

Norfolk Board of Selectmen's Open Session Meeting Minutes September 3, 2019

Present: Kevin Kalkut; CiCi Van Tine; Christopher Wider; Blythe Robinson, Town Administrator; Nancy Langlois, Executive Assistant

The meeting was held in Room 124, Town Hall. Chairman Kalkut called the meeting to order at 7:00 p.m. Chairman 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

Public Hearing – Joint Pole Petition: Verizon/Eversource Energy

The public hearing was opened at 7:05 p.m. by Chairman Kalkut in accordance with Chapter 166, Section 22 of the Massachusetts General Laws, on a joint petition from Verizon New England, Inc. and Eversource Energy to grant permission to erect and maintain poles, wires and cables to be placed thereon, together with the necessary anchors, guys and other such sustaining and protecting fixtures as said companies may deem necessary, in the public way or ways as requested in the petition for Ware Drive as follows: Place one (1) jointly owned pole numbered T.4-1/E.4-1 on the southeasterly side of Ware Drive at a point approximately one hundred nine (109) feet northeasterly from the center line of Rockwood Road.

Richard Foreman from Verizon New England was present and explained this petition is for a joint pole location for Verizon/Eversource Energy to locate a new jointly owned pole on the southeasterly side of Ware Drive approximately 109' northeast of Rockwood Road and 77 feet northeast of existing pole 4. The reason for this new pole is to accommodate an Eversource systems upgrade on Ware Drive.

Mr. Wider asked if the work would take place on a weekday or weekend and would take place during normal working hours.

Mr. Foreman stated that the work is usually done on weekdays. Mr. Wider explained that he wants to be sure it will not impede train or business traffic. Mr. Foreman said there will be MBTA flaggers, and a standard detail officer. Ms. Robinson stated that Chief Stone is requiring a detail.

Mr. Wider asked if it would impede any customers' utilities. Mr. Foreman stated that not from Verizon and he wouldn't expect any outages by Eversource.

Chairman Kalkut asked the public if there were any questions. There were none.

A motion was made by Mr. Wider at 7:09 p.m. to close the public hearing. It was seconded by Ms. Van Tine, and so voted. All were in favor.

A motion was made by Mr. Wider that the Board grant permission to Verizon New England, Inc. and Eversource Energy to erect one (1) jointly owned pole number T.4-1/E.4-1 on the southeasterly side of Ware Drive at a point approximately one hundred nine (109) feet

northeasterly from the center line of Rockwood Road. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider holding a joint election with the Library Trustees to fill a vacant position

Ms. Robinson explained that there is currently a vacant seat on the Board of Library Trustees and that members of the Board are present to ask the Select Board to consider Jennifer Oliver to be elected to that vacant seat. Candidate Jennifer Oliver was also present.

A motion was made by Mr. Wider that nominations be opened for the vacant seat on the Board of Library Trustees. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Library Trustee Kenneth Nelson introduced himself and Library Trustee Patricia McCarty. Trustee Nelson explained that the Board consists of three members and that in June; Trustee Glenn Hill resigned his position for a term that expires in May of 2020. The Board and Library Director, Libby O'Neill met and discussed possible candidates to fill the vacant position. They then asked Jennifer Oliver if she would be interested. Trustee Nelson stated that Ms. Oliver has served on the Library Strategic Planning Committee. He stated that based on her passion, commitment and her use of the Library, they feel that she would be an effective member of the Board and a great advocate for the Library. The Board has decided to nominate her to replace Mr. Hill.

Chairman Kalkut asked if there were any questions or comments.

A motion was made by Mr. Wider that nominations be closed. It was seconded by Ms. Van Tine, and so voted. All were in favor.

A roll call vote was taken to elect Jennifer Oliver to the Board of Library Trustees.

Roll call vote: Ms. Van Tine-aye; Mr. Kalkut-aye; Mr. Wider-aye; Mr. Nelson-aye; Ms. McCarty-aye.

Chairman Kalkut congratulated Ms. Oliver and thanked her and the Trustees for their services to the Town.

Please consider appointments of Reserve Police Officers

Since the early 1980s the Police Department has had a program with as many as 13 reserve officers who have gone through some training; including some with full time police academy training. Right now the department is down to 5 reserve officers. They would like to appoint another 4 to bring the total of reserve officers to 9.

The appointees requested by Chief Stone have gone through physical and psychological exams, stress tests, physical ability tests and have passed background checks. They will have to go through field training before working and would do some work in details and other department work. It's a good way to determine if they would be a good fit for future openings in the Norfolk Police Department.

The four requested appointees are: Katie Appel, Andrew Upton, Brian Leary and Nicholas Ethier.

Mr. Wider asked if the Town pays the reserve officers and if it is in the Police Department budget.

Ms. Robinson stated if they are working a detail, we would bill the company. If they are working for the Town, it's our budget.

Lieutenant Shannon was present and explained that each police officer in town was a reserve officer at one time or another. He stated that the reserve program is very important to the department. Often times they fill in for officers on vacation, holidays, etc. Ms. Robinson pointed out that the only negative point is that if the town does not have an opening once the reserve officers are trained, we may lose them to another town.

A motion was made by Chairman Kalkut that the Board appoint the following persons as Reserve Police Officers for the Town of Norfolk: Katie Appel, Andrew Upton, Brian Leary and Nicholas Ethier. It was seconded by Ms. Van Tine, and so voted. All in were in favor.

Please consider approval of a 5K Road Race for the Fire Department on Sunday, September 15th

Ms. Robinson explained that the fire department has made plans to hold a second 5K annual road race to raise funds for people with Autism. Last year's event also included a beer tent for people to purchase such beverages after the race. However, the details of the special license to serve beer, specifically whether the beer would be provided and poured by a brewery or by the department purchasing beer and hiring licensed servers have not been worked out. Therefore, the event will only consist of the road race. A motion was made by Chairman Kalkut that the Board vote to approve the Fire Department's 5K race for autism on September 15, 2019. It was seconded by Mr. Wider, and so voted. All were in favor.

Please vote on the Board's intention to lay out various streets for acceptance at the November 19, 2019 Town Meeting as follows: Tailwind Circle; Silver Fox Run; Westfield Drive; Saddle Ridge; Liberty Lane; Meetinghouse Road

Ms. Robinson explained that this is the Board's second step in bringing this item to Town Meeting. At the last meeting the Board was asked to indicate its willingness to begin the process to lay out six streets that would result in a Town Meeting action to accept them in November. The Board indicated it does want to do this, so the next step is to vote to do so, and to refer these streets to the Planning Board so that they can review the information and provide the Select Board with a report on this within 45 days.

A motion was made by Chairman Kalkut that the Board vote, on its own initiative and based upon the recommendation of the Department of Public Works Superintendent, Bob McGhee, and Town Planner, Richard J. McCarthy; it intends to lay out a Town way at the following locations: Tailwind Circle (Norfolk Landing Subdivision); Silver Fox Run (Sandy Knoll Estates II); Westfield Drive (Site development for Priscilla Avenue); Saddle Ridge Way

(Saddle Ridge Estates); Liberty Lane from Independence Drive to MBTA parking lot (Norfolk Commons); and Meetinghouse Road (Liberty Lane to Castle Road). It is the opinion of the Select Board that common convenience and necessity require the laying out of Town way at this location. In order to comply with the provisions of Chapter 82 of the Massachusetts General Laws, and to provide for a full and proper public discourse on this matter, the Select Board also votes that notice of this intention be served upon the owners of the lands that will be acquired for this purpose, and on abutters thereto. This notice shall state the intentions of the Select Board, and announce that the Select Board will meet on (November 5, 2019) in the Norfolk Town Hall to hear all persons interested in the laying out of these Town ways. Further, the Select Board votes in accordance with Chapter 82 of the Massachusetts General Laws to forward Tailwind Circle (Norfolk Landing Subdivision); Silver Fox Run (Sandy Knoll Estates II); Westfield Drive (Site development for Priscilla Avenue); Saddle Ridge Way (Saddle Ridge Estates); Liberty Lane from Independence Drive to MBTA parking lot (Norfolk Commons); and Meetinghouse Road (Liberty Lane to Castle Road) to the Norfolk Planning Board for a recommendation on street acceptance.

It was seconded by Mr. Wider, and so voted. All were in favor.

Please consider setting a date for a special town meeting and opening a warrant for that purpose

Ms. Robinson explained to the Board that the proposed date for a special town meeting is November 19th at the Freeman Kennedy School. In order to move ahead, the Board needs to vote to open a warrant and set a closing date for articles to be submitted.

She referred to a proposed schedule of steps needed to prepare for the meeting, and a preliminary list of articles and dollar amounts that have been compiled (attached). She informed the Board that the Freeman Kennedy School has been booked for a 2nd night (November 20, 2019).

A motion was made by Chairman Kalkut that the Board vote to open a warrant for a special town meeting to be held at the Freeman Kennedy School on Tuesday, November 19, 2019 and to close the warrant on Thursday, September 26th at 6:00 PM.

It was seconded by Mr. Wider, and so voted. All were in favor.

Please consider authorizing a lease agreement with T-Mobile Northeast LLC for space on the Weeber Water Tank for Wireless Communications

Ms. Robinson explained we are making more money with this lease than previous lease. Up until recently the Town had a similar agreement with MetroPCS, but they chose to end that agreement and remove their equipment for business reasons. Through its consulting engineering firm the DPW put out an RFP and received one bid from this firm who will pay \$35,000/year to the water enterprise fund for this right. She pointed out that the former "tenant" had paid \$28,000.

She further explained that as a lease is an interest in land, Town Meeting must vote to grant authority to contract for that interest to the Select Board, which happened in 2005 through Article 10.

Mr. Wider expressed that he was surprised that the monies goes to the Water Enterprise Fund. Ms. Robinson explained that it is a benefit to the water rate payers. Mr. Wider suggested that perhaps this should be listed as a separate line item in budget next year. Ms. Robinson explained the DOR has certain requirements. Maybe we could explain more to the residents next year.

The Board and Ms. Robinson briefly discussed the history of the water and sewer funds.

A motion was made by Chairman Kalkut that the Board execute a lease agreement with T-Mobile Northeast LLC for space on the Norfolk Water Storage Tank for Wireless Communications located on the Weeber Water Storage Tank, and further that this agreement is five years, with approval to extend the agreement for three (3) five year terms. It was seconded by Mr. Wider, and so voted. All were in favor.

Please consider approval of a Public Comment Policy for Select Board meetings

Ms. Robinson stated that at the last meeting the Board reviewed a policy that would address the protocol of having a public comment period at every open meeting at the beginning of the agenda to enable the public to come and address the board on non-agenda items. The policy has since been reviewed by Town Counsel who has recommended a couple of changes. These changes are proposed as a result of a decision in early 2018 regarding the Town of Natick School Committee. In that decision the Court was very sensitive to the identification of speech which is ambiguous and may result in overly restrictive application. She explained that this has prompted changes in the policy to clarify that the word "discriminatory" be removed and clarification about what types of statements would not be acceptable. Town Counsel has also clarified that comments from the public be to topics that are within the scope of responsibility of the Select Board.

Ms. Robinson recommended approval of this item and a public comment item to be added to agendas going forward on September 17th.

Chairman Kalkut asked if we needed to state the time of the meeting it will occur. Ms. Robinson thought we could try to keep to the same time but give the Board some flexibility.

Resident Anne Marie Battistone expressed that the 3 minute limit may not be enough time. Chairman Kalkut stated that if someone is in the middle of a point, the Board would respect that.

Resident David Rosenberg expressed his support.

A motion was made by Mr. Wider that the Board approve the enclosed Town of Norfolk Public Comment Policy (attached). It was seconded by Ms. Van Tine, and so voted. All were in favor.

Chairman Kalkut announced that the Public Comment Policy will begin at the next meeting, September 17, 2019.

Discussion Items

Please discuss the organization of a future meeting to consider strategies to improve citizen participation in Norfolk Government

Resident David Rosenberg was present and explained he is a strong advocate of this item. He would like to have discussion about ways in which Norfolk might improve citizen participation in its government.

He is proposing a brainstorming session with (potentially) the Select Board, Town Administrator, Town Clerk, and Advisory Committee. He suggests having a facilitator (pro bono).

He would like to accomplish two things at this evening's meeting: 1) Who could participate; and, 2) What problems we would want to solve. He also suggested that the Select Board solicit the Town Government Study Commission as they have touched upon this.

Chairman Kalkut thanked Mr. Rosenberg for bringing this topic up and he noted that out of the 16 goals the Select Board has set this year, 7 pertained to community engagement.

Chairman Kalkut stated he believes that time is a big factor for many people. Mr. Rosenberg would like the full Board to be involved in the brainstorming.

A discussion took place as to the problems to solve and how broad or narrow the Board would like to get at this point.

Chairman Kalkut stated the following follow up items: 1) to identify a point of contact to field discussions; 2) identify what would be the best components of those involved, (committees, residents)?; and 3), to focus in on a single activity or event to and then expand that out.

The Board discussed different options for the first topic: Select Board Meetings, Town Meeting. They expressed that exploring the moderator's interest in Town Meeting would be a great first step. Resident Ernie Alex expressed his opinion about volunteers in the town in the past have been shot down after working hard on issues.

Ms. Robinson agreed to follow-up with the Town Government Study Committee and the Senior Center for relevant input.

Please discuss Gillette Stadium traffic management

Chief Stone and Deputy Chief Carrol from the Police Department were present to discuss this item.

Chairman Kalkut stated that there have been questions raised by residents in the Pondview area regarding increased traffic. A lot of the questions were regarding the action and mitigation methods the Town could take to alleviate the issue.

Chief Stone explained that the two pre-season games at 7:30 on week day evenings were a perfect storm. They occurred as people were getting home from work and those going to the games were not the regular season ticket holders, therefore, they may not be familiar with getting to the game. Foxboro informed him that the parking lots opened on time and employees were present but that everyone arrived at the same time unlike a typical Sunday where the regular games are usually at 1:00 p.m. or 4:00 p.m. and pre-game activities and arrivals are staggered. That is what was different.

Chief Stone made some suggestions as to what could be done to improve the situation. He mentioned the back-ups on Route 140 to Foxboro Center, in Walpole, on Pine Street, Common Street, Summer Street, Winter Street, Route 115 and Everett Street. He stated they could possibly to put an officer at Pine & Everett Streets. And maybe put another officer at Valley.

Mr. Robinson stated the first event was worse than next. There were two officers on and Lt. Shannon was there monitoring and adjusting as needed. Lt. Shannon was the shift commander at the last event. He assigned officers to come and go as needed. They were there from 4:00 on and were keeping the intersections open.

She mentioned that we have reached out to the Stadium Advisory Committee to ask what resources we could get from the Stadium.

Ms. Van Tine asked if Gillette pays for details. Ms. Robinson stated that yes, in some communities.

Chairman Kalkut stated that there was favorable feedback on the notice that was put out by the Police Department before the last pre-season game.

Ms. Robinson stated they will continue to work on the problem and will report back.

Follow-up on the questions related to the Police Substation at Fire Station: Approval Origin; Plan Moving Forward

Ms. Robinson explained that in response to the questions raised on this topic, the Facilities Director wrote a memo (attached) detailing the costs involved in creating the police room in the fire station including the door that was put in from the original lobby into the police room.

The funds for this work came from the Public Safety Building project account. The origin of the approval to create this room is unclear. Staff is still investigating this topic. The minutes of the Building Committee are not consistent, and in some cases the ones available are from the OPM for the new police facility and don't necessarily cover all decisions of the committee.

Chief Stone explained why that particular location was picked for the police room. He had spoken with the Fire Chief who expressed that he didn't want his Administrative Assistant in that particular room because it was a distance from his own office. Also this room is in separate area that is accessible from the lobby for police business; however it is able to be closed off from the rest of the building for use by the Fire Department for storage.

Mr. Wider asked why the former area the police were located in couldn't be used. Ms. Robinson explained that the office is locked from the hallway. The Fire Department can't get in there from the rest of the building and the police cannot get into the fire side.

Mr. Wider brought up the point that if the building didn't pass the air quality test, this would have been wasted money. He feels that the timing of the renovation was not good especially when there are not sufficient funds to build a new fire department or renovate the existing one.

Deputy Chief Carroll brought up that the feasibility study of 2015 shows the police office in the same location.

Ms. Van Tine also expressed that she feels because of the money potentially wasted on this renovation, along with the fact of the missing meeting minutes from the Public Safety Building Committee, that when the new committee is established, no one from the former committee should be on it.

Mr. Wider pointed out that having a police presence there is a positive side for anyone who doesn't want to go to Sharon Avenue. They can hit the blue button and an officer will come down to assist them.

Please consider approval of the following warrants:

A motion was made by Mr. Wider to approve the following warrants:

- 8/13/2019 07V20 \$71,727.50
- 08/16/2019 03P20 and 03PS20 \$476,397.05
- 08/20/2019 08V20 \$150,702.90
- 08/20/2019 08VS20 \$151,744.46
- 08/27/2019 09V20 \$2,906,871.12

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

Please consider approval of regular session minutes

A motion was made by Ms. Van Tine to approve the July 9, 2019 open session meeting minutes. It was seconded by Chairman Kalkut, and so voted. All were in favor.

Ms. Robinson announced the following:

- Mosquito spraying by Norfolk County Mosquito Control Commission was delayed by one day until tonight due to inclement weather last night.
- Parking applications for Old Town Hall and Liberty Lane are now being accepted and due on September 10th.
- There will be a special meeting next Tuesday at 5:00 p.m. for the final Fire Chief candidates.

Chairman Kalkut thanked the Recreation Commission for mosquito spraying and especially Chairman Will Rigdon for the communication to the community.

Chairman Kalkut announced that the Select Board will be holding office hours, with the first session scheduled for September 11th from 1:00 – 3:00 p.m. at Town Hall.

Chairman Kalkut also announced that on September 12th there will be a Community Feedback Session (B1 Zoning) for zoning changes for November Town Meeting. This will be held at the Freeman Kennedy School at 7:00 p.m.

Mr. Wider asked if DPW could put out a regular update on the Town Website notifying residents about current projects.

Mr. Wider also stated that he is looking into plastic bags and Styrofoam cup bans. He discussed this with Andy Bakinowski about it. He mentioned that Mansfield has a very good policy. He would like the town to start to think about becoming a leader in this area. Ms. Robinson would like to reach out to local businesses to discuss a transition.

Residents Anne Marie Battistone and David Rosenberg asked questions about Select Board Office Hours, B-1 Zoning Community Feedback Session and mosquito spraying.

Chairman Kalkut stated that the Select Board members would each be hosting sessions speaking as individuals not necessarily as a Select Board member. He would be the first to host.

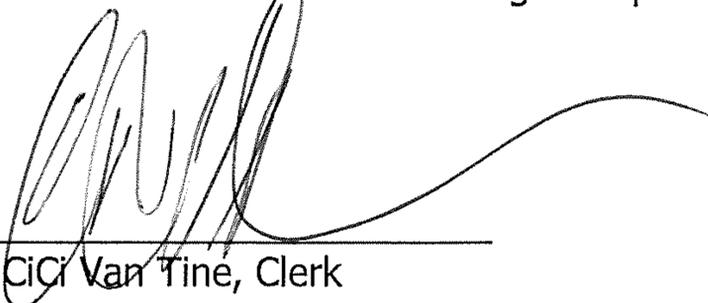
Chairman Kalkut also informed them that there would be a representative of MAPC (Metropolitan Area Planning Council) at the B1 Zoning Community Feedback Session to give a presentation.

Ms. Robinson will check to see if the Town website will have updated mosquito spraying information.

A motion was made at 9:01 p.m. by Chairman Kalkut to adjourn the meeting. It was seconded by Ms. Van Tine, and so voted. All were in favor.

The next regular meeting will be held in Room 124, Town Hall, on Tuesday, September 17, 2019 at 7:00 p.m.

This is a true and accurate report of the Board of Selectmen's Meeting of September 3, 2019.



CiCi Van Tine, Clerk