

## **Norfolk Board of Selectmen's Open Session Meeting Minutes**

**March 19, 2019**

Present: Jim Lehan; Kevin Kalkut, Todd Lindmark, Interim Town Administrator; Susan Jacobson, Executive Assistant

The meeting was held in Room 124, Town Hall. Jim Lehan called the meeting to order at 7:00 p.m. Jim announced this meeting is being both video and audio taped. All present recited the Pledge of Allegiance.

Todd Lindmark read the Agenda.

At 7:00 p.m. Jim Lehan called the meeting called to order.

### **7:00 Rich McCarthy Complete Street Prioritization Plan**

Rich said they would have a final presentation on the Complete Streets Program which outlines projects that they want to seek future funding on. They had a Community Meeting on December 6, 2019 and a Wiki Map which gave the residents the opportunity to give comments town wide on all transportation modes. With that feedback they are now in the final phase of putting the final presentation together. Rich is turning to Casey and Paul from Howard, Stein Hudson Company to go through the presentation. Casey reviewed the Complete Streets with all the data that they received at the first public meeting and the Wiki Map that allowed feedback. Casey outlined the Complete Streets presentations and discussed the Funding Program History. Municipalities can be reimbursed up to \$400,000 annually. The projects must be fully designed. The Town is currently in the Tier Two Phase. She outlined the priority plan process. They prioritize the project and gather input from the community and Town Officials. There were 192 comments on the Wiki map results. Casey broke down the comments. The top three concerns were public safety, missing sidewalks and high speeds. Speed limit enforcement was a comment that was said many times. People identified Union Street that would provide access to the Center of Town, Medway Branch and Needham Street were also mentioned. The third concern was poor intersections. They heard from residents that there are roads that need to be safer. Union and Holbrook were mentioned. Residents also expressed concern about cut through roads. They also mentioned some bike routes on Seekonk and Needham Streets. Casey discussed the sources used for the draft project list

Casey said they ranked the project on several criteria. Criteria includes network connections, biking and walking demands, bicycles and pedestrian crashes, bicycle level of comfort pedestrian network input on school zones.

Each project receives a final score and that is how they move forward. The Prioritization Plan will be attached with these minutes for resident review. She continued to discuss different project and how they relate to Pedestrian Mobility and ADA Accessibility. They shared what areas would move forward in the first phase two intersections include two roundabouts. One would be located at the intersection of Needham/North (115) and second one for 115 and Everett Street. The Everett Street roundabout requires more studies and will be resubmitted. Kevin asked why one intersection requires more study.

Casey said it needed additional speed and accident data studies. Jim asked if there was data that proved roundabouts were more efficient than stop signs. They are suggesting the right type of roundabout would be best because everyone has to stop for it and change directions it helps with speed. A resident asked if something was not prioritized for this submittal could they be brought back at a later date. They will continue to keep these projects in the grouping. Jim said that the DPW sat down to prioritize each road/sidewalk/intersection. Rich said they want to identify all the projects but did not want to set false expectation that they would all be completed. A resident provided video for the 115/Everett Street she would like this prioritized. Betsy Whitney asked if they have discussed having one way Streets, making some of these more dangerous road/intersections into one way Streets. David Rosenberg asked if the construction is paid for 100%. Casey said that MASS DOT will fund up to \$400,000 if a project is less they may fund the entire project. Sometimes it is only a partial funding. Casey said MASS DOT will pay by the project the town would be expected to construct the project through completion if full funding was received. They town does not have to construct a project they do not receive funding for. There several other comments from residents regarding specific street issues. Bob McGhee and Barry Larivere discussed some of the project identified by the Complete Street Program. Rich discussed how they would determine what would be selected. Kevin said the key issue is the master list is already built. Having that master list allows the Town of Norfolk to move forward and start with the first project identified. Jim said we have three meeting in April and he wanted to try and get this moving before the deadline, he does not want to miss the opportunity.

**7:15 p.m. Hillary Cohen/ACO MOU Agreement (signatures required)**

Hillary has been working on and MOU with three separate towns for three years, it somehow has always been derailed for one reason or another. In light of what happened in January when she was on a mutual aid call in another town. The Chief and she were adamant that the other two towns sign the MOU. She is here tonight to request the Selectmen sign the MOU. **\*\*Get copy of MOU for Todd\*\***

**7:30 PM Bob McGhee and Barry spoke about /Holbrook Street Well Site – Decision for land Purchase/Lawrence Street Bridge and Walkway Update, City Mills Dam \$200,00, Grant and Pare Engineering Update, Lake Street – NOI Pare Engineering Update and Solid Waste Contract for Engineering (LSP Services).**

**Water Hearing:**

Kevin read the Public Hearing Notice to determine the water budget for the full year 2019. This year it will be conducted on March 19, 2019 at One Liberty Lane, Norfolk Town Hall, Norfolk, MA 02056. Bob said he was here to discuss the Water Rates. It has been five years since we have had a water increase. Bob said we did not have much money in the reserve fund and they did not raise the water rates against Doug's advice. He wanted to reduce the water leaks that the town had. Today we are at around 5% we are in great shapes as far as the leaks go. They did not take on any projects that they did not have to. They have built the reserve fund to over \$1,000,000.00. Bob believes at this time we have to raise the water rates he is going to turn it over to Doug who presented the reasons for increasing the water rates.

The presentation is attached to this set of minutes for residents to review. At the completion of the presentation there was some additional discussion on the rates between both Kevin and Jim. Jim wanted to confirm that he had run the numbers a number of ways to come up with new rate. Jim also mentioned that two of the wells are older. Doug said you must look both to the long and short term. Jim felt that this was a fair and equitable way to set the rate.

Kevin said he sat with Doug and Bob to determine how and why we arrived at this proposal. He said it is never a good thing to pass on increases to residents but sometimes it is a necessary thing to keep things running as smoothly as they are. David Rosenberg asked about the consumer price index as compared to five years ago. He wanted to know how this increase compared to inflation. Doug said government does not care about the consumer price index. What drives these costs are what allowed by the State Regulatory Division. The Town must generate x number of dollars and we only have 3,000 accounts smaller systems almost always have higher rates. David asked if there were expenses related to new regulations. Doug said he does not have any specifics but there is the safe drinking water bill, it is a fee that is paid to DEP.

They have been trying to make this system better and to make sure they have the capital to make sure they have what is needed to support this infrastructure. Jim said it is not driven by any single factor it is driven by the needs of the water system.

The rates are not over inflated to account for people who don't pay their bills. David said the penalties for people who don't pay should cover the cost to collect from people who don't pay. Bob said we have some people who pay a couple of thousand dollars and some people who pay a couple of hundred dollars a year. 2700 residents are \$135,000 of revenue is brought in from the base charge of \$50 minimum charge everyone pays. Doug said that they looked at the frequency at which the bill is generated. The town bills twice a year and Doug would like to recommend a quarterly billing. He believes for some of the customer s who pay larger bills would allow them to pay it over four periods not two. The true benefit is that if a customer has a leak you will find that at least three months sooner which will help both the customer and the town.

A motion to close the Public Hearing on Water Rates was made by Kevin Kalkut. It was seconded by Kevin Kalkut and so voted. All were in favor. Jim said that he had a question on procedure on the Action Item. In the past he said that he thought that the vote was listed as an Agenda Item. Susan said that she copied it from the prior Agenda. Jim asked that we put it on the Agenda for the next meeting to be sure that we have followed the appropriate procedure. It will be an Action Item on the April 2, 2109 Agenda. Bob will email it to Susan just as if it were a contract so it can be voted at the next meeting.

#### **Lawrence Street Bridge:**

There was discussion on the Lawrence Street Bridge and Walkway. Kevin said we did have a bit of a delay and are still targeting May 17<sup>th</sup> for completion.

Mike Guidace posed several questions with regard to some mistakes that had been made. Bob said that the site was a very tight work area. It had roots six feet underground. The Causeway had to be built and

they are doing the best they can to work within the constraints of that particular site. Bob said he would take a look the site he is confident that we will not be going back to the people for funding. Kevin said we did have a bit of a delay and are still targeting May 17th for completion. David Maestro said if the deadline is not reached will they be penalized for not making the deadline. He wanted to know if it was in writing Bob McGhee said it was language in bid specification. Mike said that back at the start the contractor was clearing grub at the sideway, DEP issued an order. Mike wanted to know who was responsible for that error. Bob said he is not taking sides he serves the people of this town; he has no allegiance and feels it was the engineer and the design firm company is both at fault. We only had a visual we did our best to price the mitigation was \$150,000 and they have it done to \$60,000 and they have to figure out who will pay for it. Kevin said the posting for today had two milestones that were a bit delayed because of the ground freezing but we are still on target.

Bob said you don't address fees until you reach that point. Starting out on a project saying that fees will be levied is not the makings of a good working relationship. David said as a tax payer he is not willing to pay for anything because of their mistakes. David said there is a 3 week delay because of their errors. Bob said we are 50 to 75% done. The water comes down and is stubbed at Park and has the water all the way down past the causeway right to the edge of the project. Jim said he thought all had agreed to take the water the remaining 957 feet down. He thought was already going to be done. Bob said there may be some money left in the grant and if there is future development they can pay for it. It is good for the people who live there to have the opportunity to hook up to water. Jim answered Mr. Mastro's question you don't get into a forum and speculate what you will or will not do based on certain circumstances. Jim said we will deal with whatever the contracts allows for. They cannot discuss those issues prior to them happening.

David asked if they have moved all contaminated material from the site. Bob said it is one time in and one time out so they have not removed it all at this point. It should be down within the next two weeks. David said that it is PCB's and driving it on the trucks and he hopes the workers know that PCB's get absorbed into their bodies and he hopes that they know what they are working with. Bob said that he did not know where they are specifically and he said he will look into that. Dave said it is a liability to us as a town if they get sick. They are driving around the foundation David said that is the same area that showed dots. Barry said they are a bit farther away than where they were. Kevin said that an order has been given to us and the Town is taking an extra step so the direction we have given them is purely an action taken by the town to protect those steps.

Bob was not aware that they were driving around the site to remove the dirt. Dave Mastro is concerned for the workers and Bob said he is quite practical and wonders about all the kids that have been driving their dirt-bikes around down there for many years and he has not seen anyone come down with anything.

### **City Mills Dam:**

A \$200,000 Grant was awarded to the Town of Norfolk to study the bridge and make recommendations to do limited repairs. A representative from PARE Engineering presented what they saw during inspections.

He discussed what options may be available for the City Mill Dam and how the \$200,000 grant would be helpful. PARE was hired to do one in November of 2018 next scheduled review is two months from now they will be done every two months until it is determined that it can be reviewed after a longer period of time. What are the concerns with the dam and what are the requirements of dam. This dam was deemed deficient. See presentation attached to these minutes. They will continue to look at the structure. To replace this structure is not necessary they are looking to produce plans to do some concrete repairs and this will extend the life of the structure. They did confirm DCR's statement that the dam structure is in adequate to pass the storm flows and part of what they did was to look into remedial measures to address that. They have come up with a couple of possibilities. This means the structure is in good shape they have potential solution to be able to modify the spillway to make them larger in place. This would allow them to take on more water and to enlarge the basin and this would utilize the space and this would satisfy the regulatory requirement. DCR is putting more stringent requirement because of the storms we have had. The discussed tree growth around the dam when trees die they leave large spaces and you could have a breach in certain spots. They have put together a tree plan and they expect the order of conditions next week. He will continue to keep Bob and the Board updated. Trees will be taken down within the next few months. Those are first steps.

### **Bob discussed the Holbrook Street Well Site (see the handout attached to these minutes)**

He said they are moving forward. He passed out a schedule for the file and it was put on the screen during the meeting. He reviewed the schedule and summarized it.

### **Action Items:**

A motion was made by Kevin Kalkut to appoint Janice Axberg and Thomas Mirabile to the COA Board. It was seconded by Jim Lehan and so voted. All were in favor

A motion was made by Kevin Kalkut to approve Norfolk's Clean and Green Campaign on April 27, 2019. It was seconded by Jim Lehan and so voted. All were in favor.

A motion to consider signing the Deed for 66 Priscilla Ave, Norfolk, MA 02056 was made by Kevin Kalkut. It was seconded by Jim Lehan and so voted. All were in favor (Jim explained the mix up of the property) Jim said there were two lots one was owned by the Town and engineers placed the house on half of each lot.

### **Minutes:**

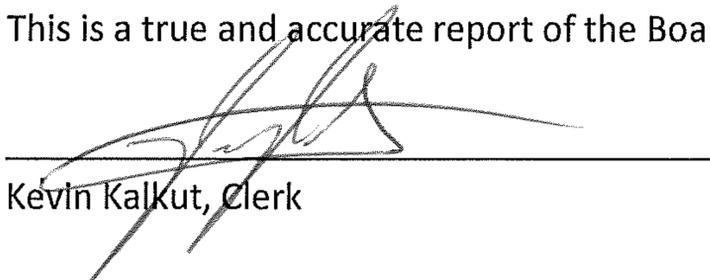
A motion was made to approve minutes dated February 15<sup>th</sup> and 21<sup>st</sup> 2019 by Kevin Kalkut. It was seconded by Jim Lehan and so voted. All were in favor.

A motion was made to approve Warrant Numbered: 36VS19 \$78,730.23 (JL) 36V19 \$5,255,796.36 (JL) 36VSA19 \$60.00 (JL) 77V19 \$226,477.90 by Jim Lehan. It was seconded by Kevin Kalkut and so voted. All were in favor. Mr. Rosenberg asked what the Warrants were for. Jim Lehan said that they were the Town and School bills.

**Executive Session:**

Upon a motion by Kevin and seconded by Jim, the Board took a roll call vote to exit Open Session at 9:37 p.m. and enter Executive Session under MGL Chapter 30A, Section 21 discussion strategy with regard to both Police and Fire Contracts. Roll call vote: Kevin Kalkut – aye; Jim Lehan – aye. They will not be returning to Open Session.

This is a true and accurate report of the Board of Selectmen's Meeting of March 19, 2019.



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Kevin Kalkut, Clerk