

**Norfolk Select Board's Open Session Meeting Minutes
September 1, 2020**

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

Members Present: Kevin Kalkut; CiCi Van Tine; Anita Mecklenburg. 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.

Chair Kalkut noted 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 September 1, 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 noted the Zoom Meeting link and the Zoom Meeting call-in number are provided on the agenda. He stated that all supporting materials have been published to the website.

Ms. Robinson reviewed the agenda.

COVID-19 Updates

Ms. Robinson stated Norfolk has had a total of 40 cases of COVID-19 with one active case. She noted that Norfolk is in the white zone on the governor's COVID-19 town-by-town map. She stated that school openings are proceeding. She and Mr. Todd Lindmark, Finance Director, had meetings with both school districts to get an understanding of the costs for schools to reopen and there will be some additional costs besides those already submitted under CARES Act and FEMA.

Public Comment

None.

Action Items

Please consider award of a contract for the construction of the Holbrook Street Wellfield and Pump Station

Ms. Robinson stated that for several years the Town has been in the process of bringing online a third wellfield located on Holbrook Street. Construction has taken place in two stages, first to install the actual wells which is just wrapping up, and now the construction of the actual pump station and required equipment, and installation of main from the station to the street so treated water can be pumped into the distribution system. She reviewed two memos included in the Select Board's meeting packet. The first gives a recap of the funding for the project and the status of what remains for this contract. At the annual town meeting in June an additional \$173,000 was appropriated to ensure sufficient funds were on hand to complete the work. She stated that the engineers are comfortable with the \$124,000 contingency. The second memo is a recommendation to award the contract for the work to Biszko Building Systems for \$1,820,995. This project attracted seven bidders; the difference in price between most of them was quite tight, which reveals there was good competition for the work and that the bidders priced it fairly much the same. The bid was structured with two alternates, one

for the emergency generator and the other for the paving of the road to the wellfield. She recommended award of the first alternate for the generator, but not the paving. She stated that from the SERSG bid the Town can have that contractor complete the work for less than the alternate price; that cost has been carried in the overall budget. Environmental Partners has reviewed the proposals and contacted the bidder's references and recommends the Town award it to them. The project would move ahead soon with the hope to produce water from the well in spring.

Mr. Blair Crane, Director of Public Works, stated that the Town's current two well sites combined output averages 960,000 gallons per day; during the summer this is at the maximum peak. It stresses the system to run the wells continuously. The Holbrook system is permitted for 400,000 gallons and will allow DPW to take one well offline for maintenance or mechanical operation. He said the Spruce Road pump station is starting to stress and over the coming years it will produce less water; the Holbrook Street well is a necessity. In response to questions, Mr. Crane stated the Holbrook well source comes from the Charles River Watershed and is licensed through DEP who permits the amount allowed to be drawn from the well. Ms. Robinson noted that as the Town develops, options for another well will need to be explored to meet demand.

A motion was made by Mr. Kalkut that the Board vote to award a contract for the construction of the Holbrook Street Wellfield and Pump Station to Biszko Building Systems in the amount of \$1,820,995 which is comprised of the base bid of \$1,712,995 and Alternate #1 for the generator of \$108,000. It was seconded by Ms. Van Tine. A roll call vote was taken as follows: Mr. Kalkut – aye; Ms. Van Tine – aye; Ms. Mecklenburg – aye. All were in favor.

Please consider approval of the request by the Mayflower Council District Boy Scouts of America to hold a one-day, outdoor Cub Scout joining event on Town Hill on Saturday, September 12, 2020, from 12 PM to 3 PM

Ms. Robinson stated that included in the Select Board's meeting packet is a request from this scout troop to use Town Hill for a joining event on September 12, 2020. All relevant departments agree and have no concerns regarding this request. As their request notes, they are not able to pinpoint how many people will come, but are making provisions to ensure the number stays within state mandated limits, and that masks and social distancing will be in place.

Ms. Christina Davis, co-chair Mayflower Council, stated she is representing the Metacomet District; this is a council-wide joining event for cub scouts. They will work to control social distancing, masks will be required, and hand sanitizer will be available. Four tables will have information for attendees to look at without touching, and handouts will be handed to individuals. A fifth table will contain paper applications and pens that will be sanitized or thrown away. As it is an open house event, they do not expect a crowd to gather at any time. She noted that cub scouts range in age from 5 to 12; Cub Scouts is open to boys and girls.

Ms. Mecklenburg stated it seems like they have made careful arrangements.

A motion was made by Mr. Kalkut that the Board vote to approve a request by the Mayflower Council District Boy Scouts of America to hold a one-day, outdoor Cub Scout joining event on Town Hill on Saturday, September 12, 2020, from 12 PM to 3 PM. It was seconded by Ms. Van Tine. A roll call vote was taken as follows: Mr. Kalkut – aye; Ms. Van Tine – aye; Ms. Mecklenburg – aye. All were in favor.

Discussion Items

Please discuss updates and additions to the Select Board's Polices

Ms. Robinson stated that included in the Select Board's meeting packet is a number of policies that she recommended be added to the Town's manuals and an amendment to the sexual harassment policy. These new or revised policies include: Anti-Discrimination and Anti-Harassment Including Sexual Harassment Policy, Code of Conduct Policy for Town Boards and Committees, Employee Safety Policy, Equal Employment Opportunity Policy, Fraud and Theft Prevention Policy, and Video Monitoring Policy. She noted that it has been determined that it would be best going forward to have two separate policy documents. Up to this point, both general board policies and human resource policies have been in the same manual. The intent is to separate them into Select Board's policies which are broader in nature and cover a range of matters that the Select Board has responsibility for, and human resource policies. The goal in this regard is to formalize a centralized employee handbook and make sure it includes all of the policies that pertain to employment to the Town. She recommended that the Select Board begin discussion and review on these new/revised policies after which she would distribute them to employees, and where relevant to other Town committee members, so that they may review them and provide any concerns or feedback that should be considered before the Select Board adopts the policies at a future meeting.

Mr. Scott Bragdon, Human Resources Director, provided an overview of each policy. He noted that current best practices include updating protected classes and legal wording in the Anti-Discrimination and Anti-Harassment Including Sexual Harassment Policy. He noted the Code of Conduct Policy would cover boards and committees and the Employee Safety Policy regards having a safe and healthy work environment for all employees. The EEO Policy covers discrimination based on hiring and promotion; the Town is covered under State and Federal laws, but it is important for the Town to have a policy that outlines this to the public. As well, it is best practice for a Town to have a Fraud and Theft Prevention Policy. The Video Monitoring Policy covers all aspects of video monitoring including procedure and oversight; it excludes the police department. He noted that after the policies are adopted by the Select Board, they will be given to current employees to have them sign off that they have received and read them.

Mr. Kalkut noted the additions and revisions are to standardize the policies and be helpful for new employees. Ms. Mecklenburg stated that she likes the idea that the new and revised policies are being shared with staff so everyone has a voice in it. Ms. Van Tine asked if she could redline the policies for needed grammatical revisions. Ms. Robinson said that would be welcomed and noted the Code of Conduct Policy was reviewed with the Town Clerk. Mr. Kalkut thanked Mr. Bragdon for his presentation.

Please discuss website posting of board correspondence

Ms. Robinson stated that this item will be appearing on the Select Board meeting agendas going forward so that when correspondence comes up that the Select Board might want to post, it can be discussed. For this meeting there are no items to consider.

Mr. Kalkut stated the five emails discussed at the last meeting will be posted.

Town Administrator Updates

Ms. Robinson stated it will be a busy agenda for the next Select Board meeting which includes the continuation of the dog hearing. She noted the report from the dog owner's dog expert has not been received. She stated she has been working with the Animal Control Officer and the Town Clerk and will bring forward an updated animal control bylaw to the Select Board to see if they want to take it

up at fall or spring town meeting. She noted good progress is being made on a detailed capital improvement plan for the Select Board to review including specifics on individual projects and where the Town stands on commitment to capital costs and financing. She noted a few telephone calls have been received by residents regarding train horns. The project for the installation of the second train track is scheduled to continue for another few months; as such, the whole area is posted as a construction zone. Train engineers blow train horns when coming into a construction zone and if they see someone working; there is nothing the Town can do to stop that. Regarding two 40B projects in Town, 144 Seekonk Street got approved by the ZBA in mid-August; the Abbyville project is getting close to approval but is still being negotiated by the ZBA. The Select Board must sign-off on the agreements. She noted she would check with the DPW on the status of street paving.

Report of Warrants

The following warrants have been signed:

- 06/16/2020 LUMP20A \$293.63 (KK)
- 07/31/2020 02LNG21 Adj. \$-275.60 (KK)
- 08/14/2020 03P21 & 03PS21 \$494,391.10 (KK)
- 08/18/2020 07V21 \$2,548,609.09 (KK)
- 08/25/2020 08VS21 \$45,257.48 (KK)
- 08/25/2020 08V21 \$179,381.37 (KK)

A motion was made by Mr. Kalkut that the Board approve six (6) warrants for the period June 16, 2020 – August 25, 2020 as printed on the agenda for this meeting. It was seconded by Ms. Van Tine. A roll call vote was taken as follows: Mr. Kalkut – aye; Ms. Van Tine – aye; Ms. Mecklenburg – aye. All were in favor.

Please consider approval of the minutes

Ms. Robinson stated that there are no sets of minutes ready for approval at this meeting.

Mr. Kalkut thanked the Town Clerk, Assistant Town Clerk, and poll workers for their hard work on the election.

Executive Session

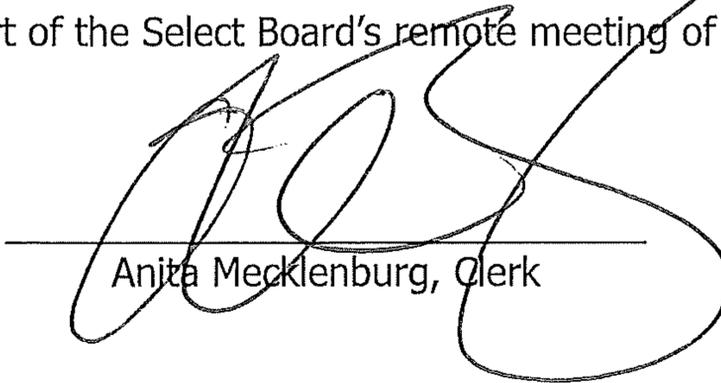
Executive session under M.G.L. c.30A, §21(a)(3) to obtain advice of counsel and discuss strategy with respect to potential litigation regarding the construction of the Police Station, insofar as an open meeting may have a detrimental effect on the litigation position of the public body.

At 7:49 p.m. a motion was made by Mr. Kalkut that the Board enter into executive session under M.G.L. c.30A, §21(a)(3) to obtain advice of counsel and discuss strategy with respect to potential litigation regarding the construction of the Police Station, insofar as an open meeting may have a detrimental effect on the litigation position of the public body and invite Town Counsel Peter Mello, Blythe Robinson and Judith Lizardi to participate, and to not return to open session at the conclusion of the executive session. The motion was seconded by Ms. Van Tine. A roll call vote was taken as follows: Mr. Kalkut – aye; Ms. Van Tine – aye; Ms. Mecklenburg – aye. All were in favor.

At 7:49 p.m., the Open Session of the September 1, 2020, Select Board meeting ended.

The next meeting of the Norfolk Select Board is scheduled to be held remotely on Tuesday, September 15, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's remote meeting of September 1, 2020.



Anita Mecklenburg, Clerk