

August 15, 2017

Present is Scott Bugbee, James Lehan, Jack Hathaway, Town Administrator, and Marian Harrington, Executive Assistant. Jeffrey Palumbo was not in attendance.

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

### **ACCEPTANCE OF MINUTES**

Jim Lehan moved to approve the minutes of July 25, 2017. Scott Bugbee seconded, and it was **so voted**.

### **TOWN ADMINISTRATOR REPORT**

#### **Report of Warrants**

Jack Hathaway reported that the following warrants have been signed:

7/25/17 - #04V18 for \$530,513; 7/25/17 - #04VS18 for \$115,463.73;  
8/01/17 - #05V18 for \$817,962.50; and 8/01/17 - #05VS18 for  
\$50,662.89.

#### **Action Items**

Jack suggested the Board consider Goals and Liaisons for FY'18 at our next meeting as Jeff was not present to review and give input.

Jack suggested the Board consider accepting the new CORI policy at our next meeting because Scott Bragdon is on vacation and couldn't review it with them.

Jack said he thought he would have more information regarding taking action on the new Marijuana law signed by the Governor.

Jack said the law gives the towns ability to license and sell. Legislation was just signed by the Governor regarding how we want to initiate this. It appeared the House was going to let the Boards of Selectmen decide to allow to sell or not. But the final bill at the Senate did not allow this. Each town needs a bylaw, and we now have the ability to go and have the bylaw passed. Towns would either limit it to 1/5 of alcohol sales, ban it, or allow it. One-fifth would be we have 5 stores, so we could have one dispensary. Town meeting would allow it. Town Counsel said they (all town counsels) are still working with the Attorney General to draft standardized warrant articles that would be acceptable.

Jim Lehan moved to request Town Counsel to prepare the appropriate articles for the Fall Town Meeting to ban the sale of marijuana in the Town of Norfolk. Scott Bugbee seconded, and it was **so voted**.

Jack discussed executive session minutes that we need to vote to release. We have had a public records request, and the Board has never voted to release our executive session minutes. Legally, we cannot hold them once the matter is settled. Jack said he reviewed them all, and found 32 sets of executive session minutes that you can vote to release. Jack said we will put them on our website if approved.

Jim Lehan moved to release as suggested by Jack Hathaway. Scott Bugbee seconded, and it was **so voted**.

Jack told the Board that there are about 20 sets of executive session minutes from 2011 until now that have active litigation and/or personnel matters containing sensitive information, and Jack will talk to Town Counsel about releasing them.

### **Discussion Items**

The Board discussed the Grant for the Lawrence Street bridge. Jack discussed the small work grant that is tied into development, which is being proposed by the Abbyville project on the Buckley & Mann property on Lawrence Street. The developer is Tom DiPlacido.

We have the ability to apply for a grant up to \$2 million. We have applied for a grant for \$1.8 million. The Lawrence Street bridge has access to Franklin or to Park Street. There is a list of things he could do such as put in sidewalks, water line, and ask Jack what the other things were. Residents have asked if we should be doing this because it deems we have approved the project. Jack said that the recommendation of the engineer says that it needs to be done.

MassWorks people prefer this be tied into a project that is already approved. Jack is not sure that this will work out. Jack said the fact that they raised this makes him think it is something they will look at. Some negotiations will be in executive session and some won't. In the negotiations with the builder, it will include what will happen with the grant, and without the grant. The land for the well will be a donation to the Town by the developer.

Jim has concerns over this. He knows the bridge needs to be replaced and Bob McGhee has looked at the bridge. Are we giving up leverage? He feels that we are premature, and we need to see how this project plays out. The grants are available every year. If we get the grant, then we've lost that chip. He said the one thing we can do is hold off and see how the cards play out. Scott asked what if we get the grant. Jack said we don't have to bid out the project. Jim said we could not accept the grant. But that wouldn't help the Town if we wanted to apply for future grants.

Jack said one of the biggest problems working with infrastructure in Town, is getting them to pay the engineering. Jack said with the town center bridge project, we wasted \$100,000 of the town's money on the engineering and it didn't work.

Jim asked what additional work has to be done in order to get the grant? Jack said nothing, because we aren't doing it. He said that they look at whether we have been rejected in the past. That weighs on it. We submitted a small project last year that was rejected, and we submitted two this year. The small grant will cover all the engineering, so we know what we have to do on the bridge. Jim is comfortable with the small grant. He understands the engineering needs to be done. It is the larger grant he is concerned about.

Jim said he is not lobbying for or against. Jim is only trying to not give up any chips this early in the game. Scott said he would rather talk to the ZBA members as to whether they are for or against. Jack said if you take away the grant, we lose chances of getting something else. Jim said the two critical components of the project is the bridge and water. Scott said he isn't comfortable without knowing how the ZBA feels.

Jack and Scott will talk with Mike Kuleza. The bridge needs to be replaced. It was built in 1915.

Mike Guidice, Eagle Drive was in the audience. Mike agreed with Jim as far as negotiations. This is a huge chip to hold over the developer. Mike spoke with Bob McGhee and he indicated that there was some work he would be doing on the bridge, and once the work was done, it would be good for about 15 years. The design has to be determined without Mike said these grants expect you to start construction in the spring. They are usually given out in the fall/winter. He doesn't feel that this will be ready. Mike said that they feel this project is way over sized for the site.

The Board felt they should meet with the ZBA, and discuss it with them.

Jim said they are moving forward with the Housing Production Plan. There is a meeting on September 14<sup>th</sup> at the Middle School Library. He hopes people will attend. They are scheduled to submit in October and be certified shortly thereafter. The Planning Board has been kept in the loop. Jim said it could be certified by the end of October.

Jack discussed signage around town. He said that quarterly, or 3 times a year, employees in the Zoning enforcement department go pick up signs not permitted within the sign regulations or general bylaws. Signs that are in the right-of-way. What people don't understand is the right-of-way is owned by the Town, not the

residents. These bylaws are approved at town meeting, and employees do their job by complying with the bylaws. They go out quarterly, or when we start hearing from residents that the signs are annoying or a nuisance or site problem. We pick up real estate signs, or contractor signs. Jack said if you assume 10', you are probably safe. We bring these signs to town hall and you can pick up your signs. If a sign is 10' off the road, then we won't touch it.

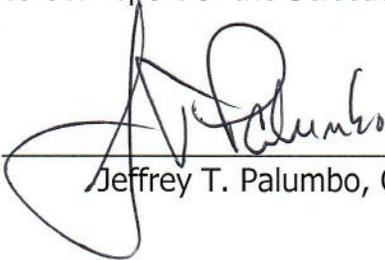
Jim said that we should give residents notice that we are going to do this. Jack said we cannot give notice. We have one zoning officer, and limited staff at town hall. It's impractical. Jim said that they did not know about it and were getting calls. He told Jack that when we know there is an issue, notify the Board and when there is an issue that is sensitive to people, we need to prevent people who are upset by it. Jim suggested we could put a notice on the sign saying that it's in violation, and if you don't move it back 10' or whatever, we will remove it. Jack said that is still a lot of work.

The Board reviewed our meeting schedule, and since the Board could not work out a date for the week of October 23<sup>rd</sup>, they chose Monday, October 30<sup>th</sup>.

Jack reported that Run and Gun's event ran late because they had two safety issues; (1) they had a lot of rain the night before and had to fix the grounds; and (2) a rider fell off a horse, so they ran late because they had to allow the rider to compete. The Board discussed fees being charged at another event.

At 7:50 p.m., Jim Lehan moved to adjourn the meeting. Scott Bugbee seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of August 15, 2017.



---

Jeffrey T. Palumbo, Clerk