

Norfolk Board of Selectmen's Open Session Meeting Minutes

September 18, 2018

Present was: Jim Lehan, Jack Hathaway, Town Administrator, Jeff Palumbo, Kevin Kalkut, Susan Jacobson, Executive Assistant, Chief Stone and David DeLuca, Town Counsel.

7:30PM Police Department

Officer Promotions:

Jim said we had some promotions to take place this evening for Sargent Shannon who will be promoted to Lieutenant and Officer Van Ness who will be promoted to Sargent.

The board wanted to extend their congratulations to both Lieutenant Shannon and Sergeant Van Ness on their promotions. Congratulations to their families who attended.

TOWN ADMINISTRATOR REPORT

Action Items

- **Please consider Police Lieutenant Contract**

Jack said the LT contract is in line with his SGT contract but includes a 5% increase. LT Shannon, Chief Stone and Jack sat down independently and this is a fair contract. LT Shannon comes with many years of experience and two Master's Degrees. The rest of the contract comes from the Patrolmen's contract. He is getting the incentive pay (Quinn Bill) there is no double dipping for having two Degree's. Jack would recommend approving the contract.

A motion was made to approve the Police Lieutenant Contract by Jeff Palumbo. It was seconded, by Kevin Kalkut and so voted. All were in favor.

- **Please consider the Clerical Union Contract**

Scott reviewed the changes made throughout the contract. Jack wanted to thank Todd for his help with these contracts. It was agreed that a sick bank would be set up for people with extended illness that have to be out of work for 20 or more days. 100 days can be in the bank. A full time employee must have 100 hours and part time must have 50 hours in the bank. A union representative and the Town Administrator will make the decision on who can participate in the sick bank. They are not subject to grievance. The last change is the list of jobs and promotions. Scott has written job descriptions so they are able to provide people the opportunity to move if they take on additional responsibilities. The jobs would be posted as they become open. It allows much more flexibility as employees take on additional responsibilities.

A motion was made by Jeff Palumbo to accept the Clerical Union Contract as presented. It was seconded, by Kevin Kalkut and so voted. All were in favor.

- **Please consider reducing the Energy Committee to five (5) members**

The energy committee is having difficulty getting a quorum.

A motion was made by Jeff Palumbo to reduce the Energy Committee to five (5) members. It was seconded by Kevin Kalkut, and so voted. All were in favor.

- **Please consider 7 One Day Liquor Licenses for the Lions Dinner Meetings which will be held on:**

9/5/18, 10/23/18, 1/22/19, 2/26/19, 3/26/19, 4/23/19 & 5/29/19

A motion was made by Jeff Palumbo to approve 7 One Day Liquor License for the Lions Dinner Meetings which will be held on at the Grange. It was seconded, by Kevin Kalkut and so voted all were in favor.

- **Please consider closing the Warrant**

A motion to close the Warrant was made by Jeff Palumbo. It was seconded, by Kevin Kalkut and so voted. All were in favor.

- **Please consider Snow Equipment rates for 2018-2019**

Bob said one of the larger contractors who provided plow services for the town is not available this year. Once the rates are approved by the BOS they can solicit the contractors that they have and try to get some additional contractors. Bob said we guarantee every piece of equipment and specifically \$1500 to cover their vehicles for snow. He did not request that we do that at this meeting. It is an attractive benefit to offer. Jim said they do a great job.

Bob is recommending the board approves the snow equipment rates. Barry said he attended a meeting on how to keep people interested in plowing and getting people to sign on. He said North Attleboro looked at all of the data of the entire state but it is skewed because Boston is included in that.

A motion was made to approve the Snow Equipment Rates for 2018-2109 by Jeff Palumbo. It was seconded by Kevin Kalkut, and so voted. All were in favor.

Jeff thanked Bob for all the hard work and the great job they have done on the roads. He said they are nothing without their labor force. Great job! Kevin said that he met with the road crew and they will be using a great way to communicate with the residents.

- **Please consider Facebook Integration & Social Media Policy**

There will be additional discussion at future meetings regarding this subject.

- **Please consider Town Government Study Committee**

A motion to consider a Town Government Study Committee was made by Jeff Palumbo. It was seconded, by Kevin Kalkut and so voted.

Discussion Items

- Highland Lake Residents – Water Chestnuts

Arthur Frontczak and Barbara Bartholomew contracted with a company for the equipment to remove the weed and an operator at the rate of \$2500 per day (a minimum of one day). They will cut gather and haul - we are responsible for disposal. There is a charge to transport the equipment and operator to the site; it is an additional \$8,000.00.

The infestation at the other lake is about the same. The town owns the southern half of Bush Pond (it was taken for taxes) and its infestation is as bad as Highland Lake. We should send them to both sites and the rate would remain the same for \$2500 per day. She is estimating five days for both ponds \$12,500 plus transit costs brings the total to \$20,500.00.

Jim asked if the one transfer would cover both ponds. She said if you are making that much money to get the equipment here to do Bush Pond you should invest in having both ponds done. She said we may not need the entire five days but to be on the safe side we should estimate the five days. Total of transfers requested is \$20,500.00. DPW would also have to have someone there to observe to determine if there is something they could work with. DPW rate is \$20 to \$25 per hour if we had the equipment to use.

Jim said they are going to review the transfer requests and there are many of them this year but he will recommend supporting this request. Barbara said she will try and get as much public support as possible. Jim suggested a handout at Town Meeting. Barbara said it is an epidemic throughout Massachusetts. All three Selectmen will make a recommendation to support this endeavor.

- Public Records Requests/Anthony Turi, Public Records Officer

Anthony wanted to come before the board and explain his role as the Records Officer and how it works. There was a handout provided outlining the rules of open records, public records and what can be disclosed. He reviewed the New Public Records Law (this handout is available at the Town Clerk's Office if you would like a copy). Anthony strongly encouraged all board members to use a town email address to ensure their personal email address cannot be used for public record requests.

- Financial Update/Transfer Requests/Todd Lindmark, Finance Director

Todd provided a handout and financial update to the group. He said the revenues are on track for what was anticipated for budgets. (Presentation is available in file.) He reviewed several different areas and they discussed some articles that would be in the Warrant looking for funding.

- **Holbrook Well/Water availability Bob McGhee, DPW Director**

Ryan Allgrove provided a Water Supply Assessment. He discussed the usage and concerns. On an annual basis you can only pull a certain amount of water from the aqua filter and can it sustain what you need to with the current growth? At the pace of 50 permits per year we can sustain but there are water mains that people have chosen not to connect to but could connect and what would happen. The growth potential is out there to exceed the limits but the current trend is within the limits.

Jim asked if all goes well we would not have Holbrook Street permitted for two years. Ryan said the permit could come in quicker maybe within six months and best case scenario it would be online the summer of 2019. That would give us the ability to rest some wells. But it does not address how much we can take out. Jim said in 10 to 15 years we are going to have an issue and how do we address that. Ryan said we would have to go and request more water for usage but it would be an uphill battle. It will be a lengthy process. The existing permit is up in 2029 and it is the process the town will have to go to. We have 800 users that could connect tomorrow and we make all new developments connect to water. Bob said the biggest issue from now is to find a new well site and then find another well site.

- **Fire Department Staffing/Cole Bushnell, Fire Chief**

Chief Bushnell said they have reached a period where staffing has become an issue. He reviewed why a 4th firefighter is required. Pete will be away from the department in January after suffering an injury while assisting in the Lawrence gas explosions. Jim said in 1994 we had a on call fire department we had 26 on call firefighters in 2004 they had 18 and it was a transition call department they had the ability to respond because they lived here. In 2014 we had 22 but 9 do not live in the community. In 2017 we have 16 4 of them do not live in town. We have had a decline in the number of people who are available for a recall. Jim asked in 2004 how many were full time. Cole said we had 10 call and 8 career firefighters. Jim said that Cole and Peter have supplemented the staffing. Cole said the culture of today's fire service is very different from the 60's and 70's. Chief said other towns are providing us service as well. Chief would like to bring the 14th person on as early as November. They had to remove the day position to cover Peter's shift now that he is injured. The numbers as they flow out for 6 months is \$28,901.00. The most important part is the protective clothing and equipment is \$5,000 which brings the number up to \$31,901. Each month would be \$4,000 dollars. The total is the \$40,000 to \$41,000. Jim said he is speaking for himself; he does not believe we can compromise on public safety. Jim personally supports this. Jack said he supports the Chief in this but we need to go through the proper hiring process. Jeff said he supports this as well. Kevin said he was able to get this vetted when he met with Chief and he supports this as well. They will bring this forward at Town Meeting.

- **COA Director position**

Chris Quinn has resigned and Jack would like to begin the search. Kevin is on the COA Committee and will be participate in the hiring.

- **Facebook integration& Social Media Policy**

Kevin said that one goal he had spoken about for the year was to enhance the communication piece and get more information to residents. The page came down in July to do some testing. Kevin said we needed to walk a line to keep the public informed but make sure no open meeting laws were violated. After working with Carol, Anthony, Jack and Thanh they were able to make it work and protect themselves from comments. Updates to meeting times and place are now available and NCTV has helped create a tab for government meetings. Kevin said they built a RSS feed to be able to link everything back to the town website; there will be posts on both pages. They enhanced the ability to allow people to ask questions. It will show all of the departments and emails answered. Kevin said everyone had input on the project and that a social media policy should be in effect soon. Jim congratulated Kevin he knows this was a lengthy project. Jeff said having overcome the concerns he supports it.

A motion was made by Jim Lehan to adopt the Social Media Policy and to authorize the publishing of it the town Facebook page. It was seconded by Jeff Palumbo, and so voted. All were in favor.

- **Town Government Study Committee**

Jim would like to approve Rob Garrity, Chris Cleverdon, Jonathan Smith, Anthony Turi, and Kristen Balash for the Committee. Jim also felt that two additional people should be on the Committee. Kevin wanted to recommend that members of the Committee should not apply for or be appointed to any position created as a result of recommendations by the Town Government Study Committee for a period of 2 years following the creation of any such position.

Jim felt that after reviewing the Recall Provision it is appropriate and that there were pro's and con's. If you look at Stoughton you would not want it; if you looked at Wrentham's it's a good tool but it can be used for the wrong reasons. Jack said he wanted the Committee to identify low hanging fruit or important structural changes. He looked at Duxbury, Nantucket and Wrentham they all looked at the Recall Provision. Maybe the Committee starts with the Recall Provision and this group could tackle that as its first review. Jim said it needs to be carefully looked at. He had a lengthy discussion with a gentleman from Stoughton and it was used incorrectly and created chaos. Jim said if you had a real problem then it is something that could be helpful. They had a board member that did not show up for two years and they could not take any action to remove that person. The Recall Provision only applies to elected officials not appointed. Kevin said that tasking this group with something to present at the May Town Meeting.

A motion was made by Jeff Palumbo to appoint up to 7 individuals to the Committee and tonight to appoint Rob Garrity, Chris Cleverdon, Jonathan Smith, Kristen Balash and Anthony Turi for a period of two years effective 9/18/18 or until the objective of the study committee has been achieved It was seconded by Kevin Kalkut, and so voted. All were in favor.

- **Goals**

Jim said that he is fine with all of Kevin's goals and believes he will be able to come up with a set of cohesive GOALS for the board.

Report of Warrants

The following warrants have been signed:

#07vs19 \$129,494.57 (JL) #07v19 \$123,608.97 (JL)

#04ps19 \$446,576.18 (JL) #08v19 \$185,223.22 (JL)

#05ps19 \$747,472.53 (JL) #09v19 \$3,469,862.78 (KK)

#09vs19 \$65,743.40 (KK) #10v19 \$746,639.31 (JL)

#11v19 \$69,900.63 (JL)

A motion was made by Jim Lehan to approve the warrants he signed listed above. It was seconded by Kevin Kalkut, and so voted. All were in favor.

A motion was made by Kevin Kalkut to approve the warrants he signed. It was seconded by Jim Lehan , and so voted.

Town Administrator Contract:

Jim said this was going to be done at Executive Session. Mr. Hathaway is relocating to York Maine. His contract expires June 30, 2019. In discussions with Jack they were trying to figure out the timing of his departure. It is about a 90 day to 120 day process to hire a new TA. Jack put some thought into what he thinks would work. Jim looked at what some other towns have done. Jim said Jack has made the decision to leave to move to York, Maine where his wife's family is from. Jim said we need to think in terms of replacing him and the timing. Jim said he has the right to stay through June and that would make it a very difficult for the town. Jack has come up with a proposal. Jim said other towns have put into play similar proposals when TA's leave on their own. Jim was looking for guidance from the other Selectmen on putting this together and doing what's best for the Town.

Jeff said he felt it does make sense knowing Jack and his concern for the town. Jeff asked if during the three month period if Jack be available for questions and help if needed. Jack said absolutely and that three years from now he would be available to the town. Jack said there are always lawsuits and there is language in his contract that protects him. He is available for consultation and the ribbon cutting ceremony for the Police Station/Fire Station. Jack said that Liz and he made a decision to move to Maine they lived their early in their lives when they went to UNH. Their daughter goes to UNH. They purchased a home much quicker than they thought it would happen. Jack said he got a bit panicked because Jim wanted to figure out how they were going to replace him. This proposal to come up with an out contract seemed like a reasonable solution. Jim said as a point of reference he called the MMA

and they said this quite common. Jack does not want to leave with one month's notice but contractually he is only required to give a month notice. This allows them to get a search going and minimize the time they would be without a Town Administrator. Kevin said it makes sense to him. All three were in agreement. Jim said he will work with Jack to come up with a document and present it as an action item on the October 2nd meeting.

Jim wanted to thank Jack for his help and assistance. Jack said it will be difficult for he and Liz and they are going to miss it here.

At 10:40p.m., Kevin Kalkut moved to adjourn the meeting. Jeff Palumbo seconded, and it was so voted. All were in favor.

This is a true and accurate report of the Selectmen's Meeting of September 18, 2018.



Kevin Kalkut