuse himself if this came up at ConComm.

Jim Lehan asked why this board? John said he is a fan of the outdoors and wants to be sure our resources are maintained and not lost. He would like to participate and listen to both sides and be educated. At some point there needs to be common sense involved and he wants to help out. Rob said if we do appoint you, it will be a learning curve.

Jim Tomaszewski moved to nominate John Wayne. Rob Garrity seconded. Jim Tomaszewski said he is pleased to hear he has project management experience because there is working together and compromise. You can't let ideology interfere Rob said that he is concerned about John not having experience, and serving on too many boards. If you could mix the two, you'd have the perfect candidate. It was a unanimous vote. John's term will expire in 2012.

BUTCH VITO, DPW UPDATE

Butch Vito discussed Everett Street. He looked at stop signs at the intersections. Butch said he will need to talk to Chief Stone as he had a problem with it. He is ready to go, and needs to find a comfort zone with the Police Chief.

With respect to the truck exclusion, he was waiting for Walpole to take a vote. They finally did it a few weeks ago. They did a truck exclusion from Neponset Street to the town line. It is commercially zoned so it will be a hard sell to the State as you can't exclude trucks on a commercially zoned road. Walpole is not willing to revote it. They don't want to look like they are routing trucks up Winter St. Maybe instead of a total truck exclusion you can put No Through Trucking. Butch said you don't submit something that we know will be defeated.

Jim Lehan said when he and Jack met, Walpole was in agreement. They didn't mention a problem with Winter Street.

Jim will call the Chair of the Walpole Selectmen.

Butch said Freedom Trail to Walpole – cut it off and do some type of temporary barricade.

Nancy Connors, 30 Everett Street said stop signs will slow people down, or they may get discouraged enough to stay on Route 1. Richard Connors said the stop signs are a good idea. Now they are getting huge trucks on a regular basis, although they don't know why. When there was a concert at Gillette, the traffic was horrible. Walpole didn't put up the sign they promised to do. Jim Lehan asked what would you want to see happen first? Nancy said stop traffic.

Butch said Chief Stone has concerns with the three stop signs. Jim Lehan suggested that Butch work this out among themselves without the Board. He said they don't need to hear the concerns. Butch and Chuck and Jack can talk and get a recommendation to the Board by August 3rd.

Paul Connors, 40 Everett Street asked what are you going to do about the trucks? Butch said No thru trucking. The signs are down and they will put them back up.

Rob Garrity moved that the Board of Selectmen execute the Order of Taking dated July 20, 2009 for the purpose of acquiring the rights of entry and permanent rights of access for maintenance and/or drainage purposes on Route 115/Pond Street located between Needham/North Street and Route 1 to make certain safety and transportation improvements to, and for the rehabilitation and improvement of, Route 115/Pond Street; and, further, to award damages to the property owners identified in Exhibit C to that Order of Taking in the amounts listed therein, *provided*, however, that the DPW Director and/or Town Administrator are authorized to remove any property owner from Exhibit C if that property owner waives such damages in writing prior to recording of the Order of Taking. Jim Tomaszewski seconded, and it was **so voted**.

Water Issue

Butch mentioned using a supplemental well approved by DEP to give a rest. He has a ban in place. We seemed to be holding our own, and haven't asked Wrentham for help in 4 weeks. There are things we still need to do. He will start doing a warning and will do a reverse 911. The second warning will be a letter warning the same thing. The third warning will be a fine. Residents need to work with us. We have a bylaw that allows them to impose fines. Butch said we have a well that is starting to fail. Spruce Road will be a limited well in the

future because of high iron and manganese. Wells are resting 4 to 6 hours per night.

Jim asked where his comfort level is; is it due to the water ban or because of finding leaks or what? Butch said a little of both, but applauds the residents because they are doing what they are supposed to and he thinks usage is down.

He will update the public on the webpage about all this.

Butch did leak detection. He has all but 10 done. There were 49. He found 14 new ones. Leaks are still late 80's, early 90's. Rob said last year they waived the water permit fee for the people on this and it does need to be revoted.

Rob Garrity moved to waive the hookup Water Dept. permitting fee for the work related to repairing services due to the pinhole leak problem. Jim Tomaszewski seconded and it was **so voted**. This will go back to July 1st.

Jeannette Harney, 7 Worcester Road. Ms. Harney wanted to know why she has to be responsible for this. She thought it was a town problem. However, it is not the town's problem exclusively. Charles DiPompo, also 7 Worcester Road wondered if what we are experiencing now is the tip of the iceberg. He would like to be able to review the studies already done. The Board explained the financing through the DPW.

Jack mentioned the grounding that Butch made a statement about at our last meeting. Butch suggested disconnecting the grounding from the water pipe. Jack said that Ron Bain, Electrical Inspector is present tonight because he is concerned about this statement. Ron said the grounding has to be there. You can't disconnect it according to State Code. Jack said he also got a call from NSTAR who was concerned. Ron said they should consult a licensed electrician and they can advise them about disconnecting it, because they will put a supplemental grounding.

On another issue, the Board discussed the condition of roads under Chapter 90 with Butch.

NEW BUSINESS

Jack told the Board that Richard Connors resigned from the Community Preservation Committee. We will need volunteers from Precinct 4. Jack did note that we have received one volunteer, but the Board wants to advertise the position to see if others come forward.

Jack noted that Catherine McDonagh did not accept reappointment to the Re-Engineering Committee. We will be looking for a replacement for her.

Jack discussed the Local option for meals tax. $\frac{3}{4}$ of a percent. We need to adopt it August 31 for it to be in effect by October 1. To do January 1, we need to do a Special Town Meeting by October 31. It is unlikely either will happen.

Jack reported to the Board that the Planning Department is working through mergers. It is working well with two full time employees and one part time temp position.

The Board discussed yearly goals. Rob and Jim Lehan will do an appraisal and goals for Jack. The Board will come up with 5-8 goals of their own.

Jim Tomaszewski updated the group on tax title property. He would like to move along with this. Jim met with the Treasurer and did some work on it. A Tax Title Custodian will have to be determined.

ACCEPTANCE OF MINUTES

Jim Tomaszewski moved to accept the regular and executive session minutes of May 26, 2009. Rob Garrity seconded, and it was **so voted**.

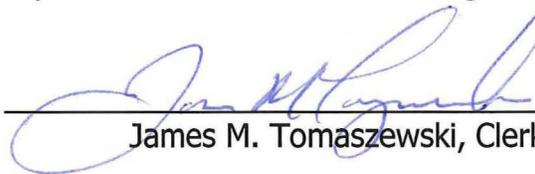
Jim Tomaszewski moved to accept the regular and executive session minutes of June 8, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to accept the special meeting minutes of June 16, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to accept the regular minutes of June 22, 2009. Rob Garrity seconded, and it was **so voted**.

At 10:02 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 July 20, 2009.



James M. Tomaszewski, Clerk

August 3, 2009

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

Jim Lehan opened the meeting at 4:00 p.m. Jack Hathaway read the agenda contents.

George Hall, Town Counsel was present to give the Board an update on legal matters.

George said that with respect to the Kunde matter, he has not had time to look at that yet as it is a new issue. He will work on it this week.

With respect to the Route 115 issue, George Hall said he and Butch have had a lot of trouble working with State officials. He said the State would advise them to take a certain direction, and when it was done would insist that wasn't what they wanted. We always proceeded along the lines we said we would. He said Mass Highway would listen to us and then do something totally different. George said it has been frustrating and extremely difficult for him. It is finally done.

The Board discussed the King Philip Assessment issue. George Hall said that since he represents Wrentham and Norfolk, he could have a conflict so he did not want to elaborate on this subject just yet. Norfolk and Plainville are down; Wrentham is up. Wrentham is complaining. Jim Tomaszewski asked why it got changed, and why at such a late date? George said that would be the Department of Education. The Board unanimously agreed not to do anything that would hurt King Philip.

George informed the Board that issues he has been working on is CPC acquisitions, zoning per lease – water tank for Verizon, labor employment issues, and assisted Bob Bullock with the septic system in the Public Safety building.

Rob Garrity said the Energy Committee will need zoning assistance.

At 4:29 p.m., Rob Garrity moved to go into executive session for a litigation review. Jim Tomaszewski seconded, and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan, **aye**; and Jim Tomaszewski, **aye**. The Board will return to open session.

Cheryl Kelley, Treasurer-Collector and Gail Bernardo, Town Clerk was present.

Cheryl presented the Board with bonds for \$250,000 for the school feasibility renewal. Successful bidder was Eastern Bank at 3.243927%.

Jack Hathaway asked the Board to award the \$3,476,931 Town of Norfolk Massachusetts General Obligation Municipal Purpose Loan of 2009 Bonds dated August 15, 2009 and maturing August 15, 2010 to 2029 to Eastern Bank Capital Markets at a true interest cost of 3.2343927% as set forth in a document prepared by Edwards Angell Palmer & Dodge LLP, Bond Counsel to the Town to be inserted into the minutes of this meeting (see attached). This was so moved by Jim Tomaszewski. Rob Garrity seconded, and it was **so voted**.

Jack gave an update on the school project meeting. Jim Lehan and Jim Tomaszewski attended. The Project Manager was present. Costs of the project were cut by the State. The State approved a plan for a new school. We are on the list, and can go forward for Fall town meeting. Strategy for the town meeting will be critical.

ACTION ITEMS

Jim Tomaszewski moved to approve the Order of Modification of the Street Layout for Pond Street as submitted by Remo Vito, DPW Director. Rob Garrity seconded, and it was **so voted**.

Jack reviewed the Procedures for Street Acceptances with the Board to be approved as a policy. Rob Garrity requested that the clause that the street naming is under the Board of Selectmen be inserted into this Procedure. It will be reviewed and brought back before the Board for approval.

Jack asked the Board to vote to accept as policy the Employment of Close Relatives Policy. The Board had a lengthy discussion, and added that this would affect all employees hired after August 3, 2009.

Rob Garrity moved to accept as policy the Employment of Close Relatives Policy with the addition of wording that this policy affects all employees hired after August 3, 2009. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to open the Fall Town Meeting warrant, and approved the town meeting schedule. Rob Garrity seconded, and it was **so voted**.

Jim Lehan discussed a letter from the Conservation Commission regarding open space and a trail system that Intoccia Development Corp. is required to donate to the Town as part of the Christina Estates subdivision. Jack said that as a homeowner in that area, he said the trails were in good shape but over the years have deteriorated from building going on and just growth and no one taking care of them. One of the Board members said that he understood one of the abutters

encroached on the open space that was near his property and used it for his own personal benefit. Jack said yes. Jim Tomaszewski said that he felt the resident using the open space for his own personal gain is wrong and he should be made to put it back. Jim Lehan, as liaison, said he will contact Dan Crafton and walk the property with him and bring this back at the next meeting.

GOALS

Jim Lehan and Rob will work on Jack's goals and forward them to Marian.

Board goals will be created by each member submitting 4 or 5 fiscal goals. They will eliminate operational goals and do strategic. Forward to Marian as well.

NEEF BARBECUE

NEEF requested permission for a barbecue on Town Hill from 5:30 – 7 p.m. on August 24th (rain date 8/25) to welcome kids back to school. Rob Garrity moved to allow the back to school barbecue on Town Hill on August 24 (25). Jim Tomaszewski seconded, and it was **so voted**.

TOWN ADMINISTRATOR REPORT

Jack told the Board that he has received 5 requests for Project Manager RFS' for the public safety building so far. They are advancing the process for the architect for the public safety building.

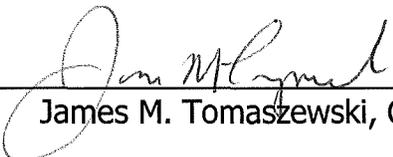
Jack told the Board that they are upgrading the phone system in Town buildings. We will go live Thursday if all goes well.

Jack said that he has two unemployment cases and a grievance on September 3rd for personnel issues.

Jack needs to wrap up the Police contract, and amend contracts to reflect the wage freeze.

At 6:15 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 August 3, 2009.



James M. Tomaszewski, Clerk

Voted to award the \$3,476,931 Town of Norfolk Massachusetts General Obligation Municipal Purpose Loan of 2009 Bonds dated August 15, 2009 and maturing August 15, 2010 to 2029 to Eastern Bank Capital Markets at a true interest cost of 3.243927% as set forth in a document prepared by Edwards Angell Palmer & Dodge LLP, Bond Counsel to the Town to be inserted into the minutes of this meeting. (See attached)

SUMMARY OF NORFOLK, MASSACHUSETTS \$3,476,931 BOND SALE

Sale Date: July 29, 2009

Bond Rating: AA-

Bank Qualified

Dated: August 15, 2009

Due: August 15, 2010 - 2029

Results: Total of 5 bidders

Winning Bid: Eastern Bank at TIC 3.243927%

Cover Bid: Fidelity Capital Markets at TIC 3.418314%

Remaining Bids: Robert W. Baird & Co., Inc. at TIC 3.475501%

FTN Financial Capital Markets at TIC 3.514001%

TD Securities at TIC 3.701319%

Spread from winning bid to final bid was 0.457392%

Yield Compared to Municipal Market Data:

	<u>Town</u>	<u>AA Scale</u>	<u>AAA Scale</u>
2010	0.60%	0.49%	0.42%
2011	0.70%	0.81%	0.70%
2012	0.94%	1.07%	0.94%
2013	1.33%	1.48%	1.33%
2014	1.77%	1.93%	1.77%
2015	2.05%	2.22%	2.05%
2016	2.32%	2.49%	2.32%
2017	2.60%	2.77%	2.59%
2018	2.85%	3.01%	2.83%
2019	3.05%	3.21%	3.03%
2020	3.40%	3.39%	3.20%
2021	3.55%	3.56%	3.36%
2022	3.75%	3.70%	3.50%
2023	3.90%	3.81%	3.61%
2026*	4.00%	4.11%	3.91%
2029*	4.30%	4.39%	4.19%

* Term Bonds in 2026 and 2029 comprised of the 2024, 2025 and 2026 Bonds and the 2027, 2028 and 2029 Bonds respectively as allowed within the parameters of the Notice of Sale

July 24, 2009

Summary:

Norfolk, Massachusetts; General Obligation

Primary Credit Analyst:

Danielle Leonardis, New York (1) 212-438-2053; danielle_leonardis@standardandpoors.com

Secondary Credit Analyst:

Henry W Henderson, Boston (1) 617-530-8314; henry_henderson@standardandpoors.com

Table Of Contents

Rationale

Outlook

Related Research

*Lisa Dickinson
Unibank*

Summary:

Norfolk, Massachusetts; General Obligation

Credit Profile

US\$3.477 mil GO bnds dtd 08/15/2009 due 08/15/2029

Long Term Rating

AA-/Stable

New

Norfolk Twn GO

Unenhanced Rating

AA-(SPUR)/Stable

Upgraded

Many issues are enhanced by bond insurance.

Rationale

Standard & Poor's Ratings Services raised its underlying rating (SPUR) on Norfolk, Mass.' general obligation (GO) debt one notch to 'AA-' from 'A+' based on the strength of the town's local economy and historically sound financial operations while operating with adequate reserves. The outlook is stable.

Standard & Poor's also assigned its 'AA-' long-term rating, and stable outlook, to the town's series 2009 GO bonds.

In our opinion, the ratings reflect the town's:

- Mature, primarily residential area that benefits from its close proximity to the greater Boston metropolitan statistical area (MSA);
- Very strong wealth and income levels;
- Consistent property tax base growth;
- Adequate financial position, supported by good adopted fiscal policies; and
- Moderate overall debt burden on a per capita basis with limited additional capital needs.

The town's full faith and credit GO pledge secures the bonds. Officials will use bond proceeds primarily to refund prior bond anticipation notes (BANs) outstanding that mature on Aug. 28, 2009.

The 15-square-mile Norfolk, with a population estimate of 10,675, is just 20 miles southwest of Boston. The town is mature, with roughly 80% of available land already developed, and primarily residential in nature. Residents find local employment at the medium-security Massachusetts Correctional Institution at Norfolk, the town's only leading employer with 616 employees. Residents, however, have additional employment opportunities by commuting into either Boston via train or Providence, R.I. via roadway. There is a Massachusetts Bay Transportation Authority train stop in the town. Principal highways that serve the town are state routes 1A and 115 with nearby access to interstates 95 and 495. Although unemployment has spiked recently to 7.4% in May 2009, it has historically remained below commonwealth and national rates.

Despite the town's mature nature, new construction continues at a modest pace. Through a combination of new retail, commercial, and residential growth, the town has seen approximately \$6 million of new investment in the past year. Assessed value, which has declined slightly by 3% since fiscal 2008 due to declining appreciation, was \$1.467 billion in fiscal 2009. Overall, however, the town's property tax base has increased by 18% since fiscal 2005. Market value remains a high \$150,836 per capita, a level we consider extremely strong. The town's tax base

concentration with the 10 leading taxpayers, primarily residential and commercial property owners, for a very small 2.7% of assessed value. Wealth and income levels are, in our opinion, very strong: household effective buying income is 156% of the commonwealth's level and 181% of the nation's level.

modest drawdowns in four of the past five consecutive fiscal years from fiscals 2004-2008, Norfolk's resources are adequate. The town closed fiscal 2008 with a \$432,000 drawdown net of transfers. The ending total fund balance was \$873,000, or an adequate 3% of expenditures: \$565,000, or 1.9% of expenditures, of which \$500,000 was unreserved. When combined with the stabilization fund, which totaled \$572,000 in fiscal 2008, however, available reserves were a still-adequate 3.9%. Town management, which has historically operated with lower reserves, has indicated it wants to rebuild reserves up to about 5% of expenditures in the near future; upcoming land sales revenues will help. In previous years, the town's ability to manage with lower reserves, given Proposition 2-1/2 constraints, is due to a favorable record of passing voter referendums for debt exclusions and operational overrides. The town has just closed fiscal 2009; and although still unaudited, management is projecting another drawdown of approximately \$280,000 for the fiscal year. Projections have unreserved general fund balance declining to \$285,000 with reserves (unreserved plus stabilization fund) remaining constant with fiscal 2008 levels. Town officials have balanced the fiscal 2010 budget, which totals \$28.9 million and represents a 0.9% increase over the fiscal 2008 budget.

Standard & Poor's considers Norfolk's financial management practices "good" under its Financial Management Assessment (FMA) methodology, indicating financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them. Highlights of these policies include a budget formulation methodology based on five years of historical revenues and expenditures, along with monthly reporting of budgeted numbers compared to actual performance. The town maintains an internal five-year capital improvement plan that it updates annually and that includes project costs and potential funding sources. The town has currently adopted formal debt management and reserve policies.

The town's overall debt burden is a moderate \$2,460 per capita, or 1.6% of market value. The debt service carrying charge was an average 5% of fiscal 2008 expenditures. Amortization is rapid with officials planning to retire 76% of principal over 10 years and the remainder by 2029. Additional future debt includes issuances, estimated at \$50 million, for schools and public safety buildings.

Outlook

The stable outlook reflects the town's historically stable record of operating with lower reserves. The town's strong tax base; high wealth levels; low debt burden; and good adopted fiscal policies, however, provide rating stability.

Related Research

USPF Criteria: "GO Debt," Oct. 12, 2006

Complete ratings information is available to RatingsDirect subscribers at www.ratingsdirect.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com; under Ratings in the left navigation bar, select Find a Rating.

TOWN OF NORFOLK

Type:	General Obligation Bonds
Dated:	August 15, 2009
Sale Date:	July 29, 2009
Amount:	To be determined

Draft to Town	June 1, 2009
All Information to Bank	June 22, 2009
To Office Staff	June 26, 2009
To Bond Counsel	July 6, 2009
OK from Bond Counsel – Final Changes	July 13, 2009
To Printer	July 13, 2009
To Moodys	July 13, 2009
Official Statement Dated and Mailed	July 15, 2009
Rating Agency Call	July 20 or 21, 2009
Rating	July 22, 2009
Sale	July 29, 2009
Bonds and Papers from Bond Counsel	August 3, 2009
Sign Bonds and Legal Papers	August 3, 2009 (1)
To Boston for Legal Opinion	August 4, 2009
Delivery	August 17, 2009
Dated	August 15, 2009
BAN's Mature	August 28, 2009

(1) Make sure that Selectmen are meeting this date as the votes must be taken at a posted Selectmen's meeting. If they are not scheduled to meet this date please let me know and I will adjust the schedule accordingly.

August 17, 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 contents.

WALTER BYRON, EDC WEBSITE UPDATE

Present was Walter Byron and Mark Nelson, members of the Economic Development Committee.

Walter explained the information that will be on their website. This information was given to the Selectmen.

Walter said they would like to know who the contact person would be.

BOARD OF SELECTMEN GOALS

Jim Lehan discussed the three (3) sets of goals from each member. The Board reviewed the goals and discussed the budget. Jim Lehan will merge the goals into one document and present it at the meeting on the 31st.

TOWN ADMINISTRATOR GOALS

Jim and Rob will sit separately with Jack and discuss this.

OLD BUSINESS

Jack reminded everyone of the NEEF back to school barbecue for kids and families on Monday.

Jack said the DPW is paving Medway Branch, Park Street, Bush Pond and Boardman near Kids Place.

The Water Department will be taking water from Wrentham on a temporary basis. The Gold Street well is having pump tests. DEP finally approved pump tests to get the third well on Gold Street running. We should be in better shape after that.

Jack reported that the School Building Committee is meeting on a weekly basis. There is a meeting on August 27th, and they want the entire Board of Selectmen there for discussion.

Jack said the Public Safety Building Committee has been meeting more than once a week. They met with potential project managers and architects. The OPM will be appointed on 8/31 and the architect will be a week after that.

Jack told the Board there have been discussions regarding changing personnel in the Conservation office.

Jack told the Board that with respect to the Kunde Property, there is some potential for what members of Conservation Commission is talking about with respect to a playground. It appears there can be no permanent structures, but temporary structures would be considered. George Hall is still fine tuning that. He is looking at the Trust side as well as the property side. A playground is not a permanent structure.

Jack said regarding the Meals Tax, we are talking around \$54,000. Jim T. said it would come mostly from Norfolk residents and feels that he doesn't want to do it. He said we can always do it later if we need to. Rob said no. He said we don't need \$50,000 that badly. Jim L. agreed not to do it. He prefers not to, but it is a reasonable amount of money. Jim L. said we may need the money later if the state cuts us more and we may need to do it. Jim T. agreed saying it's a card we can play later if we need to. The Board agreed to take no action at this time.

Jim T. questioned the Canterbury Lane spelling that Butch was going to poll the residents.

Jim L. said in talking with Chief Bushnell, we have an issue with Rescue 2. Jim will have the Chief's analysis next meeting.

NEW BUSINESS

Jack and Bob Bullock spent the day in Boston with the Interagency Board. They tried to get the B1 district designated as a PDS (priority development site). They broke it into two sections. They were okay with the western side, but they had a problem with the eastern side because of the horse farm near the old town hall. Jack said they were deferred until September because of a 5 acre rule.

He said they asked for the last part of our grant money, \$7,500, which they held. We are going to add another layer to our GIS and \$1,500 stormwater survey and review of the stormwater connection fees. They did receive that approval.

APPOINTMENTS

Rob Garrity moved to appoint the following: Anne Marie Battistone to the Arts Council, term to expire 6/30/12; Kim Eldred to the Economic Development Committee, term to expire 6/30/10; Sandra Paquette to the Historical Commission, term to expire 6/30/10; Joan Marsden and Dr. David Lu to the Norfolk Elementary Education Foundation (NEEF), both terms to expire 6/30/12; and Tony Mastroianni as Veterans' Agent, term to expire 6/30/10. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to appoint George A. Hall, Jr. as Town Counsel, term to expire 6/30/10. Rob Garrity seconded, and it was **so voted**.

KP ASSESSMENT ISSUE

Jack said that our assessment has been cut \$32,000. Rob said that he feels that our amount was voted at town meeting. The people voted that number. The Board is still in strong agreement that we don't want KP to get hurt here.

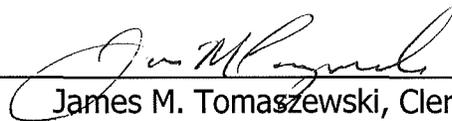
ACCEPTANCE OF MINUTES

Jim Tomaszewski moved to approve the minutes of July 20, 2009 with minor changes. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the minutes of August 3, 2009 with minor changes. Rob Garrity seconded, and it was **so voted**.

At 8:10 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 August 17, 2009.



James M. Tomaszewski, Clerk

August 31, 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 contents.

EDC UPDATE

Bob Nicodemus, Walter Byron and Mark Nelson of the Economic Development Committee were present. Bob said that they have heard what we are talking about, and will work on the energy wind resources. They are looking at Southwood. He handed out documents for the Board. Southwood also has a water tower which is on the highest part of the property.

Bob said they are on the edge of putting a website together that will depict Norfolk. Rob thinks it looks great, and wants to have it up sooner rather than later. Mark said they would like a button on the home page that links to their information. Jack said that can happen.

Bob said there needs to be a point person who gets the information around to all the committees. The person can't be at the permitting level. Jack will think about who could do it. Mark questioned getting an EDC mailbox/email.

ACTION ITEM

Rob Garrity moved to approve a block party on Sunday, September 6th from 10 a.m. to dark on Park Street/Analore Circle. Jim Tomaszewski seconded, and it was **so voted**.

OLD BUSINESS

Jack gave a brief summary of where we are with the School Building Committee. There will be an article on the fall town meeting.

Jack said with respect to the Public Safety Building Committee, they conducted interviews today for Project Manager. One was chosen, and Jack will begin negotiations. Today we also received eight responses from architects. The Committee will put together responses from architects and Jack will work on that.

EVERETT STREET

Remo R. Vito, DPW Director and Everett Street residents were in attendance.

Jack noted that he and Butch and Chief Stone spent a couple hours reviewing this situation. He said they were on Everett Street and looked at all the options in the neighborhood. Butch suggested the three options listed in his memo, and said that is what they agreed on.

Butch said that putting deterrents in place now such as truck exclusions and stop controls will be a good start. We can look at it again later and watch it as we go forward and make changes if we need to.

Butch said if the Board goes ahead with this, the signs will be in place this week. We have signs; it's just a matter of voting them into the rules and orders.

Nancy Connors, 30 Everett Street asked about the truck exclusion. Butch said it needs state approval. Nancy asked about getting the state rep. and senator involved. Butch said not at this point.

Nancy questioned the no thru stadium signs. Butch said Walpole picked up the tab, but it was costly and they stopped.

Residents questioned traffic coming from Walpole and could it be stopped. They asked why the Town doesn't approach Robert Kraft and ask him for help. The Board explained that they have been to Foxboro Selectmen and Robert Kraft and no one is willing to help.

Residents in attendance gave ideas to the Board. Some questioned police enforcement, stop signs, barricades, traffic from Walpole, lowering the speed limit to 25 and blocking the street on game or event days.

Jim Tomaszewski moved to block Everett Street on game days and event day to thru traffic. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to install a permanent sign on Everett Street to no thru traffic for any stadium events on both sides from town line to town line (Norfolk to Walpole). Jim Tomaszewski seconded, and it was **so voted**.

Jim Lehan assured the residents that we will continue working with Walpole, even though they haven't been responsive, and thanked the resident from Walpole who attended for his input.

On another matter, Butch Vito discussed the water leaks. We cut the fees, but when people are reluctant to fix the repairs, they are creating more of a cost to the Town. He asked the Board to think about their vote to waive the fees. Butch told the Board that he sends letters and people ignore them and don't fix the leaks.

Jim Lehan doesn't approve this. He feels that the first letter written makes the person feel like they have done something terribly wrong. Jack said that he and Butch suggest that if a leak is fixed in say 60 days, we waive the fee. Butch said that 25 leaks represent 200,000 gallons a day. Jim said that a pinhole leak can't leak that much water in a given day. Butch will send a leakage report to the Board.

Butch will look at the letter sent, and possibly send a new first letter.

Butch said we have been using Wrentham water for the past 10 days. The Well did not average out what they thought. They are getting 50% of what they targeted.

Butch said he met with DEP regarding Spruce Road well. Rather than a supplement well, they can put a replacement well. It appears they are losing because of manganese and iron. They can drill a new well. He is hoping to have this up by spring. Butch said we will need to go to fall town meeting to revert the funds from the Gold St. well to the Spruce well.

Butch reported on the Route 115 project. The State is \$8 million short for the projects they have sitting on the shelf. There are only 3 communities that haven't advertised. We are ready to go on September 12. He's going back in Thursday. The worst case is we are pushed into 2010. 2010 is October.

The Board reviewed the letter from Mr. Backlund letter. The Board is sympathetic, but there is nothing they can do.

OLD/NEW BUSINESS

The Board discussed their goals and approved them.

Jim T. discussed the affordable land and parcels that we thought we would net \$100,000 off of. He said it doesn't appear that way now.

At 9:27 p.m., Rob Garrity moved to go into executive session for contract negotiations. Jim Tomaszewski seconded, and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan, **aye**; and Jim Tomaszewski, **aye**. The Board will only return to open session to adjourn the meeting.

At 9:48 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 August 31, 2009.


James M. Tomaszewski, Clerk

September 15, 2009

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

Jim Lehan called the meeting to order at 7:00 p.m. Jack Hathaway read the agenda contents.

Gail Bernardo, Town Clerk was present. Jack explained that we need to discuss election dates and protocol with Gail. The State called an election on Dec. 8th, and Jack was concerned about the 35 day requirement. Gail said the Town will save more money with the January election.

Jim said the reason we had to do it before January was the road article. It has to be voted before we set the tax rate.

Gail said January 19th is the January election. Jack will talk to Kathy Reed and see what their feedback will be on that. It will delay our third quarter bills. Jim asked Jack to pursue the roads because we are committed. Jack would like to put the two major building projects on in January. We would probably need an operating override and we could put the roads on then. Jim T. said we owe the road article to the people because it was our fault. He hates to move them again.

Jim L. would like to have one election in January. Jack will check into it.

Jim told Gail our intent will be to do this in January. He is not in favor of delaying the tax bill. Both members agreed and said they would rather have the \$200,000 later. It was decided to take December off the table entirely because we are not going to delay the tax bills.

Jim L. will call the Birkners tomorrow regarding the road article.

The language needs to be final by 11/3. It cannot go on a special ballot.

FALL TOWN MEETING WARRANT

Jack reviewed the rough draft of the warrant.

ACTION ITEMS

Jim Tomaszewski moved to approve a request from Kevin O'Sullivan to use the Transfer Station on Saturday, September 26th from 9 a.m. to 3 p.m. to conduct a follow up survey following his Norfolk Energy Awareness Day. Jim Lehan seconded, and it was **so voted**.

Jim Tomaszewski moved to grant members of the KP Volleyball team permission to sell raffle tickets as a fundraiser at the Transfer Station on Saturday, 9/26 and 10/3 from 8:30 a.m. to 2:30 p.m. There will be one adult and 2 or 3 team members present at one time. Jim Lehan seconded, and it was **so voted**.

Jack asked the Board to review the crosswalk request from residents on Boardman Street. Jim Tomaszewski moved to approve a crosswalk on Boardman Street along with an appropriate crosswalk sign in front of the school. Jim Lehan seconded, and it was **so voted**.

TOWN ADMINISTRATOR REPORT

Jack said that he met with Julie Siewko, Town Accountant for the balance sheet and she is way ahead of schedule by putting in a lot of overtime. Julie also is way ahead of schedule with the Schedule A. Jack noted that both Julie and Assistant Town Accountant Mary Noris have been putting in much overtime to keep things going. A huge commendation to both of them.

Jack said free cash will be about \$50,000. He said with a \$35,000 reimbursement, we will have about \$84,000.

Jack said the State has already hinted at mid-year cuts. Jack said he has no idea what it will be, but it's coming.

Jack reported nothing new at all on the KP budget. No news on the teacher's contract. Jim wants to stay on top of this.

Jack reported contracts and what is open and what is settled.

OTHER BUSINESS

Jack said we are paying about \$14,000 a month on unemployment. He said some of it is dropped off, and we have enough budgeted.

The new phone system that we have will be online within two weeks.

Jack will call Walpole about setting up the meeting on Everett Street.

Jack went into Boston for the TIP program last week and we are online with the state budget and advertising this week for the Rt. 115 project. He said they will start in the spring. It is an \$8 million project funded by federal and state. They have committed. He said he will bring the rendering of the Rt. 115 project in to the 28th meeting, and let the people see it.

Jim L. said that he and Jack went to the Conservation Commission meeting and they voted to start schematics on the playground under the Kunde Trust.

Jim Tomaszewski moved to close the fall town meeting warrant. Jim Lehan seconded, and it was **so voted**.

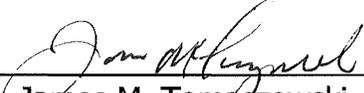
Jack said we should consider a campaign committee for the Public Safety building.

Jim L. said he would like to leave a portion of every meeting to answer questions from residents. We must have your name as we will not address anything anonymous. Jim T. said limit it to emails and we will answer within the first hour of our meeting.

At 8:14 p.m., Jim Tomaszewski moved to go into executive session for the purpose of pending litigation. Jim Lehan seconded, and it was a roll call vote: Jim Lehan, **aye**; and Jim Tomaszewski, **aye**. The Board will only return to open session to adjourn the meeting.

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 September 15, 2009.



James M. Tomaszewski, Clerk

September 28, 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 contents.

EVERETT STREET

Present was Charles H. Stone, Jr., Police Chief.

Chief Stone gave a brief summary to the residents of what he has done in their area. He gave them results of traffic stops made on Everett Street, and Chief Stone read the statistics.

Jim said that he and Jack will be meeting with Walpole tomorrow at 4. Hopefully, we will have some assistance.

Richard Connors said the traffic is on the ineffective side, not the effective side.

Matt Mullaney, 35 Everett said that a car keeps leaning on the horn and making rude gestures and he wondered if he can be stopped? They have called the station and reported the vehicle and plate number (white Cadillac). Chief Stone said yes.

Many neighbors talked about the stop signs – some were for them; some hated them. They talked about Walpole, the signage for games and events, the speed limits on their road, and noise.

Nancy wanted to know about the big trucks. Butch said the truck exclusions have gone to the State and is waiting to hear from them.

Butch Vito, DPW Director said he will look at doing a lower speed limit on that road, but he agrees with Chief Stone that 32 mph is the speed limit.

BETSEY WHITNEY, CPC INTERVIEW

Betsey Whitney is a town resident and lives on Valley Street, which is in Precinct 4. She said that when she heard that Richard Connors resigned, she was very interested. Betsey said she is now retired and wants to become more active in the town. She said she became interested in history in Norfolk and is on the Historical Commission. She said she was aware of the CPC, but was ignorant as to how involved it was.

Rob Garrity moved to appoint Betsey Whitney to the vacancy for Precinct 4 on the Community Preservation Committee, term to expire 6/30/10. Jim Tomaszewski seconded and it was **so voted**.

DPW UPDATE

Butch Vito, DPW Director and Bob McGhee, DPW Superintendent was present.

Butch discussed the salt bids. Butch said we need a first and an alternate. In a bad winter with many storms, we have had trouble getting our supply with only one vendor. He pointed out we are in a consortium bid with Medfield.

The recommendation was to award the bid for winter 2009-2010 to Eastern Minerals, Inc., of Lowell, MA CC delivered at \$64.00/ton, and an alternate supplier to Morton International, Inc., Chicago, IL, Solar delivered at \$64.63/ton.

Jim Tomaszewski moved to accept the recommendation on these bids. Rob Garrity seconded, and it was **so voted**.

Butch mentioned the snow rates. He would like to discuss raising the rates. If you look at the chart, Norfolk is substantially lower than the other towns. Butch said the loss of staff has made a difference. We need to be as competitive as other towns because we can't afford to lose the drivers we have. We can't put trucks on the road. He is afraid drivers will go to other towns and not come to Norfolk.

Jack said he's not happy to see the rates go up, but understands we do need to stay competitive. Bob said the rates go more with gas rates, than the amount of snow. He said the reason to shop around is to look at other towns and stay competitive. We have used the same men year after year and the men are loyal to Norfolk.

Jim Tomaszewski moved to approve rates for winter 09/10 as recommended. Rob Garrity seconded and it was **so voted**.

Butch is discussing the water leaks. He gave the Board a handout regarding the leaks. We are still losing about 150,000 gallons. We fix 17 and 15 more pop up. Butch said we switched chemicals today. Jim L. wants a notice put on the website.

Jim L. asked if we've seen any pattern. Butch said a lot of them are older services, and subdivisions of the 80's and 90's.

Wrentham is supplementing about 250,000 gallons a day. Rob would like better historical data on pumping and usage. He feels since we developed the DPW, we are aggressive in water.

Butch reviewed an Agreement for Avoca Village with the Board. They are bankrupt. They got \$250,000 from the bank, who released the bond to the Town. Butch feels confident that they can do the work for this amount.

Jim Tomaszewski moved to go forward with the Agreement for Avoca Village, and grant the Chairman and Town Administrator to sign for the entire board. Rob Garrity seconded and it was **so voted**.

ACTION ITEMS

Jim Tomaszewski moved to accept as policy the Procedures for Street Acceptance. Rob Garrity seconded and it was **so voted**.

Jim Tomaszewski moved to vote a preliminary assessment that the cable franchise of Comcast of Massachusetts/New Hampshire, LLC should not be renewed on the grounds that: the cable operator's proposal is not reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests. The Board of Selectmen will issue a "written statement detailing the reasons for this preliminary denial" within fourteen (14) days of the effective date of this Preliminary Denial, in accordance with 207 CMR 3.06(3). Rob Garrity seconded and it was **so voted**.

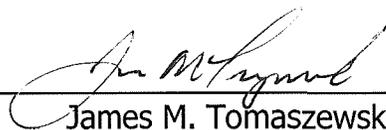
Jim Tomaszewski moved to recognize October 24, 2009 as United Nations Day and issue a proclamation. Rob Garrity seconded and it was **so voted**.

Jim Tomaszewski moved to approve solicitation at the Transfer Station by the Cub Scouts Pack 125 for two consecutive Saturdays, October 10 and 17th from 8 a.m. to 4 p.m. to sell popcorn. Rob Garrity seconded and it was **so voted**.

At 9:40 p.m., Jim Tomaszewski moved to go into executive session for pending litigation. Rob Garrity seconded, and it was a roll call vote: Rob Garrity, **aye**; Jim Lehan, **aye**; and Jim Tomaszewski, **aye**. The Board will return to open session only to adjourn the meeting.

At 10:07 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 September 28, 2009.



 James M. Tomaszewski, Clerk

October 19, 2009

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

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

TOWN ADMINISTRATOR REPORT

ACTION ITEMS

Rob Garrity moved to approve a one-day entertainment license at Guido's Restaurant, 218 Dedham Street for a live band from 10 p.m. to midnight on Saturday, October 31, 2009 for a Halloween Party. Jim Tomaszewski seconded, and it was **so voted**.

Jim Tomaszewski moved to approve the request of ACT NOW (communication committee for the new school) to hand out information about funding for the new school building at the Transfer Station on three consecutive Saturdays, 10/24, 10/31 and 11/7 from 9 a.m. to 2 p.m. Rob Garrity seconded, and it was **so voted**.

FALL TOWN MEETING WARRANT

The Board reviewed the three override articles and considered where to place them at town meeting. Jim Tomaszewski suggested Public Safety Building, School and then Roads. Rob agreed and stated that some people come only for their article and then leave, and that's disheartening. If the Public Safety was on first, then the School people would have to be there to vote on it. Jim Lehan felt that the School should go on first. After much discussion, it was agreed to do School, Public Safety and then Roads.

The Board numbered the warrant.

OLD BUSINESS UPDATE

Jack gave the Board the list of unaccepted streets. Some roads have never been accepted for various reasons, and we need to get the Planning Board to accept these streets. Jack said even though some are Planning Board ready, there are still legal issues such as a resident may own into the street, etc. We will discuss this with the Planning Board.

Jack said that free cash is certified. The total is \$67,000.05. He said he went to the Advisory Board with Julie Siewko and discussed the budget. Through the first quarter, we are right on target. Jim Lehan said we are concerned about cuts by the State. There is a revenue shortfall and the Governor will be revising the budget and we need to be concerned. We could get a 3% cut.

Regarding the two building projects, Jim Lehan mentioned that costs are down right now and we would be getting about 75 cents on a dollar. We could save about 20% of the costs which is huge.

ACTION ITEM

Rob Garrity moved that the abatement ceiling be \$750 up from the \$500 currently. Jim Tomaszewski seconded, and it was **so voted**.

The Board agreed that the Selectmen need to establish a policy on this. Jack said right now it's been managed by the Chief Assessor and Exec. Director of the Council on Aging.

ACCEPTANCE OF MINUTES

Jim Tomaszewski moved to accept the minutes of August 17, 2009. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to accept the minutes of August 31, 2009, regular and executive session. Rob Garrity seconded, and it was **so voted**.

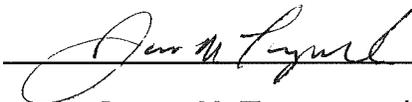
Jim Tomaszewski moved to accept the minutes of September 15, 2009, regular and executive session. Rob Garrity seconded, and it was **so voted**.

Jim Tomaszewski moved to accept the minutes of September 28, 2009. Rob Garrity seconded, and it was **so voted**.

Jack mentioned the fire today at Erin and Kevin Hughes home on Lawrence Street. Some of the house was damaged and they are unable to live in it. Jack mentioned that they have been very active in the town.

At 8 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 October 19, 2009.



James M. Tomaszewski, Clerk

SPECIAL MEETING

October 22, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator. Also present was Remo R. Vito, DPW Director.

Jim Lehan opened the meeting at 4 p.m. This was a work session with Butch Vito.

Jim Lehan said that their process is that they would like all information one week in advance.

Jim L. brought up concerns about the status of the Water Department. Butch updated the staffing, including consulting.

Butch brought up issues with historical water. Jim L. asked what White Water's job is. Butch said they do well maintenance, water quality, inspections, monitor stations and flushing.

White Water goes into troubled communities. They will have a 3 year proposal beginning in 2010.

We also have Environmental Partners for Planning, Sub-Division review and Fireflows.

Butch talked about what White Water did the first few years. Cleaning the system and exercising the system.

Jim brought up the issue of the Spruce Road Well, when the Master Plan is not complete.

Butch talked about the fact that the Spruce Road well is a replacement of the bad Spruce Road well.

Butch talked about past well or water exploration at Millis, Franklin, Mill River and Gold Street. We made the determination to drill Gold Street. Butch talked about the Spruce Road well problems (iron manganese). The clogging of the well is based upon iron manganese.

There was discussion about the Master Plan, which will identify how much water we need, not where to get the water. Bob McGhee has been talking to Walpole about water sources.

Snow & Ice

There was general discussion about the level of service options that could be chosen regarding snow and ice service.

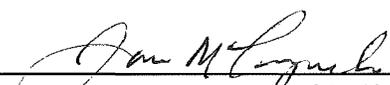
Engineers

There was general discussion about Engineer services. There was concern expressed by the Board that we haven't tested the market.

Jim T. asked how much we have paid to Coler & Colantonio each year recently. Butch thought about \$100,000 a year.

At 5:25 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 the Board of Selectmen on October 22, 2009.



James M. Tomaszewski, Clerk

SPECIAL MEETING

October 29, 2009

Present was James C. Lehan, Robert J. Garrity, James M. Tomaszewski and Jack Hathaway, Town Administrator. Also present was Remo R. Vito, DPW Director.

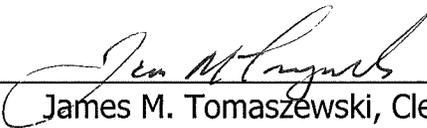
Jim Lehan opened the meeting at 4 p.m.

The Board discussed Chapter 90 funds. James Tomaszewski moved to have Coler & Colantonio oversee construction. Rob Garrity seconded, and it was **so voted**.

Jack and Butch will look at DIF for the Town Center Project.

At 5 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 the Board of Selectmen on October 29, 2009.


James M. Tomaszewski, Clerk