

**Norfolk Select Board's Open Session Meeting Minutes
February 4, 2020**

Members Present: Kevin Kalkut; Christopher Wider; Cici Van Tine. Members Not Present: None. Also Present: Blythe Robinson, Town Administrator; Judith Lizardi, Executive Assistant.

The meeting was held in Room 124, Town Hall. Mr. Kalkut called the meeting to order a 6:00 p.m.

Executive Session

A. Executive Session under M.G.L. c.30A, §21(a)(3) to discuss strategy with respect to litigation regarding 144 Seekonk Street, insofar as an open meeting may have a detrimental effect on the litigation position of the public body.

This agenda item was not taken.

B. Executive Session under M.G.L. c.30A, §21(a)(1) to discuss a bullying complaint against the Select Board

At 6:00 p.m. a motion was made by Mr. Kalkut to move that the Board vote to enter into executive session under Massachusetts G.L. c.30A, §21(a)(1) to discuss a bullying complaint against the Select Board, and further to invite Town Administrator Blythe Robinson, Human Resources Director Scott Bragdon, and Executive Assistant Judith Lizardi. The Board will reconvene into open session to conduct the rest of the meeting. The motion was seconded by Mr. Wider. A roll call vote was taken as follows: Mr. Wider – aye; Ms. Van Tine – aye; Mr. Kalkut – aye. All were in favor.

At 7:25 p.m. a motion was made by Mr. Kalkut to close the Executive Session and enter into open session. It was seconded by Ms. Van Tine. A roll call vote was taken as follows: Mr. Wider – aye; Ms. Van Tine – aye; Mr. Kalkut – aye. All were in favor.

Chair Kalkut called a five-minute recess.

Mr. Kalkut called the meeting back to order at 7:30 p.m. He announced this meeting is being both video and audio taped. All present recited the Pledge of Allegiance.

Ms. Robinson reviewed the agenda.

Public Comment

Mr. David Rosenberg, 123 North Street, stated that he understands the desire of the Select Board to function efficiently and not get distracted with tangential issues people bring up; however, if a person has information or facts regarding an item the Select Board discusses, it may help the Select Board to decide. He stated two drafts for the comment policy were provided in the meeting packet; he supports the second draft.

Ms. Susan Jacobson, Affordable Housing Director, 46 Needham Street, stated that she has worked for the Town for 10 years and currently works for the Municipal Housing Trust. She does not want to work in a hostile work environment. She stated that when the Select Board ignores attacks by the public, they are actually establishing the ground rules to let the inappropriate behavior continue. She read aloud an inappropriate email that was sent to her and copied to the Select Board members by a resident. She expressed concern that none of the Select Board members found it necessary to

respond to the email even though the email suggested a female employee be replaced by a dog. She said there are hundreds of emails like this. She stated she hopes the Select Board will take the necessary steps to address this.

Mr. Ernest Alix, 40 North Street, discussed the trash and hazardous materials at the abandoned Pondville Hospital. The runoff from the site is going to a river below. He stated that when a church abandons property, it should come under the same jurisdiction as when anyone abandons property. He stated that a large recreation area is being built next to the site. The area should be fenced. If someone gets hurt at the site, it will become a problem and there will be a lawsuit. He asked if the Town's attorney could prepare and send documentation to the church as he wants the Town to be covered.

Action Items

Please consider ratifying the appointment of the Public Works Director as recommended by the Town Administrator

Ms. Robinson introduced Mr. Thomas Temple, candidate for the Public Works Director position. She reviewed that former Public Works Director Bob McGhee retired in December. Before his retirement, the process to select his replacement commenced. Three final candidates were chosen in November; however, for various reasons, all three candidates withdrew from the process. The candidate search was restarted. Thirteen resumes were received. Six candidates were interviewed. The first round of interviews was conducted with herself, Mr. Bragdon, and a DPW Director from another town to provide perspective. It was narrowed down to three candidates. As she wanted to make sure to get the best candidate for the position, and as this is a critical department head, she had the Police Chief, the Highway Superintendent, and the Recreation Director spend time with the three candidates. Based on those interviews, Mr. Temple was selected as the candidate to fill the position of DPW Director.

Mr. Temple discussed his background and experience and stated he has been involved with public works for 36 years. He stated that his engineering background has helped in many construction projects throughout his career. He discussed that he has been responsible for many employees and enjoys working with the public. He reviewed his snow and ice experience.

Mr. Kalkut stated the condition of the roads in Norfolk is very important, and he asked Mr. Temple about pavement management. Mr. Temple discussed roadway conditions and the need to determine what is appropriate for each roadway to put it in good condition. He discussed the different types of pavement and possible issues that need to be considered when deciding which pavement or road reconstruction should be done. Ms. Van Tine referenced Mr. Temple's cover letter and asked what education he has that dovetails with what Norfolk's needs are. Mr. Temple provided a review of the many trainings and certificates he has received that relate to the Town's needs. Ms. Van Tine noted Mr. Temple has worked in Chatham for four years and asked what is appealing to him about Norfolk. Mr. Temple stated he grew up in Marlboro and for family reasons, they would like to move back to the area.

Mr. Wider asked what stood out for Mr. Temple when he toured the Town with the police. Mr. Temple said he noticed the condition of the roadways. He was surprised there were two roundabouts in such close proximity. He enjoyed the people and staff he met and how well they handle themselves and the knowledge they have. Mr. Wider asked Mr. Temple about the flow chart for his position as DPW Director in Chatham, how Chatham's transfer station compares to Norfolk's, his knowledge of wastewater treatment plants, and how he feels about GPS in public

works' vehicles. Mr. Temple reviewed the employee organization chart for the DPW Director in Chatham. He stated he has four DPW foreman, he started a work order system, he reviewed the sticker system for trash disposal, he noted commercial haulers can dump at the transfer station, he explained that the recycling market is not very good at this time, he discussed the sewer treatment plant, he confirmed he likes to have GPS in vehicles, and he believes in getting work done in a timely manner. Mr. Kalkut asked Mr. Temple about his approach in budgeting. Mr. Temple explained he prepares the budgets for his various divisions; it is a five-year capital budget. He stated that he also reviews and determines the equipment for replacement; the life expectancy on bigger vehicles is about 13 years.

Mr. Kalkut asked what has been successful regarding community engagement. Mr. Temple stated that being up front and honest with residents is the best method. For instance, if work is being done in front of a home, they make sure the area is left in better shape than it was to start with. As well, he talks to the residents ahead of any work to be done to explain what is going to happen. If it would not be acceptable to do in front of his house, he would not do it. Ms. Van Tine asked about budgeting and noted that Norfolk may not have the same resources as Chatham; Norfolk is dealing with managing budgets to try not to grow so quickly that senior citizens are priced out of Town. Mr. Temple reviewed his experience in budgeting. He reviewed projects that he has come in under budget and on time; saving money and being frugal is important. Mr. Wider asked how Mr. Temple would motivate a small group of people to accomplish the tasks that sometimes seem overwhelming. Mr. Temple stated he has five highway workers in Chatham. He stated that most people are hard working. As you get to know an employee, they learn what the expectation is when doing projects, and everyone pulls their weight when getting a job done. He stated that saying thank you is important. He discussed that in Chatman, his employee groups help out other divisions when needed. He discussed that the outside-of-the-division overtime is fair and equitable, and everyone appreciates the fact that everyone was considered for the overtime.

Ms. Robinson stated she wanted to make sure the best candidate was selected for this position; she recommended Mr. Temple as that candidate. She wanted the candidate who had the most experience in dealing with less than what is ideal but had experience in many areas. Mr. Temple has had experience regarding transfer stations, restructuring water rates, bringing projects in on time and under budget, and developing both union and public relationships. His references have stated that Mr. Temple has great skills as a department head and as a co-worker who both supports his employees and has high expectations of them. She noted that Mr. Temple wants to move back to this area. She discussed that feedback from other departments was considered to find the candidate who was the best fit for the needs of the community. She stated Mr. Temple's contract will not be discussed tonight; it will be scheduled on the February 8, 2020 meeting agenda. Ms. Van Tine asked if the former DPW Director Bob McGhee was involved in the search. Ms. Robinson stated that Mr. McGhee was not involved; however, she had a content expert/DPW Director from another town involved in the search process. Mr. Bragdon stated that before starting the search process, he had several conversations with Mr. McGhee about what would be important for the position.

A motion was made by Mr. Kalkut to ratify the appointment of Thomas Temple as Director of Public Works as recommended by the Town Administrator. It was seconded by Mr. Wider, and so voted. All were in favor.

Mr. Kalkut thanked everyone for a successful candidate search.

Please consider appointing a Tax Possession Custodian for the purpose of auctioning off Town-owned properties acquired through foreclosure

Ms. Robinson reviewed that one of the functions of the Town Treasurer is to pursue the collection of taxes for all properties in the Town. Norfolk has a strong collection rate of 98 percent; however, that indicates that 2 percent of owners may not be current on their taxes. State law governs the process by which properties that are delinquent are entered first into tax title, and then, if that process does not satisfy the obligation, the Town may foreclose on properties for non-payment of taxes. This is a lengthy Land Court process during which the taxpayer receives multiple notifications. When Land Court issues judgement in favor of the municipality, the property becomes Town owned. These properties are referred to as tax possession properties and the Town can proceed to sell them at public auction. In order to commence this process, it is required that a Tax Possession Custodian be appointed. This appointment is often the Town Treasurer because they are the most knowledgeable about the process, history of the parcels, and the collection responsibilities. The custodian in turn selects a tax title attorney and an auctioneer. The Town of Norfolk has held two auctions in recent history. One was a multi-property auction in 2002 that generated in excess of \$500,000. The second was held in 2012 and was a single property auction that brought \$190,000 into the Town's general fund. The cost of the legal fees and auction services work will be borne by the successful bidders of the parcels sold so that the high bid price from each property comes directly to the Town. The auctioneer will conduct research on the properties and prepare a comprehensive marketing plan to maximize exposure and generate competition. There are 40 properties that the Town has acquired over time. Various departments have reviewed the current properties and agree in their recommendation that we proceed to prepare for a spring auction offering some of the current tax possession parcels. All the parcels are land with the exception of 4 Pine Road which is a single-family house in disrepair. She reviewed the provided spreadsheet listing all parcels.

Ms. Van Tine asked if the custodian is compensated for this role. Ms. Robinson said the custodian would not be compensated any more than her regularly salary. Mr. Kalkut asked if there is an assessed value for the properties. Ms. Robinson said this would be determined by the auctioneer working with the assessor, planner, and treasurer to determine the value. After the Town owns a property for one year, the Town can keep all money received from the auction.

A motion was made by Mr. Kalkut to vote as provided under MGL Chapter 60, Section 77B, to appoint Anne Marie Duggan, Town Treasurer, as Tax Possession Custodian who shall have the care, custody, management and control of all property acquired by foreclosure, deed in-lieu of foreclosure, or by treasurer's deed for unpaid taxes. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Discussion Items

Please discuss amendments to the Board's Public Comment Policy

Ms. Robinson reviewed that at the last Select Board meeting, it was discussed to amend the public comment policy to facilitate public input and questions in a structure that improved the flow of the meeting. She stated that included in the Select Board members' meeting packets are two versions of the policy provided by Mr. Kalkut for the Board's review and continued discussion. She noted that Town Counsel has provided legal input on the policies.

Mr. Kalkut stated that at the last Select Board meeting they discussed how to enhance the efficiency of the Select Board meetings and the possibility of a public comment period at both

the beginning and end of the meetings. Mr. Wider said he likes the second version of the public comment policy as it keeps the meeting moving but also allows for additional information. Ms. Van Tine said that if an item is going to be voted on, the public could provide information ahead of time. As well, allowing someone to weigh in with legitimate information would be valuable. She stated that she hopes the public would adhere to the policy, but if not, it would be the Chair's role to encourage adherence. Mr. Kalkut reviewed the proposed changes to the policy as indicated on the second version, as well as those provided by Town Counsel. Ms. Robinson said the policy will be finalized for the next meeting.

Ms. Anne Marie Battistone, 59 Seekonk Street, asked what an unfounded comment is and who would decide if the comments by the public extend to what is being discussed. Mr. Kalkut stated he would decide if a comment is founded or unfounded.

Please consider approval of the following warrants:

A motion was made by Ms. Van Tine to approve the following warrant:

- 1/28/2020 31V20 \$610,956.28

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

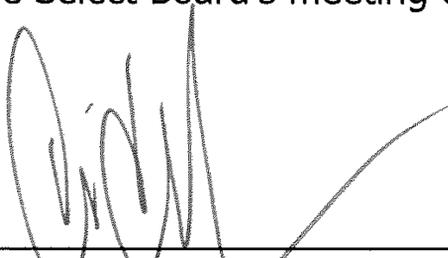
Public Comment

Mr. Ernest Alix, 40 North Street, asked, in regard to auctioning off property, if the CPC can meet the high bidder and own the property. Ms. Robinson stated the Town already owns the property; they can choose to sell or not sell. She explained that various Town departments look at the properties to determine if there is a good reason to keep them.

At 8:40 p.m. a motion was made by Mr. Kalkut to adjourn the meeting. 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 Saturday, February 8, 2020, at 10:00 a.m.

This is a true and accurate report of the Select Board's meeting of February 4, 2020.



Cici Van Tine, Clerk