

August 14, 2018

Present was James Lehan, Kevin Kalkut, Jack Hathaway, Town Administrator, and Marian Harrington, Executive Assistant. Jeff Palumbo was not in attendance.

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

HIGHLAND LAKE RESIDENTS

Concerned residents who formed a "Friends of Highland Lake" were present to discuss the condition of Highland Lake.

Arthur Frontczak, 14 Main Street was speaker for the group. Art mentioned the four slides he had tonight. 1. Neighbors Help Maintain; 2. Invasive Water Chestnut; 3. Removal Goal and Efforts, and 4. Request Town's Help. He presented the Board with handouts of the slides.

Art said that a fast invasive plant was working its way into the land. He said it is invasive water chestnut. He has talked to several people. It's a surface plant and it drops its seed pods in August, and the seed multiplies and becomes a problem. He said it can be brought in by boats or birds.

Art said they want to restore the lake to its previous condition. If this takes over, it affects the wildlife, birds, and they would like to remove it and get the water to not look so swampy. They were told to get rid of it while you can. They have spent lots of man hours and time trying to do a work party, but they are chipping away, and haven't even made a dent.

They would like to ask the Town for help. They have contacted the Lions and the Cub Scouts. Art said they would like to know how to bring groups together. Not sure about other ponds or lakes and if there is a problem. Norfolk purchased this lake in 2008 by CPC. They have more data, but this frames their goals and experience.

Jim said he has seen this, but this is not his area of expertise. Art said the tendrils go beneath the water, and you have to ball it up and get rid of it. You will have to work on this for 10-12 years before it will be gone. Jim asked if you need manpower. Art said there is a machine that would help remove it, or chemicals. Some towns will share the equipment. Hand pulling, chemicals and mechanical are the steps to be used. Solitude is a company they have looked at. Jim asked the cost of the machine. Art said the cost is \$20-\$30,000 to remove it. Jim said the fact that CPC purchased it, would this help? Barbara Bartholomew said CPC funds cannot be used for maintenance, so this wouldn't

help. Barbara said that this problem is not unique to Highland Lake, it's just the largest lake. The other lakes are affected too. Comey's Pond, etc. Barbara said her concern is that the lake is half of the park (Fales Park). Kevin Kalkut asked if they know of another town who has used Solitude. Art said yes, Norwood and others. Art said it was chemically removed. Solitude will remove it, but leave it on the shoreline and don't haul it away. DPW and others have offered to assist. Jim said we can't make the bucket bigger, but we can do transfers at the Fall Town Meeting on November 27th. We can just move money around, and wait for annual town meeting. The fall town meeting on November 27th would be the quickest way. Barbara said Wrentham used the service to clean up Lake Pearl. Jim said we could fund a short term project now, and do the larger project later. Kevin and Jim agreed that this needs attention and are committed to helping.

Jim suggests Fall Town Meeting on a short term basis and will discuss this further, and will get Jeff up to speed.

BOB MCGHEE – CHAPTER 90

Jim explained that this matter was brought to the Board at 6:30 p.m. tonight and was unanticipated. The Chairman has the right to allow it to be discussed as it was unanticipated and not able to make the agenda.

Bob said that he was just advised by his contractor that he could be available to help pave roads. Bob would like to do this now as opposed to the Fall and when school is back in session. He would like the Board to approve the funding now so that he doesn't have to wait until October/November.

Bob said the list of streets he would like to do is detailed in a document he prepared and presented to the Board, attached to these minutes.

Bob said the Board keeps \$50,000 for emergency funds. Bob said it would be well above \$50,000. This is specific to Chapter 90 funds.

Kevin Kalkut moved to approve \$192,500 from Chapter 90 funds for the above streets as outlined in the attached document. Jim Lehan seconded, and it was **so voted**. Bob told the Board he would follow up the document with a detailed Memorandum tomorrow.

Jack asked about Seekonk Street. Bob said from Campbell Street to Stop River Road – he wants to inspect the system. Curb restoration - \$300,000 to repave it the way it is now in perfect condition. They let the trench settle, saw cut and people will request more laterals. We will leave it in trench condition. He doesn't want to pave it and have more people want to cut into it and that's why he keeps it in trench condition. He is doing curb to curb restoration on Highland

Lake. Jim asked if funds are held, are you comfortable that costs won't escalate and possibly we won't have enough? Bob said he has accounted for inflation and is very comfortable that we will have enough money. He said to let the laterals get done, and let the pavement settle and when all is done, we will have a nice smooth road. Seekonk Street will have to detour through the center of town (by cemetery) and people will have to go Cleveland to Seekonk Street. Schools, emergency personnel, etc. are all aware. This will only be during the day; not at night.

TOWN ADMINISTRATOR REPORT

Report of Warrants

The following warrants have been signed:

11/09/17 - #10P18/10PS18 for \$762,987.01; 11/014/17 - #20V18 for \$2,758,373.08; 11/21/17 - #21VS18 for \$116,143.90; 11/21/17 - #21V18 for \$327,048.83; 11/24/17 - #11P18/11PS18 for \$757,090.41; 11/28/17 - #22V18 for \$101,198.60; and 11/28/17 #22VSA18 for \$2,125.00.

Kevin Kalkut moved to accept the above warrants as mentioned. Jim Lehan seconded, and it was **so voted**.

Action Items

Jack Hathaway suggested that the name Cleary Circle be considered for the street name for the Lakeland Farms project on Myrtle Street. Jack said we have a request from Lakeland Farms to name a street Cleary Circle.

Kate Howarth, Firefighter with the Norfolk Fire Department was present to ask the Board for a one-day beer license for the Fire Department's Autism 5k they are holding on Sunday, August 26th. They will have a Brewery set up a tent and do craft beer. It will be keg type beer, and a licensed person will be serving the beer. Glen Eykel, Police Dept. will come to card residents. They will have a beer truck and tent in the parking lot of the old Town Hall at 100 Main Street. This event will be held from 10:30 a.m. to 5 p.m.

Kevin Kalkut moved to grant a one-day beer license for the Fire Department's Autism 5k event at the old Town Hall, 100 Main Street, on Sunday, August 26th from 10:30 a.m. to 5:00 p.m., and to waive the license fee. Jim Lehan seconded, and it was **so voted**.

Kevin Kalkut moved to utilize the name of Cleary Circle for the street in the Lakeland Farms project on Myrtle Street. Jim Lehan seconded, and it was **so voted**.

Jack asked the Board to consider abating a Water Bill for a resident at 24 Bridie Lane. The Board had read the information, and it was from a leaking toilet, and

so it was water that was used. Kevin asked if this has come before us before, and how was it handled? Jim said he knows of no instance where we waived the fee over water used in a persons home. Jack agreed that we haven't waived it; it is the water enterprise fund which is by water users. He agreed that issues by one person affects all the users. Jack said the data is showing the Board the bill is in excess.

Al Phinney, Water Foreman said residents don't believe that a toilet running can put out so much water in a 24-hour period. Al said this comes to his attention and he calls the homeowner. In this case, this homeowner admitted to Al that he had two leaky toilets. Al said because it was under 1000 gallons a day, he didn't catch it. He said when the homeowner got his bill, he called Al immediately. Al told the man that we have no control over toilets running in your home. We don't give abatements for this. Al said because of the sophisticated system we have in Norfolk, he could catch issues that could cost a homeowner lots of money. He would recommend not giving him an abatement because we have had other residents who we did not give abatements to who had higher bills than this person. Al is okay with waiving the late fees, interest and demand.

Kevin Kalkut moved to waive the penalties and fees associated with the water bill for the resident at 24 Bridie Lane. Jim Lehan seconded, and it was **so voted**.

Jack asked the Board to consider renewing Directional Sign Permits for Jane & Paul's Farm, Fruit Street; Fore Kicks, Pine Street; and CableLAN, Sherwood Drive.

Kevin Kalkut moved to renew the Directional Sign Permits for Jane and Paul's Farm, Fore Kicks, and CableLAN. Jim Lehan seconded, and it was **so voted**.

Jack asked the Board to consider issuing a One-Day Beer and Wine License to the Norfolk Grange for a dance at the Grange Hall, Rockwood Road on September 22, 2018 from 7 p.m. to 11 p.m. Jack said the person serving is TIPS trained, and will be from Basil's in Medfield.

Kevin Kalkut moved to approve a One-Day Beer and Wine License to the Norfolk Grange for a dance at the Grange Hall, Rockwood Road on September 22, 2018 from 7 p.m. to 11 p.m. Jim Lehan seconded, and it was **so voted**.

Jack asked the Board to consider opening the Public Comment Period with respect to the water, solid waste and cemetery rates. This period runs 120 days and will expire December 12, 2018.

Kevin Kalkut moved to open the Public Comment Period with respect to the water, solid waste and cemetery rates. This period runs 120 days and will expire December 12, 2018. Jim Lehan seconded, and it was **so voted**.

DISCUSSION ITEMS

Town Meeting Timeline

Jack mentioned opening the Fall Town Meeting, and discussing the Warrant articles timeline. Fall Town Meeting will be November 27th. Jack said he didn't have the official notice, but articles will need to be in right after Labor Day.

Jack said some articles he has heard about are an Energy request, vehicle for Building Inspector. Zoning articles, and forming ad-hoc committees were from the petition articles in the spring. The HODay School may be in the spring. Jack said we closed most of snow and ice - \$50,000 left. Capital and transfers. Stormwater MS4 – Bob McGhee. Might be bringing this for fall. \$50 or \$100K. Not sure right now. New person hired is familiar with MS4 permitting and may help us save money until the spring. Public Safety project – many differences between GM and Architect. Enough money, but contingency for Fire Station may not happen. Signed documents for septic system in today, which is good news.

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

Ad Hoc Committee

Jonathan Smith would like to be on the Town Government Study Committee. Jack would like to talk with Anthony Turi and get going on this. Jim said he would love to see Jonathan on this committee, and if he knew anyone else interested, have them contact the office. Get the framework written for our next meeting and get volunteers in.

The recall provision was the other ad-hoc committee to consider. Jim and Kevin have names to give Jack. Town meeting thinks this was worth doing.

The Board discussed the framework for both committees. Jack hadn't volunteered for the second one, but will. Jim will help draft framework around this one.

Goals

The Board will not review goals tonight, but will wait until the next meeting when Jeff is in attendance.

Lawrence Street Bridge

Present was Police Chief Charles Stone, Jr., Fire Chief Coleman Bushnell, and Eric Atkins of Green International.

Jim Lehan said that this discussion tonight is only to discuss the bridge and the causeway. That is the only thing before this Board tonight. We have read the LSP report in detail, and there are some very serious concerns there, but they are not relevant to the bridge and the causeway.

Jim said for some background, road repairs and bridges and things of that nature are not public hearing items. We do this stuff all the time. He said he can only remember one other occasion where we involved residents in a road discussion, and that was Lake Street. The reason they did that was, if you know it, it is a very unique street, and pretty much only traveled by the folks that live there. So we included them in the discussion of what could or could not be done to their street. That was almost five years ago, and we still haven't been able to come to a conclusion.

Jim said that we opened up the process of discussion here because of the sensitivity of what is going up in that area. There are two major developments and we wanted to allow for that input here. There has been a lot of input on this. There have been four Board of Selectmen meetings, Planning Board and Conservation meetings, all on the bridge and the causeway. There has been a lot of input. There is limited input on what we can and cannot alter. For example, all design work has to meet DOT standards. We don't get to negotiate that. Items that we can talk about and have talked about at all of these various meetings, with the roads, design of sidewalk, things of that nature. This has all been taken into account and was integrated as best we could into what the bid specs are. The bids arrived on July 26th, and we received 5 bids.

Eric said in total there were 10 plan holders, of which 5 submitted actual bids. The bids included a base bid for a certain scope of work which included the reconstruction of roadway, repair of the bridge deck and the construction of the _____ walkway and sidewalks on each side of the bridge.

There was also an add alternate in the bid which included the work to take the overhead utilities and build the infrastructure necessary to relocate those overhead facilities below ground including manholes and the necessary conduits to do that work.

Of the five bidders, the bids ranged from, including the add alternate work which was inclusive of the manholes and conduit work that I mentioned, the bids ranged from approximately \$2.3 million, which was the low bidder of MAS Building & Bridge, Inc., to high bidder of \$2.9 million. In there they estimated it

to be \$2.6 or \$2.7 million, so it was fairly competitive, and a wide range. Everything seems in order for the low bidder, and they have contacted references and found them favorable. Eric said they did review to make sure the math was correct, etc. and found no irregularities in their bid. Some items were higher than they would expect, and lower than they would expect, but they addressed those in a letter they sent. In the end, they recommended that the Town accept the low bid.

The Board had no further questions, and Jim Lehan opened it up to the audience for questions.

Margaret Kahaly, 11 Cranberry Meadow Road said that at the last meeting you said that the footings on the bridge needed to be replaced, and there was a temporary fix on the top of the bridge, and she didn't notice that in the scope of the work. Jim said the temporary fix was done by the Town for footings on the bridge.

Eric said replacement of the bridge deck and repairs to the abutment, but not the abutment replacement, not the foundation replacement. The foundation – we did some testing on the abutments and found that the abutments themselves had the required capacity to withstand the loading that we would need, with some minor repairs that we are proposing in the contract.

No one else had questions.

Jim said we have the funding set aside to award the low bid. The funding is \$2,305,010.30. Jim said the grants total \$2.3 million, and Bob McGhee has \$16,000 from the prior work done on the bridge set aside that has not been spent that we can reallocate to this bid.

Peggy Bedard, 28 Lawrence Street asked what happens if there are change orders and add ons. Jim said that we may or may not get change orders, but he has never seen a project that didn't have any change orders. He said we would have to set money aside – usually 10% of the money for the project is set aside, and we would have to find additional funding to cover the change orders.

Kevin Kalkut moved to accept the bid for the Lawrence Street improvements including the base bid and add alternate to MAS Building & Bridge, Inc., of Norfolk, MA in the amount of \$2,305,010.30 and instruct the Town Administrator to enter into a contract between the Town of Norfolk and MAS Building & Bridge, Inc. for that purpose. Jim Lehan seconded, and it was **so voted**.

Eric said the next step is that they need to be issued a Notice to Proceed with a date on the Notice to Proceed. The date is a critical element and often gets

overlooked. He said that is what kicks off all the dates that are in the contract that they comply with. The Town should establish a pre-construction meeting to meet with the Contractor to go over any questions, to review the Contractor's schedule, which they should provide at this meeting; and also to schedule submittals, which they typically provide at that meeting. You would start discussing when things will begin to occur, when they would start to mobilize and when the closure periods starts, and those sorts of things.

Eric said their next recommendation would be to arrange for the Pre-Construction meeting so that that process can start, and also issue the Notice to Proceed to the Contractor to be sure that all the contract documents are properly obtained.

Jim asked Chief Stone and Chief Bushnell to come forward to discuss the public safety aspect of this.

Chief Stone said that obviously the residents concern for those that live on the other side of the bridge is if they will have public safety response. He said the answer to that is yes, definitely. The Chief said he has spoken to Chief Lynch from Franklin, and he assured Chief Stone that he has officers who will be able to respond to whatever call happens, on the other side of the bridge. They are well aware of what is going on, and they had a staff meeting today to discuss that. Norfolk will be coming right in behind whoever responds to the address and as a result of that we will take over after exchanging information with the officer who responded first, with the officers from Norfolk. There could be times where they are right there and will be first to a call before Franklin, although that is not likely.

Chief Stone said he has done that route, traveled the regular route down Park Street to Lawrence and into that neighborhood, and found it to be roughly 5.5 minutes at the center roundabout going 40-45 mph, where you can go that speed. As you know, we have blue lights and sirens so we can move a little faster if we have to. They find it to be 6 minutes to 6 minutes, 45 seconds going the other way – Chestnut to Mill and in that way. He does feel that they can get to a call in a reasonable amount of time. There are not a lot of homes in that area, and there will be a response from Norfolk Police. We do not feel we will have a difficult time, especially with our good neighbors from Franklin. He said that Franklin has been rated a Safe community as well, and partly due to their Police Department. He does not see a problem with this at all.

Chief Bushnell used a Powerpoint. He said that Chief Stone took care of the logistics. He said they need two things: they need people and they need water. They have a problem with staffing and will be discussing that with the

Selectmen. He said what you don't have is water, but we will bring it with us on wheels.

Chief Bushnell said that he wanted to discuss distances. He said he measured a little differently than Chief Stone. He measured them from Franklin Fire Station, our station, and then our station to go by Park and Lawrence Street. If you look at Franklin, if they respond from their station to Brett's Farm Road, it would be 2.5 miles or 4 to 5 minutes. They would respond with an engine company. Their engine companies are staffed with 4 to 5 people. An ambulance which is same as ours – ALS. A normal response by Park and Lawrence by us; Franklin will give you a bigger bang for your buck. They will have more people and Norfolk will be right along behind them. They will initiate patient care and Norfolk will probably do transport. He said they can employ MapQuest and he showed the distances for using those distances.

In your area, there is no hydrants, but we use water from Medway and Franklin. Chief said that they have done transport in this area lately, and mutual aid came in to assist, and they are familiar. EMS total ambulance calls have been 50. Chief Bushnell said the numbers from last year run true to what they are. What they have had in that area is low volume considering all calls by the Fire Dept.

Jim asked for questions from the audience.

Peggy Bedard asked where do their calls get directed when they call 911. Chief Stone said Norfolk and they will be the same as now. While they are being dispatched, Franklin will get the call at the same time. She asked what the timing is between Norfolk and Franklin. Chief Bushnell said when Norfolk receives the call and is heading out, Franklin will receive the call. Timing would be insignificant. She asked how long it would take to get water from Medway to Norfolk. Chief Bushnell explained the water transport from all towns. Jack said they are confused about the water, and explained the process of water getting to their neighborhood. Our tanker isn't the first one that arrives. It has always been Franklin or Medway that arrives first. Peg said that they were told that water would only come as far as the bridge at a previous meeting to this one. Jack said there are several phases about bringing water to that area, and Rich McCarthy, Town Planner, can talk about the Cranberry Heights subdivision. He said they put a provision in there that that developer will pay for water to continue down Lawrence Street. Jack said it's not necessarily part of this project, but once we get the water to Lawrence Street, we can continue down to Brett's Farm and so on to the Franklin Line. Peg asked how long you anticipate that taking? Jack said he doesn't have a schedule in front of him, so he can't say today. Peg addressed Chief Stone on his comment that he said there aren't many houses there, and probably didn't mean anything by it, but the houses that are there are important to all of us. You might want to rephrase that. Chief

Stone said he guessed there are ballpark 25 houses in that area, as a result of that we are going to get summoned to your emergency call whenever and wherever it is. Peggy said he shouldn't say that again in the future, because it is about 50 houses, and their houses matter to them. Chief Stone said they matter to them, too. Chief Bushnell backed up Chief Stone by saying that he is sure that is not how he meant it. Jack said we understand.

Margaret Kahaly asked about the time frame for bridge. She said we keep saying it is going to be closed. For how long - a week, three weeks?

Eric said it all starts when they issue the Notice to Proceed, and then they can mobilize. We don't have the contractor's schedule to mobilize or when they plan to close the road. Eric said when they do close the roadway, there is a 90 day limit. It cannot be closed longer than 90 consecutive days. Eric said after the 90 day period, there may be a time where they have to shut the road down for 5 minutes to move a piece of large equipment or whatever, or maybe half a day, but after the 90 day period, they cannot close the road for consecutive days and nights. They are not allowed to do that.

Peggy Bedard, 28 Lawrence Street said she wants to be sure she understands this. It is closed for 90 days. No plus/minus. That is the limit.

Eric said the way the contract is worded, they can only close it for a maximum amount of 90 days. They can close it for only 30 days, but they cannot close it for more than 90 days. Peg asked what happens if they are longer than 90 days? Eric said then the Town has the right to receive damages for that. Peggy would like the amount. She said she hoped it would be a big incentive. Eric did not have the amount, but it is public record, and he can get that.

Peg asked when the road would be closed. Eric said that without the benefit of the Contractor's schedule, he could not give a date. This is a project that is anxious to get started, and that is a good thing. He estimates work would start within a month, but he has less of a handle on when they would close the road. He doesn't know. Peg asked if this would go into December, and Eric said it may.

Peg said she thought this wasn't going to be done while the kids were in school because of the school buses. That's a long ride to the school. Eric said he thinks this was a goal originally, but given the project schedule and the way that progress progressed, by the time the project was out for advertisement, and the bids were opened, it was determined that that wasn't going to be possible.

Peg asked if this is going to be a total lane closure, or will one lane be open?
Eric said the 90 day will be a total road closure.

Sandra Myett, Eric Road asked if anyone is going to follow up with the schools and get a bus route, and maybe a dedicated mini bus for that area? We have KP Schools, elementary and Tri-County anything about a discussion of bus trips for all the schools? Jack said the schools have already been notified, and they are always part of the pre-construction meeting. They will be part of the planning process, and will be made aware of the bridge closure.

Jim said we should have another public meeting to advise the folks specifics. We can't do that until the pre-construction meeting is held. Eric said the pre-construction meeting would be held within a month.

Peggy asked about snow. In December, there is tons of snow. Eric said that bridge projects happen in cold. They will work around snow as they know they have 90 days. Paving may be an issue and we will discuss that at the pre-construction meeting. Eric said the contractor knows they have the 90 days and will keep the project area plowed and cleaned. Jim said we would project the next meeting by the end of September. Eric said that may be reasonable.

Margaret asked if at the next meeting would we know school routes, and plowing and all the other things we need to work around. Jim said as soon as we have any firm information, we will hold the meeting. He said that Bob McGhee will be in charge of this.

Peggy is worried about their power while the bridge is being constructed. Bob McGhee said the poles won't be moved, and the electricity won't be an issue.

John Weddleton commented on the pumping station for this area that was discussed at a Planning Board meeting.

FALL TOWN MEETING

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

EXECUTIVE SESSION

Kevin Kalkut moved to go into executive session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body, and the chair so declares. Subject is Run and Gun Ranch litigation. There will be no votes taken and the Board will not return to open session. Jim Lehan seconded, and it was a roll call vote: Jim Lehan, **aye**; and Kevin Kalkut, **aye**.

The Board took a 5-minute recess, and will return to executive session.

At 9:10 p.m., being no further business, Kevin Kalkut moved to adjourn the meeting. Jim Lehan seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of August 14, 2018.



Kevin Kalkut, Clerk