

Norfolk Select Board's Open Session Meeting Minutes April 7, 2020

This meeting was held as a Remote Access Zoom Virtual Meeting.

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

Mr. Kalkut called the Remote Access Zoom Virtual Meeting to order at 7:00 p.m. He announced this meeting is being both video and audio recorded. He read a statement regarding the Massachusetts State of Emergency and the associated state legislation allowing towns to hold remote access virtual meetings during the COVID-19 pandemic crisis. He reviewed that in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the April 7, 2020, 7:00 p.m. public meeting of the Norfolk Select Board shall be physically closed to the public to avoid group congregation. Alternative public access to this meeting shall be done via Zoom online video conferencing. This application will allow users to view the meeting and provide comments during allocated windows as outlined in the Board's Public Comment Policy. He provided the Zoom Meeting link and the Zoom Meeting call-in number, as provided on the agenda.

Ms. Robinson reviewed the agenda.

COVID-19 Updates

Ms. Robinson stated that the Board of Health met last Thursday night and agreed to provide information about the number of COVID-19 cases in Norfolk. The number of cases along with any other important information residents should be aware of will be reported on Mondays and Thursdays. She stated that changes were made at the Transfer Station and they have returned to doing recycling; Transfer Station stickers are being sold online and at the Transfer Station. Seniors and people in need in the community should contact the COA for help in obtaining resources. She noted that due to the pandemic, some activities have been cancelled such as the Garden Club of Norfolk's Annual Plant and Bake Sale and Norfolk Grange's Annual Clean and Green event. The Board of Health made some changes to spring mosquito spraying. Spraying will be limited to bodies of water and wetlands rather than the whole Town; updates to the mosquito spraying schedule will be upcoming. She stated that Town staff schedules are being adjusted to comply with social distancing, expenses related to COVID-19 are being tracked, and PPE for staff in the field is being monitored and is adequate at this time.

Public Comment

Mr. Ed Haddad, 138 Red Maple Run, requested an update regarding the Police Station review and asked when it will be on an upcoming agenda. Mr. Kalkut stated that this item was discussed at the last executive session meeting of the Select Board. The Select Board is continuing to work on and exhaust every measure for a resolution. As soon as the Select Board has something to share, they will do so.

Presentation of the Results of the FY19 Annual Audit

Ms. Robinson stated that every year the Town is required to perform a financial audit. Included in the Select Board's meeting packet are several documents associated with the annual audit of the Town's financial records for the fiscal year ending June 30, 2019 (FY19). This work was performed by CliftonLarsenAllen (CLA), led by Principal Matt Hunt. She stated that Mr. Hunt and his associate Jim Piotrowski will be participating in the meeting to provide an overview of the audit, their opinion of

Norfolk's financial statements, and any salient points they think the Select Board should be aware of. Overall, they found no material weaknesses and the books are in order.

Mr. Hunt noted that historically CLA has not had this type of post-audit meeting with Norfolk. He provided highlights of the financial statements, discussed the two-page auditor's report on internal control and compliance, and reviewed the management letter which outlines recommendations. He reported that there are no material weaknesses or significant deficiencies in internal controls. CLA's opinion on the financial statements is of an "unmodified opinion" which is the very best opinion that can be received. Based on CLA's audit, the financial statements are free of any material misstatements. Mr. Piotrowski thanked Mr. Lindmark and Ms. Duggan for providing them with all the requested information. He stated the General Fund and Community Preservation Fund are the primary focus of his presentation. Mr. Hunt provided details on the financial position of several funds, the status of new debt, OPEB liability and pension liability.

Mr. Hunt stated Norfolk does not have any material weaknesses or deficiencies in internal controls. During the audit they did not find any non-compliance with laws or regulations that may impact the financial statements. CLA conducted a site visit and audit of the Transfer Station and found the staff was doing a very good job. There are good written policies and procedures. He did recommend that as an extra layer of accountability, a member of the Transfer Station should sign off on the deposits that have been reviewed before being turned over to the Treasurer. He stated the DPW keeps an inventory of trash stickers that are sold. They do a good job of maintaining the count in Excel; however, they should also perform a physical count of the stickers and document the reconciliation. He also noted some testing that was done such as confirming all of the Town's bank accounts. One such account was discovered and has been dealt with. He recommended the Town perform this process annually. He stated that overall, the Town does an excellent job and is well run in regard to finances. Mr. Kalkut thanked Mr. Hunt and Mr. Piotrowski for providing a thorough overview and report. Mr. Wider congratulated the Finance Department for doing such a good job.

Action Items

Please consider changing the date of the 2020 Town Election

Ms. Robinson stated that at the last meeting the Select Board voted to postpone the annual election, but did not set a date. The date that was mentioned was June 2nd. Since that time, the shelter in place order was extended by the Governor to May 4th. With so many questions about how long such orders will remain in place, Town Clerk Carol Greene proposed that the Select Board, besides considering June 2nd (1st Tuesday in June), also considers the option of June 23rd which would be the 4th Tuesday of the month. She noted that holding the election on June 23rd would come after the currently scheduled Annual Town Meeting on June 9th, and Norfolk has always held its election first.

Ms. Greene requested the date of the Town Election be changed to June 23, 2020. With the current uncertainty, it is better to be cautious with this later date as it will be a safer situation for citizens and poll workers. The election must be completed by June 30, 2020. Mr. Kalkut asked if there is any problem holding the Annual Town Meeting, scheduled for June 9, 2020, before the Town Election. Ms. Greene stated there was no issue. She stated that an item in the state's bill is to allow early voting by mail which is helpful. She stated that she would speak with Town Moderator Jay Talerman regarding Article 1 of the Town Meeting Warrant as historically Article 1 is voted on at Town Meeting to accept the election results. With the Town Election after Town Meeting, that is not possible. Ms. Jen Wynn, 3 Hemlock Lane, asked about the need for social distancing in June. Ms. Greene stated she has a

mitigation plan and will only allow a specified number of people in the polling location at one time, and other safety measures and precautions would be put in place.

A motion was made by Mr. Kalkut that the Board set the annual Town Election date on Tuesday, June 23, 2020. 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.

Please Consider an Appointment to the Board of Registrars

Ms. Robinson stated that Mr. Ken Ralff has resigned effective immediately as the republican appointee to the Board of Registrars. Included in the Select Board's meeting packet is an email from Donna Dicenso nominating Mr. Peter Stagg to be appointed in his place. She stated that Mr. Rosenberg asked that in the future the Select Board rotate the number of registrars in each party.

Mr. Wider stated that he spoke with Ms. Dicenso about this appointment.

A motion was made by Mr. Kalkut that the Board appoint Mr. Peter Stagg to the Board of Registrars for a term to expire March 31, 2021. It 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.

Please Consider Approval of Transfer Station Fees Effective July 1, 2020

Ms. Robinson stated that since the March 17, 2020, Select Board meeting at which transfer station fees were discussed, staff has reviewed them further with the Select Board's comments in mind. Included in the Select Board's meeting packet are the rates and charges proposed for FY21. The change from the earlier version is to increase the cost of renting a roll off container from \$200 to \$400. DPW has conducted some additional research and believes this is still a lower price point than commercial companies, but better represents the Town's costs to providing this service. With the Select Board's approval of these rates, staff will work to have the program ready to go for July 1, 2020; the biggest change being a transition from bag stickers for household trash to colored bags issued by the Town of Norfolk. With this change, it is believed the revenue will go up for next year to \$310,000 which is currently budgeted.

Mr. Lariviere said the average rate for renting a roll off container was approximately \$500. He does not want to charge that much as they do not want to lose customers. They believe \$400 is a good rate and they can reassess next year to determine if they should increase the price.

A motion was made by Mr. Kalkut that the Board approve the revised fees and charges for the Transfer Station effective July 1, 2020. It 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.

Please Consider Determining the Amount of the FY21 Operating Budget to Propose to Town Meeting

Ms. Robinson stated the FY21 budget has continued to be refined as a result of the last Select Board meeting, the result of which is included in the Select Board's meeting packet. Two assumptions have been made in order to arrive at this point. It has been assumed that the Select Board agrees with the changes in Transfer Station fees, and are not in favor of a change in the premium share of health insurance for retirees which was valued at \$120,000. Those assumptions led to revenue adjustments and a number of expense reductions to balance the budget. The net of these changes is that the budget increase from FY20 to FY21 is now 2.42 percent for a budget of \$41,191,364; she reviewed the list of changes and reductions. She stated that alternative scenarios for the retiree health plans have been provided for the Select Board's review and consideration.

Mr. Lindmark stated that a 5 percent change to the retiree health plan rate would provide a budget change of approximately \$30,000 to \$40,000. Mr. Wider said he applauded the budget efforts; however, the results and impacts of the COVID-19 pandemic on the Town are not known. They will have to look at the budget even deeper now based on the financial crisis. This budget should not be passed on to Town Meeting without a contingency plan; the Town must be prepared for austerity measures. Ms. Robinson discussed measures to deal with the impact of COVID-19. The Governor said they are not ready to discuss what local aid cuts could be expected. She stated there is concern about the receipt of Chapter 70 dollars and the prison mitigation funds which are discretionary. On the local level, she anticipates a reduction in meals tax revenue from the restaurants. It is too soon to determine the impact of building permit revenue. She recommended waiting a little longer to determine the pandemic impacts and then talk with the unions and schools to make adjustments that are needed to balance the budget. She discussed that two additional towns would like to join the MECC; it looks very positive. The assessment for the Town would go from \$380,000 to zero for the next two years and then would gradually increase over the next two years. This addition to the MECC will not be in place until the end of June and not ready for Town Meeting. Mr. Kalkut questioned if the state determines a 10 percent to 15 percent reduction in revenues, could adjustments be made to the budget prior to Town Meeting in June. Ms. Robinson said if the state delivers a concrete number, the Town's budget can be looked at more closely.

Ms. Van Tine stated she is uncomfortable with the idea that all will be fine and therefore go with the budget as is, and if it is not fine, the budget can be looked at again at the Fall Town Meeting. She expects the new growth is not going to happen and the prison mitigation money might go away. She suggested waiting a few weeks to see if more information from the state is known. She asked if the Select Board must vote tonight on this budget as the money the Town thought they had may not be available to spend. Ms. Robinson pointed out that this will need to go to the bargaining units at the appropriate time to resolve any shortfalls. But, until there is good information on what the budget gap is, having a conversation with unions is not fruitful. Mr. Lindmark said the new growth numbers are based on June 30th of this year. Ms. Van Tine suggested waiting a few days or weeks before voting on the budget number. Ms. Robinson stated it can wait; she will let the Advisory Committee know. Mr. Kalkut stated that he reached out to neighboring communities regarding actions they are taking. One community is looking at ways to reduce their budget, and the other community is going forward. Ms. Jen Wynn agreed with Ms. Van Tine that decisions should be made on facts and data. If the Town is not getting money, then they have to cut. Mr. Haddad said there are too many unknowns; we are in a financial crisis. The state is just one part of the revenue number. He thinks it is respectful to talk to the employees now and let them know about possible cuts.

Mr. Kalkut summarized that it is the Select Board's position that more information is needed to finalize the budget numbers. He would like table this vote until the next Select Board meeting on April 21, 2020. No motion was made.

Please Consider Extending the Deadline to Pay FY20 4th Quarter Real Estate & Personal Property Taxes in Compliance with Chapter 53 of the Acts of 2020

Ms. Robinson stated that on Friday, April 3, 2020, the governor signed into law this act that makes a myriad of changes to state law affecting local governments and their ability to conduct business during this pandemic. A copy of the law is included in the Select Board's meeting packet. Section 7 of the law provides for several local options regarding the payment of real estate and personal property taxes, and the ability to waive interest and other penalties for late payment of excise, tax, betterment assessments, and water use charges. At this time, staff recommends that the Select Board consider

changing the due date for real estate and personal property taxes due, but not any other provisions. There have been a number of questions raised about the other provisions concerning the payment of interest and penalties which need to be clarified after which will be brought back to the Select Board at the next meeting for consideration. Fourth quarter taxes are due to the Town on May 1st. The law allows the Select Board to vote to change that date to June 1st, giving residents 30 additional days to make this payment. She recommended the change. If the Select Board approves, this update would be posted to the Town website and Facebook to announce it to residents.

Mr. Lindmark stated that changing the date from May 1st to June 1st is allowed by the State of Massachusetts law. He noted that about 50 percent of the payments are received by mortgage companies. Most of those remaining payments will probably be paid on May 1st; he does not think this date change will impact the Town. He recommended changing the date to June 1, 2020, but not on the penalties aspect until the next Select Board meeting. Mr. Wider stated that this is a good idea. Mr. Kalkut confirmed that even if the 50 percent that are not paid by the mortgage companies do not pay on May 1st, there will be no impact on the Town to change the date from May 1st to June 1st. Mr. David Rosenberg, 123 North Street, asked about payments from auto-pay wizard and noted a payment date cannot be selected. Mr. Lindmark stated he would look into this situation and provide an answer.

A motion was made by Mr. Kalkut that the Board approve an extension of the deadline to pay real estate and personal property taxes from May 1st to June 1st 2020 as authorized by Chapter 53 of the Acts of 2020. 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.

Discussion Items

Please Discuss Holding Virtual Select Board Office Hours

Mr. Kalkut said the Select Board previously implemented monthly office hours which was met with some success; however, usually the same handful of people attended. In the current environment with the pandemic, in-person meetings are not ideal. In an effort to continue to offer this service to residents, he suggested conducting Select Board office hours in a virtual setting.

Ms. Van Tine said she likes to hold in-person office hours. She does not like the medium of a virtual setting. If someone wants to talk to her, send her an email or give her a phone call. She stated that the Select Board is not mandated to have office hours; they are offered to increase transparency. She suggested the Select Board return to the face-to-face office hours when this crisis situation allows. Mr. Kalkut and Mr. Wider agreed. Ms. Jen Wynn asked how many citizens attend the in-person office hours, and can the questions and concerns be dealt with through email. Mr. Kalkut stated that usually only two to four citizens attend the office hours. Mr. Rosenberg stated he appreciates the level of transparency and openness this Select Board has had. He thinks face-to-face meetings are best. He would like the Select Board to continue with some type of direct interaction with citizens during this pandemic and thinks email is not a good choice. Ms. Donna Jones, 64 North Street, asked who a citizen should email if they have a question. Mr. Kalkut stated that a citizen can email any Select Board member and/or the Town Administrator. If the email is sent to all three Select Board members, the members would coordinate their response. He summarized that it appears that the Select Board would like to focus on having in-person meetings; therefore, they will focus their efforts on in-person meetings when the Town is on the other side of this crisis.

Please Discuss Whether to Move Forward with a 150th Anniversary Parade on September 13, 2020

Ms. Robinson stated that included in the Select Board's meeting packet is an email from Paul Terrio providing the Select Board with an update on the parade committee's progress on raising funds for the event. He has asked that the Select Board discuss this and provide direction on whether or not to continue planning for the event. Input received from the Recreation Department regarding this event is also included in the packet.

Mr. Terrio updated the Select Board on the status of contributions and participation. He stated that due to the pandemic, the Committee has put a hold on things. They have about \$5,000 in committed funds; they have not scratched the surface in regard to contributions or participants. He stated it is premature to discuss the parade route. He asked for the Select Board's thoughts on how to proceed. Mr. Kalkut thanked the 150th Anniversary Parade Committee for putting time and effort into this event. He reviewed the concerns raised by the Recreation Department regarding the proposed parade date and time. Mr. Terrio stated that the committee reviewed dates carefully and the proposed date had the least impact with the Patriot's football schedule, religious activities, and Town soccer events; it is not possible to accommodate every group in Town. He recommends the proposed date of September 13, 2020. Mr. Wider agreed that not everyone can be accommodated. Mr. Kalkut stated many sporting events have already been moved; September 13, 2020 seems to be a relatively good date. Ms. Van Tine said she understands the need to pick a date for the event. She reiterated that based on the current economic situation, no Town of Norfolk money should be given to the parade. She said there was no way to know if the September 13th date is good or not. Mr. Terrio stated they have made sure that anyone who contributed money would be able to receive their money back should the parade not be held. He discussed that the parade could possibly be postponed until 2021 depending on the situation. They do not plan to spend any money prior to the parade. Ms. Van Tine agreed a 2021 date be considered. Ms. Jen Wynn thanked Mr. Terrio and the parade committee for their hard work. She asked if he had thought about coordinating the parade with Community Day. Mr. Terrio explained that Community Day is held in June and is a big event for the Lions Club. As the Lions Club will also want to participate in the parade event, the members would be stretched too thin. Therefore, it would be best to keep the two events separate. Ms. Donna Jones confirmed the 150th Anniversary Dinner event scheduled for May has been postponed; it is now scheduled for September. She asked if there was a date deadline for determining if both the dinner and parade would need to be cancelled. Mr. Terrio direction from the state is needed about relaxing the social distancing rules. He noted the parade can be a great celebration in light of what is going on. Ms. Anne Marie Battistone, 59 Seekonk Street, stated that she agrees with Ms. Van Tine that no Town money should be spent on the parade. Mr. Kalkut summarized that the overwhelming opinion is to set the date, but be flexible based on state restrictions due to the pandemic and NFL dates.

Report of Warrants

Please consider approval of the following warrants:

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

- 3/24/2020 39V20 \$372,791.69
- 3/24/2020 39VS20 \$7,268.80
- 3/27/2020 19P20 and 19PS20 \$852,980.34
- 3/31/2020 40V20 \$826,887.38
- 3/31/2020 40VS20 \$32,396.67

It was seconded by Mr. Kalkut. A roll call vote was taken as follows: Mr. Wider – aye; Ms. Van Tine – aye; Mr. Kalkut – aye. All were in favor.

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

- 3/13/2020 18P20 and 18PS20 \$825,965.40
- 3/17/2020 38V20 \$200,135.48
- 3/17/2020 38VS20 \$103,614.87

It was seconded by Mr. Kalkut. A roll call vote was taken as follows: Mr. Wider – aye; Ms. Van Tine – aye; Mr. Kalkut – aye. All were in favor.

Approve Minutes

Please consider approval of the minutes

A motion was made by Ms. Van Tine that the Board approve the minutes of the March 4 and March 24, 2020 regular meetings. It was seconded by Mr. Kalkut. A roll call vote was taken as follows: Mr. Wider – aye; Ms. Van Tine – aye; Mr. Kalkut – aye. All were in favor.

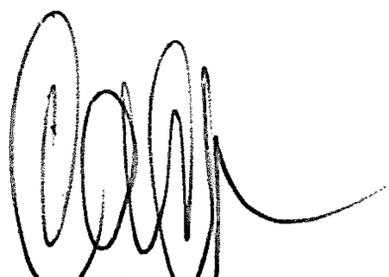
Select Board members agreed they would be available for a joint executive session meeting with the Planning Board on April 14, 2020, at 6:30 p.m.

Mr. Kalkut thanked everyone for their continued social distancing efforts.

At 9:08 p.m., a motion was made by Mr. Kalkut to adjourn the meeting. 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.

The next meeting of the Norfolk Select Board is scheduled to be held remotely on Tuesday, April 21, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's remote meeting of April 7, 2020.



CiCi Van Tine, Clerk