

July 26, 2016

Present was Jeffrey Palumbo, Scott Bugbee, James Lehan, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

The meeting was held in Room 124, Town Hall. Jeff opened the meeting at 7:00 p.m. Jeff announced that the meeting was audio and video taped. All present recited the Pledge of Allegiance. Jack read the agenda contents.

### **KATY RILEY, FARMERS MARKET**

Katy Riley was present. She said on Fridays, she has started a Farmers Market at Grange Hall. She would like to expand for more vendors, and more parking, but doesn't have the room at the Grange. She would like to do it on Town Hill. Katy said it would be close to Library and stores. Katy said they will be holding a Fiber Fair, and Harvest Fair. There are animals, such as alpacas and goats. Katy told the Board she would like to start now, and do it until October 7<sup>th</sup> from 2 p.m. to 6:30 p.m.

Jim asked about clean up. Katy said they will do their own clean up, and vendors clean their own areas. Katy questioned restrooms. She was hoping to use the Library, and if it became too large, they would pay and secure a porta potti. Jeff suggested going forward, and if it got too big, we could address these issues then. Jim was concerned about them getting too big, and wear and tear on the hill.

Jeff suggested keeping notes, and when it is over, we will revisit it and see the pros and cons.

Jim Lehan moved to allow the Farmers Market permission to use the Town Hill on Fridays from 2 – 6:30 p.m. on Fridays through October 7, 2016. Scott Bugbee seconded, and it was **so voted**.

### **TOWN ADMINISTRATOR REPORT**

#### **Action Items**

Please consider approving the August 6<sup>th</sup> event for Run and Gun Ranch based upon the results of the Accoustic test.

Jeff gave a brief explanation of what has been happening with this. It is under Ch.61B and has certain rights. He said the Board of Selectmen is limited in what they could do as far as restrictions because of the protection this property has under Chparagraph.61B. Jeff said as we are under litigation, we will limit our comments and conversations regarding this matter. Jeff read the second of the license.

Bob Bullock, Zoning Officer said he put the acoustic testing out to three companies. He gave the job to OnSite of Vermont. Bob met him on the site on June 11<sup>th</sup>, and set up testing equipment at several locations between 121 and ???. Bob read the summary in the back of the testing results. Their opinion was that the Run and Gun competition is not in violation of the Town of Norfolk statutes governing noise emissions. Town Counsel reviewed this, and everyone concurred that it is not in violation.

Jeff said that the item before the Board tonight is to take a formal vote on the August 6<sup>th</sup> shoot and whether the Board will allow this to take place. Jeff said that did the Board receive any type of issues or anything regarding the activities taking place on Run and Gun that should be considered. Jack and the Board is not aware of other documents or materials.

Jim Herget, 28 Freedom Trail asked is this event during the day? Jeff said that they have set times and days in the license. Hours are 10 a.m. to 6:00 p.m.

Karen Clark, 130 Seekonk Street prepared a statement that she read, and said that the sound test the neighbors have taken shows totally different results.

Tara Comendul, 131 Seekonk Street asked if there is an opportunity for the public to comment on the actions of that day? Jeff said no, that this is only to discuss the August 6<sup>th</sup> shoot.

Jeff assured them that the Board is sympathetic to this situation. It is a very difficult time because there is legal action against the Town, and we have had to seek legal counsel. We have to protect the Town in a broader sense. It is our job to protect you, but also our responsibility to protect the community.

Tris Carpenter said he requested the report and the summary and did not receive it, and feels it is illegal for us not to supply it. He said that the residents may sue us, too.

Jim said that was the only thing that was withheld. Once we are in litigation, the rules change as far as public documents. We have been advised by our town counsel, and that is the actions we are taking.

Larry Clark, 130 Seekonk Street said Mike Brogan has not acted in good faith. He knew the noise test was coming, and brought in equipment with a jackhammer the night before. He said that affected the results of the test. Larry also said we are acting with Mike.

Jeff said we have limits in what we are able to do in these types of issues.

Kathy Kubit from Cleveland Street said we did not have a public hearing on the redesignation of the property from 61A to 61B. Camping? Overnight camping and when will this be discussed? If so, where will it be? Jeff said we can't get into hypotheticals on what Run and Gun can do and can't do.

Jim said that you are asking us things that we have no jurisdiction over. Jim said he knows that you want answers, and we have no authority over this at all. Jim said the reason we are involved in this at all is because we tried to put conditions and he charges for these events. You need to go before the Board of Assessors for the answers to this.

Larry Clark said we need to change the permit because he is now 61B. Jim said we checked with town counsel, and are acting accordingly.

Scott Bugbee moved to approve the shoot on August 6<sup>th</sup> with the same conditions included in the March 23, 2016 license. Jim Lehan seconded, and it was **so voted**.

### **RAY GOFF, LIP PROJECT**

Ray Goff, Town Planner was present. He told the Board that LIP stands for local initiative project, and is project specific. This gives a Town control and zoning density. It requires a written letter by the Board of Selectmen. This becomes a smoother process, and gives financial accommodations. It helps with development costs, and they move forward from there. It saves both time and money.

The developer would first submit an application to the Board of Selectmen. It can be an informal application, and then you can request a formal application. You then meet at your earliest convenience. It would be a public meeting, but doesn't need to be a public hearing.

Ray said the project we are considering now is 25 Rockwood Road, the Kelly property. It is an eight acre parcel, close to the train station. It is the same developer for 106-108 Main St. There are issues they want to work through with the Town. It ties into the town center initiative. Ray said he would like to meet with the Board of Selectmen in August, but there is no requirement that the Board has to move forward in this direction.

Jim said he sat in on that meeting and we have four 40B projects in front of us now. This project and developer is very experienced with this, and the 106-108 is very well planned. A 40B we have no input in. This one we have input in, so this is much better. It will help control and manage the process. This is quicker

and it is a win if you have confidence in the partnership. We can put significant input to the State.

Ray said this does not set precedent. It is case by case. You don't have to support everything.

Jeff asked the role of Planning Board. Ray said it would be an advisory process. You have 180 days to make a decision from the date of the public hearing. All that stays the same. The Town works with Mass Housing.

Jim said we are a joint applicant. He would have to go to ground zero if this didn't work, and it would cost money.

Jeff asked about a 40R. Is this part of this with the incentives? Ray said no. There are incentives, but not here.

### **EVERETT STREET**

Residents in the Everett Street area attended the meeting.

Jeff explained that with the Open Meeting Law, this matter should have been on the agenda. We can talk with you, but we cannot make any decisions or take any votes without it being an agenda item. He said he will give you a chance to speak, but this is not a public hearing. They were upset about stop signs and speed humps on Everett Street.

Jeff said what happened in the spring was four years culmination of discussion and conversations and input from residents, boards, people, etc. We have tons of data that we are drawing on in deciding on how best to resolve the issues and comments. Jeff referred to these as traffic calming devices.

Jane Dewey, 9 Everett Street said speed humps were installed, and the residents had no input. None of them had any idea and woke up one day and they were there.

Ed Tugin, 3 Valentine Drive said this is a mistake and this road is not designed to have speed humps on it. The vehicles are near the sides of roads, and trees, etc. It is a wider road in Westwood. This is a narrow, country road, and it is not effective. He told the Board to remove the speed humps completely. Someone is going to be hurt.

Karen Myers, 19 Valentine Drive said that with the stop signs, at least you knew the car was going to stop. There are divets in the road taking out tires. Then the stop signs are gone, and the speed humps appeared. She felt that the stop

signs worked. Karen said one person complained and all of a sudden there is all these changes made.

Jack said it depends on where you live is how you decide. The problems they were trying to resolve was volumes and speed of traffic. When Patriot Place was being developed, it was used as a cut through. Chief Stone does not like the stop signs because they are not enforceable. He said some like the stop signs, some don't. Jack has heard from a lot of people. The real solution is to widen the road and straighten the road. It's the type of road it is becoming.

Rick Cuozzo, 1 Country Squire Drive. He saw several videos from the problem being addressed – March 19<sup>th</sup> one person at our meeting who said he didn't like the stop signs, and from a single incident of being rear ended we now have speed humps. The design is horrible and they had a note in their mailbox that they are there to improve public safety. No input from residents. They were fine with stop signs. He said our meetings only had a few people and we chose to listen to only those few people. Stop signs are unenforceable and neither are speed bumps. Jeff said the Selectmen had to make a decision that is not going to be satisfactory to everyone.

Jim explained that most of what happened doesn't happen at a meeting. You can't go by our minutes and one person at a meeting. We live through emails, phone calls and people coming in to the office. We never have people at our meetings.

Donna SantaBarbara, 26 Freedom Trail. Why not speed humps on other roads, including Grove Street? That is a cut through road like Everett Street.

Ben Lasher, 3 Country Squire Drive thanked the Board for responding to emails. He felt the issue is safety. The safe thing to do is to put obstacles in the road. Everything done is a safety issue.

Jim Myers, 19 Valentine. Expressed thanks for paving in Old Coach and Lafayette Lane. He suggested they go back to the way it was before. Second suggestion is stop signs. He mentioned a spot in Foxboro by the fire station that is a wider road. It's not the same road as Everett. Big difference. Twice the size of Everett.

Diane Cuozzo, 1 Country Squire Drive. All residents have been there 20 years or more. People drive differently now than they did years ago. Never once has she felt threatened on Everett Street until we took the stop signs out.

Karen Myers, 19 Valentine Drive said that she is concerned of safety as well. She gave examples of young kids driving and being concerned of accidents,

etc.,because they aren't paying attention to the speed humps. She doesn't want to worry.

Jeff said we have to do something. He said that we can't please everyone. This is subject to continued input from Everett St. residents and be open to removing the speed bumps at some point. We are sympathetic to your concerns. Jeff recommends to finish the job, but do it in a manner with DPW to solicit input with signage or whatever, and share information and we can ensure he is up to date with practices and traffic calming, etc. It is fairly new and not all that different to this town and that road. We will continue a course of action with enhancements Mr. McGhee has outlined. There are other considerations with speed bumps and which ones go and which ones stay, there has been input to consider and the course of action we will take.

Jim would like to mitigate. He would like to sit down with Chief Stone and talk about this. He was not present when we made that decision and would like to see what he says. Jim said no matter what decision we make, another group will be in here wanting the opposite. We need a resource to help us make a decision. Jeff will talk with Bob McGhee and Chief Stone.

Bob said a speed limit change isn't going to be the answer.

Jeff said the residents will receive something from Bob McGhee to residents in attendance tonight, as well as Everett Street residents, and we will put our best foot forward and hopefully resolve this matter.

Scott Bugbee moved to keep the fee for a parking permit at the Old Town Hall at \$75.00 and \$5.00 for a second sticker. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to approve the contract for the IMA with Metacommet Emergency Communications Center in form and subject to final negotiation of rent numbers. Scott Bugbee seconded, and it was **so voted**.

Jim Lehan moved to award the contract for Equipment Rental 2016-2017 for the DPW to R. Kadesh Excavation, 200 Norfolk Street, Walpole, MA per the attached information, at an hourly rate of \$124.99. Scott Bugbee seconded, and it was **so voted**.

Scott Bugbee moved to award the contract for Leachate Removal Services for FY2017, 2018, and 2019 to Waste Water Services, Inc. of Bridgewater, MA at \$0.089 per gallon. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to approve a Block Party on Day Street for Saturday, September 10<sup>th</sup> from 1 p.m. to approximately 9 p.m., with a portion of Day Street closed from #2 to #6 Day Street. Rain date will be Saturday, September 24<sup>th</sup>. Scott Bugbee seconded, and it was **so voted**.

Jim Lehan moved to appoint Linda Elsmore, 54 Hillcrest Village to the Board of Registrars, term to expire 6/30/19, per request of the Democratic Town Committee. Scott Bugbee seconded, and it was **so voted**.

Jim Lehan moved to appoint Anthony Turi as Records Access Officer, term to expire 6/30/17. Scott Bugbee seconded, and it was **so voted**.

Jim Lehan moved to appoint Anne Marie Battistone as Norfolk County Advisory Board alternate member, term to expire 6/30/17. Scott Bugbee seconded, and it was **so voted**.

Jack discussed water. Our wells are running on a 24-hour basis, or some days not as much. The wells aren't getting a rest, and when they aren't recharging, they tend to pull materials, which isn't good. Jack said he made a decision based on a DEP warning asking residents to curtail water use. The board agreed it is a dire situation right now with no rain. Jack wondered if we should not water town hill? It is on an every other day schedule. Jack said he will talk to Bob and see about a bare minimum watering. We will do the Pond Street every day because the fields are expensive to repair if the grass dies. It was agreed to start with a call. If that doesn't work, then do a letter/ticket. The third time is a fine. If it goes unpaid, it will be added to your water bill. Water users only. There is a brochure that will be put on the website.

The Board finalized the Goals and Liaisons. We will send the Liaisons to the Departments and Committees so they know who represents them.

Jeff discussed opiate use in towns. A Parry program was implemented that has resources and guidance that is very successful, and it would be good for the residents to know we are doing something, and there are options. We receive feedback from Officer Palladini and Officer Kanadianian and ask public safety officials, but there are next steps and additional things we can do. We should invite public safety officials and Senator Ross and Rep. Dooley to come to the Board and discuss. July and August are tough.

**APPROVAL OF MINUTES**

Jim Lehan moved to accept the minutes of June 28, 2016. Scott Bugbee seconded, and it was **so voted**.

At 10:53 p.m., Scott Bugbee moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of July 26, 2016.

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James C. Lehan, Clerk