

**Norfolk Board of Selectmen’s Open Session Meeting Minutes  
August 13, 2019**

Present: Kevin Kalkut; CiCi Van Tine; Christopher Wider; Blythe Robinson, Town Administrator

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

Ms. Robinson read the agenda.

**Action Items**

Please consider awarding the sale of the current re-funding of 2011 outstanding bonds

Finance Director, Todd Lindmark, was present to give an overview of municipal bond funding. He explained how the Town authorizes debt; the borrowing process for capital projects; the length of borrowing; the financing process; bond premiums and limitations of the bond proceeds.

He then gave a history of the Town’s \$15,673,000 General Obligation Bonds originally dated in 2011 for the financing of the Freeman Kennedy School and Spruce Road Well and stated they will be maturing March 15, 2020 through 2031. Those bonds have a call provision, which enables the Town to “call” the bonds and go to the bond market through a bid process, the goal for which is to obtain a lower interest rate and thus reduced cost to our taxpayers. The 2011 bonds will be called on October 1, 2019. They were sold competitively on August 6<sup>th</sup> and out of 8 bids received, the lowest bidder was Fidelity Investments. If the Board votes the refunding, it will produce a Net Present Value savings of just over 1.5 million or 16.9%. The refunding bonds will be dated August 22, 2019.

A motion was made by Mr. Kalkut that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town’s \$15,673,000 General Obligation Municipal Purpose Loan of 2011 Bonds dated March 15, 2011 maturing on and after March 15, 2020, in the aggregate principal amount of \$9,190,000 (the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

And further move, that the sale of the \$ 8,040,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated August 22, 2019 (the “Bonds”), to Fidelity Capital Markets, a Division of National Financial Services LLC, at the price of \$9,138,201.21 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on March 15<sup>th</sup> of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2020	\$615,000	5.00%	2026	\$690,000	5.00%
2021	670,000	5.00	2027	690,000	5.00
2022	680,000	5.00	2028	685,000	4.00
2023	680,000	5.00	2029	675,000	3.00

2024	685,000	5.00	2030	650,000	3.00
2025	690,000	5.00	2031	630,000	2.00

And further move, that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 30, 2019 and a final Official Statement dated August 6, 2019 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

And further move, that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

And further move, that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

And further move, that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and Bond Counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

And further move, that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

It was seconded by Ms. Van Tine, and so voted. All were in favor.

Mr. Kalkut thanked Mr. Lindmark.

Please consider making the following appointments the Energy Committee: Anthony Kennedy; John Kent (as an associate member)

Ms. Robinson explained that at the last Select Board meeting the Board decided to request that the Energy Committee clarify how many regular members they wish to have, and who they recommend for regular and associate members. They met and recommend that Anthony Kennedy be the regular member, and that John Kent be named as the associate.

A motion was made by Mr. Kalkut that the following appointments be made to the Energy Committee: Anthony Kennedy as a regular member and John Kent as an Associate member. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider approving private street names as proposed for The Enclave 40B Project

A motion was made by Mr. Kalkut that the Board vote to name a new street in the Enclave development "Avery Way". It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider approving the name of a new private street proposed as Ox Pasture Way

Mr. Eric Carlson of 113 North Street was present. He explained that he is in the process of subdividing the property and he has researched and found some old deeds. He provided the Board with historical documents supporting the request and explained that it has been referred to as the Ox Pasture since 1853 and thinks it would be an appropriate name. It was noted that the Historical Commission had been consulted on this request and concurs with the name.

A motion was made by Mr. Kalkut that the Board vote to name a new private way off of North Street "Ox Pasture Way" as requested by the property owners. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider approving the 29<sup>th</sup> Annual Rodman Ride for Kids to ride on Norfolk roads on September 21, 2019

Ms. Robinson informed the Board that this request has been reviewed by Chief Stone who indicated that from his experience Town paid police details are not required and he supports the event. She also informed the Board that the Fire Department has indicated that they have no concerns with this.

A motion was made by Mr. Kalkut that the Board approve the use of Town roads on September 21<sup>st</sup> for the Rodman Ride for Kids. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider issuing a one-day liquor license to the Norfolk Library to host a brew night on September 27, 2019 from 6:30 p.m. – 8:30 p.m.

Ms. Robinson explained that the Library has requested a one-day license so that they can have a brew night program in September at which three local breweries will come and speak about the process of making beer, their products, and offer tastings to participants. They are hoping to draw 100 people and it will be held in the Community Room. She informed them that her office has obtained the required paperwork and insurance, and Chief Stone has noted his approval.

A motion was made by Mr. Kalkut that the Board grant a special one-day license for the serving of malts to be drunk on premises to the Norfolk Public Library on September 27, 2019. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider establishing dates to hold Liberty Lane and Old Town Hall Parking Lotteries and rates for permit period October 1, 2019 – September 30, 2020

Ms. Robinson informed the Board that for few years the Board has held a lottery to sell 90 parking passes for commuters to use at the Old Town Hall. Earlier this year a similar lottery was held for 32 spaces on Liberty Lane. The yearly cycle for these passes runs from October 1<sup>st</sup> to September 30<sup>th</sup>. The cost of the passes for Old Town Hall in the current cycle is \$75 per year plus \$5 for an optional second sticker (1 car parked at a time). The cost for Liberty Lane for the current cycle (prorated for 6 months) is \$105; proposed for \$150 per year in FY20, also with an optional second sticker for \$5 per year (1 car parked at a time).

Mr. Kalkut gave a brief history of how the Liberty Lane parking lottery was initiated. There had been an over flow from the MBTA upper lot and commuters were spilling over to Liberty Lane and getting parking tickets. He stated there was a collaborative effort by the Board, the Town Planner, the Chief of Police and the Parking Clerk to provide a benefit to the residents of Norfolk.

The Board and Town Administrator discussed the parking permits and fees at length. There were some suggestions made by residents such as to auction off some spots, print registration numbers on tickets, as well as comments on fee increases. Resident Ernie Alex discussed that when he was on the Building Committee the Planning Board dictated the number of parking spots at the Town Hall parking lot and that they were to be used for Town Hall business only. He further stated that if the Town is designating spots outside of Town Hall use, it is not in conformance with the Planning Board's intent.

After much consideration, the Board decided that doubling the rates on each lot would still be quite economical and a great benefit to residents while providing extra revenue to the Town. They all agreed that the Liberty Lane spots are premium.

A motion was made by Mr. Kalkut that the Board set the parking permit rates for the following locations for October 1, 2019 – September 30, 2020 as \$150.00 per year per spot for 90 spaces Old Town Hall and \$300.00 per year per spot for 32 spaces on Liberty Lane. It was seconded by Mr. Wider, and so voted. All were in favor.

Please consider approving the request for use of Town Hill from the Girls Scouts for their annual kick-off party to be held on Tuesday, September 10<sup>th</sup> from 6:00 – 7:30 p.m., with a rain date of Thursday, September 12<sup>th</sup> from 6:00 -7:30 p.m.

Ms. Robinson gave the Board background on this item.

For a number of years, the local Girl Scouts Troop have held their annual kick-off party on Town Hill and have again requested to do so this year on September 10<sup>th</sup>. She stated they anticipate having approximately 100 participants for this early evening activity. The Chief of Police has no concerns with the event.

The Board and Town Administrator discussed the Select Board Policy which requires a \$100 advance deposit for Town Hill use. Mr. Wider questioned whether the Town should waive the deposit to organizations such as the Girl Scouts and Boy Scouts. The Board decided that they would look at the policy at a future meeting to make potential changes.

Resident Ernie Alex brought up a side issue of the height of the wall at Town Hill; that it was constructed too high and creates a hazard of someone falling and being injured. This is a liability to the Town. Ms. Van Tine suggested that the issue be explored further.

Resident David Rosenberg stated his opinion on the deposit requirement is that all non-town organizations be charged the same deposit regardless of whether for profit or non-profit.

A motion was made by Mr. Kalkut that the Board approve the use of Town Hill on September 10<sup>th</sup> (rain date September 12<sup>th</sup>) by the Girl Scouts for their annual kick-off party. It was seconded by Mr. Wider, and so voted. All were in favor.

## **Discussion Items**

Please discuss the Board's intention to lay out various streets for acceptance at the Fall Special Town Meeting: Tailwind Circle, Westfield Drive, Saddle Ridge, Liberty Lane, Meetinghouse Road, Silver Fox Run

Ms. Robinson explained that the six roads are proposed to become public ways through a process that is ultimately approved by the voters at Town Meeting. This is on tonight's agenda to see if the Board is willing to move forward with these. If so, at the September 3<sup>rd</sup> meeting, the Board will formally refer them to the Planning Board and DPW for each of them to write the required report. After which a public hearing will take place prior to Town Meeting. The streets are at various levels of being ready for acceptance.

Mr. Wider asked if the Planner will give a presentation at the September 3<sup>rd</sup> meeting. Ms. Robinson will check into that.

Please discuss the Police Substation located at 117 Main Street

Police Chief Stone was present to discuss this item. Ms. Van Tine had a number of questions on the topic. Her questions stem from a misunderstanding of the facts in a memo provided to the Board from Chief Stone.

Her understanding was that when the MECC was being built, the Police Department did not want to remain in the current building and they accepted the fact that they would be in a remote location rather than downtown. Her understanding was that all police would be in the new building and that the MECC/police station was built on that premise. However, after the grand opening, offices were then being renovated at the fire station for police use.

Chief Stone's memo suggests that a substation within the fire station was the plan all along. Ms. Van Tine asked Chief Stone why the police need space in the center of Town. Chief Stone stated when he sat on the Building Committee it was discussed that a (dark) office would be a good idea so that a resident could come in, request to speak to an officer, talk to MECC (through an intercom system) and an officer would come in, take a report, etc. He stated that this was the plan all along, as well as having Animal Control located there.

Ms. Van Tine asked about the cost of the renovation at the fire station. Ms. Robinson stated she would get that information.

Mr. Kalkut asked would there still have been a substation for Police and Animal Control if the original plan to have a new fire station built at the site was carried out. Chief Stone stated it was discussed in the meetings all along with the exception of the last Building Committee meetings, at which point it was changed to a police office that Animal Control would work out of as well, and there would be a "Triage" for walk in medical. Ms. Van Tine then asked if that was the plan prior to the purchase of the land for the MECC/police station. Chief Stone stated yes, once they decided that 14 Sharon Avenue was going to move forward, it was the plan.

Resident David Rosenberg asked if there would be one room or three rooms for Animal Control, Triage and Police. Chief Stone stated there have been no recent discussions on the triage being located in the fire station so one room would be used for Animal Control and Police.

Mr. Wider suggested we are putting the cart before the horse. There are a lot of questions to be asked; i.e. is there a possibility that Animal Control could come to Town Hall? And what do we need the triage for? Lieutenant Michael Findlen from the Fire Department was present and answered that if someone came in with an injury or needing attention, they could start treatment right away rather than wait for an ambulance.

Mr. Kalkut thanked Chief Stone for his input on the matter.

Please discuss the structure of the fall special town meeting

Ms. Robinson explained that typically the Town holds a special town meeting in mid-November. This item is on the agenda so that the Board can discuss the types of articles we anticipate will be brought forward and how to structure the meeting to conduct this business. She presented the Board with a list of possible articles, as well as a timeline that she is proposing to follow in preparation for the meeting, which is targeted right now for November 19<sup>th</sup> at the Freeman Kennedy School.

Mr. Wider commented that he is not seeing an article relating to the status of the police station. He noted that at the annual town meeting in May questions were raised about the project and how it resulted in such a high cost.

Ms. Robinson stated it could be handled as a committee report within that article.

Mr. Kalkut suggested that Town Meeting may not be the arena to discuss the police station. Mr. Wider concurred but suggested that it needs to be figured out along with Town Meeting. Mr. Wider also believes the zoning articles should be on a separate night.

Ms. Robinson stated that on the list there are several articles contemplated related to the zoning bylaw. The Board discussed if whether these are taken up as a group and in a particular order or possibly on a second evening. They agreed they would invite the Town Moderator, Jay Talerman to the September 3<sup>rd</sup> Board meeting to see if he is amenable to a 2<sup>nd</sup> night.

Ms. Robinson proposed that the warrant be officially opened on September 3<sup>rd</sup>.

Please discuss the potential of implementing a public comment period to the Board's agenda

Ms. Robinson explained to the Board that their present agendas do not provide the public with an opportunity to come to a meeting and discuss an item not already on the agenda. A number of communities do offer such an opportunity typically either at the beginning or end of the meeting. If a member of the public wants to comment on an item already on the agenda, it is usually up to the Chairperson how long that individual may speak and at what point in the discussion. Should the Board want to add a public comment item to its agenda, it is recommended that a policy be in place as to how the Board will go about it, and the expectations it has for those who wish to make comments.

Resident Ernie Alex made a suggestion that perhaps one Tuesday night a month would be a good idea.

Resident David Rosenberg expressed that he likes the idea of the comment period being at the beginning of the agenda and offered to help with efforts. He also expressed his thanks to the Board to address this item.

Please consider approval of the following warrants:

A motion was made by Ms. Van Tine to approve the following warrants: 06/30/2019 54VS19 \$10,995.15; 07/09/2019 54V19 \$626,653.16; 07/09/2019 02V20 \$438,572.56. It was seconded by Mr. Wider, and so voted. All were in favor.

A motion was made by Mr. Kalkut to approve the following warrants: 07/16/2019 03V20 \$1,352,431.68; 07/19/2019 02LONG \$111,471.98; 07/21/2019 01P20 and 01PS20 \$486,109.11; 07/23/2019 04VS20 \$175,538.35; 07/25/2019 20P19 and 20PS19 \$787,585.52; 07/30/2019 05V20 \$230,829.50. It was seconded by Mr. Wider and, and so voted. All were in favor.

A motion was made by Mr. Wider to approve the following warrants: 07/23/2019 04V20 \$333,076.26; 07/30/2019 05DEBT20 \$348,568.41; 08/02/2019 02P20 and 02PS20 \$444,892.06; 08/06/2019 06V20 \$1,837,849.16. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Resident Anne Marie Battistone asked if the amounts on the warrant are from the budget. The Board answered that they were voted on in May and have been approved and budgeted.

Please consider approval and release of regular and executive session minutes

A motion was made by Ms. Van Tine that the Board approve the open session minutes of the May 21<sup>st</sup>, June 4<sup>th</sup> and June 25<sup>th</sup> regular meetings. It was seconded by Mr. Wider, and so voted. All were in favor.

A motion was made by Ms. Van Tine that the Board release the following sets of executive session minutes: April 23, 2018 and May 20, 2018. It was seconded by Mr. Wider, and so voted. All were in favor.

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Mr. Kalkut reported that the B1 Zoning Committee will hold another community meeting will on Thursday, September 12<sup>th</sup> at 7 p.m. at the Freeman Kennedy School.

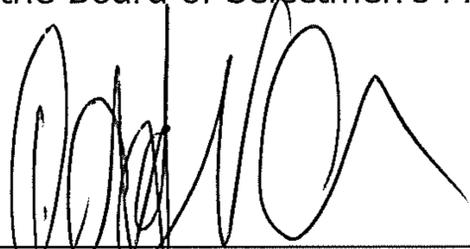
Ms. Robinson gave the Board a status update on the recruitment of the Fire Chief. She noted that we received 29 applications and short-listed and interviewed eight candidates. Four of those candidates were chosen to move forward to the assessment center on Tuesday, August 20<sup>th</sup>. From there, Ms. Robinson will interview 3 finalists. She spoke to Town Counsel and his opinion is that the Town Administrator Act states that she can bring forward one candidate to the Board to ratify. After speaking with the Select Board Chair, she will bring forward the top three candidates to meet the Board, and then inform them of her recommendation. The target date for that meeting is September 3<sup>rd</sup>.

Resident David Rosenberg complimented the Board for the way they are operating the meetings.

A motion was made by Mr. Wider to adjourn the open session meeting at 9:05 p.m. It was seconded by Ms. Van Tine, and so voted. All were in favor.

The next meeting will be held in Room 124, Town Hall, on Tuesday, September 3, 2019 at 7:00 p.m.

This is a true and accurate report of the Board of Selectmen's Meeting of August 13, 2019.



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Cici Van Tine, Clerk