



TOWN OF NORFOLK

SELECT BOARD

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS

Blythe C. Robinson
Town Administrator

(508) 440-2855
(508) 541-3366 FAX

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 July 14, 2020 7:00 PM 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. To join, follow the web link or call the dial-in number listed below under the start time/Call to Order. The meeting will be recorded for future rebroadcast by Norfolk Community Television. For more information on getting connected and using the video conference features, please visit

<http://www.norfolk.ma.us/assets/files/news/resident-zoom-guide.pdf>

7:00 p.m. Call Meeting to Order

Zoom Meeting Link: <https://zoom.us/j/3560716045>

Zoom Meeting Call-In: 1-929-205-6099 (Meeting ID 3560716045)

- 1. COVID-19 Updates**
- 2. Public Comment**

Public Hearing 7:15 PM

Public Hearing under G.L. c.140, §157 to determine whether a dog owned by Ms. Melissa Mitchell is a nuisance dog or a dangerous dog

Action Items

- 3. Please consider a reorganization of the Select Board**
- 4. Please consider Liaison Assignments to other Town Committees**
- 5. Please consider approval of an application from the Horse & Carriage Restaurant to alter their licensed premises for the service of alcohol to accommodate additional outdoor dining.**
- 6. Please consider declaring a state of water supply conservation**
- 7. Please consider a request from the Friends of the Norfolk Library to utilize the Town Gazebo during their book sale in the Town Library parking lot on**

July 25th from 10 a.m. to 2:00 p.m. with a rain date of August 1st (and various dates during the month of August)

8. Please consider approval of Garden Club projects for Town Hill and the Veteran's Plaza

Discussion Items

9. Please discuss the Board's goals and work plan for Fiscal Year 2021
10. Please discuss whether to hold a Parking Lottery for Liberty Lane and Old Town Hall for permit period October 1, 2020 – September 30, 2021
11. Town Administrator Updates

Report of Warrants

12. The following warrants have been signed:

- 06/30/2020 53V20 \$240,570.55 (KK)
- 6/30/2020 54V20 \$284,513.87 (AM)
- 6/30/2020 54VS20 \$103,040.54 (AM)
- 7/02/2020 26P20 & 26PS20 \$441,745.75 (AM)
- 7/07/2020 01V21 \$2,569,253.76 (AM)

Approve Minutes

13. Please consider approval of the minutes

Any other unanticipated business that may come before the Board

ADJOURNMENT



Blythe C. Robinson, Town Administrator



TOWN OF NORFOLK

SELECT BOARD

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS

Blythe C. Robinson
Town Administrator

(508) 440-2855
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July 9, 2020

MEMO TO: Select Board

From: Blythe C. Robinson, Town Administrator *BCR*

RE: **Agenda Background – July 14, 2020**

Below please find background material on each of the items on the agenda as well as draft motions that you can consider where action is required.

1. COVID-19 Updates
2. Public Comment

Public Hearing under G.L. c.140, §157 to determine whether a dog owned by Ms. Melissa Mitchell is a nuisance dog or a dangerous dog

Following our last meeting on June 29th, we received the enclosed email from Mr. Beachkofski requesting that the Board hold a hearing under c.140, §157 to determine whether a dog owned by Ms. Melissa Mitchell is a nuisance dog or a dangerous dog. We also received an email from Attorney Jeremy Cohen who indicates he will be representing Ms. Mitchell the dog owner, asking for additional time to prepare for the case and as such that the Board continue the hearing to a future date. On the advice of Counsel, we recommend that the Board assent to this request and continue the hearing and choose a date for that. Anticipating that we've limited the attachments in your packet to request for the hearing from the family of the victim, the notice of the hearing to Ms. Mitchell, the state law on this matter, and the request for the continuance from Attorney Cohen. Also to be discussed at the meeting will be whether or not to continue the restraining order on the dog until the hearing date. As you know, the board extended the order from June 27th for 30 days. A decision on this will be informed by when the board chooses to hold the hearing (would it be by July 27th), and if not, deso the board believe that it should remain in place longer.

MOVE that the Board vote to continue the public hearing to (insert the date) _____.

3. Please consider a reorganization of the Select Board

With the annual town election behind us town boards typically vote to reorganize and choose whom will hold each position soon afterwards. The Select Board chooses a Chair, Vice Chair and Clerk. I've scripted several motions below so that the Board can first determine who it wants to select as Chair, and after that Vice Chair and Clerk. I've left out any names until the Board has had a chance to discuss it at the meeting.

MOVE that the Board vote to elect _____ as Select Board Chair for the ensuing fiscal year.

MOVE that the Board vote to elect _____ as Vice Chair and _____ as Clerk for the ensuing year.

4. Please consider Liaison Assignments to other Town Committees

Following the annual town election, the Select Board typically assigns members to be liaisons to other Town boards and committees so that there is a point of contact with each entity. This process facilitates an exchange of knowledge about what each board is doing, and any work that the boards need to do jointly. The enclosed list is from this most recent year. To facilitate our meeting on Tuesday, if you have preferences to the Boards/Committees you'd like to be assigned, please let Judith or I know on Monday, and we'll collect those and email you all on Tuesday so you have a sense of that before the meeting begins.

MOVE that the Board make the following liaison assignments for fiscal year 2021:

5. Please consider approval of an application from the Horse N Carriage Restaurant to alter their licensed premises for the service of alcohol to accommodate additional outdoor dining.

Since the Board granted approval to the Eagle Brook Saloon in June to expand their licensed premise for the sale of alcohol, we've been approached by the Horse & Carriage Restaurant with a similar request. As background, the State Alcoholic Beverage Control Commission (ABCC) requires the local authority (the Select Board) to license the specific area a restaurant where such items can be sold and not anywhere else unless application is made to change it. This is typically a 4-6-week process, however during the COVID-19 pandemic the State has modified its process enabling Town's to approve expanded areas in order to meet safety precautions such as service outdoors, in a shorter timeframe. Horse & Carriage is seeking approval to sell and serve alcohol outdoors in a protected seating area with umbrellas adjacent to their building. Included in your packet are copies of the Town's application, regulations and State protocols, as well as the restaurant's application and an email from them with additional details. We have a few questions for the applicant about their plan since receiving it today, and we've asked them to clarify such things such as the table layout, seating capacity, occupancy limits, and parking arrangements including handicap parking. I anticipate that we will obtain a revised site plan and details and will send them to you as soon as they are available. Prior to the meeting on Tuesday, the Police & Fire Chiefs, Building Commissioner, Board of Health and Planner will conduct a site visit to meet with the owner and review the proposal.

MOVE that the Board approve an application from the Horse & Carriage Restaurant to alter their licensed premises for the service of alcohol to accommodate additional outdoor dining in accordance with Governor Baker's Order regarding the State's reopening plan.

Furthermore, this expanded license will remain in effect until November 1, 2020 or until the order is rescinded.

6. Please consider declaring a state of water supply conservation

The Town's general bylaws allow the Board (who are the Town's Water Commissioners) to declare a state of water supply conservation annually. Furthermore, the Town's Water Management Act permit from the State Department of Environmental Protection also requires these measures be in place. This is done for the summer months to ensure that the Town has adequate water supply to meet its needs, as summer is generally when water consumption is the highest. According to the DPW Director, the Town typically uses 300,000 – 400,000 gallons/day in the period September to May, and it can jump to as high as one million gallons/day in the summer. As you will note from the bylaw, there are five restrictions, of which the DPW Director is asking for three, which are:

- Only hand-held watering
- No use of automatic sprinkler systems
- No filling of swimming pools

We have had some spikes in use a couple of weeks of usage close to a million gallons per day, which resulted in our two well fields having difficulty meeting demand and also keeping our two tanks at the optimum level (for pressure and firefighting capability). In several instances we opened our connection with Wrentham and purchased water from them in order to maintain our supply. That caused us to take several steps to alert residents about this dilemma, including a town-wide call about water conservation measures, as well as letters to residents who have consistently used a very large amount of water. A typical household would use 600 gallons of water per day or less. It is our hope that advertising these limitations and raising awareness would result in voluntary compliance, but if not, we might need to take further action. This summer, should we have a sufficient amount of rain we will do the same, however if it is dry, we will likely take steps to let people who we find violating these measures to know about them and ask them to comply. This is especially important until the Town brings the Holbrook Street well field on line. The installation of the actual wells will be done this summer, and we're currently working with our engineering firm to confirm the timeline to bid out the construction of the pump station, water main and road access. This station will provide us with much needed redundancy in our system that we don't have now.

MOVE that the Board declare a state of water supply conservation through September 2020 and impose the following restrictions:

- Only hand-held watering
- No automatic sprinkler systems
- No filling of swimming pools

7. Please consider a request from the Friends of the Norfolk Library to utilize the Town Gazebo during their book sale in the Town Library parking lot on July 25th from 10 a.m. to 2:00 p.m. with a rain date of August 1st (and various dates during the month of August)

Historically the Friends of the Norfolk Library have held an annual book sale at the DPW in the spring utilizing the garage. It was cancelled this year due to the pandemic, and the Friends group is instead planning to hold several outdoor sales in late July and August. They will be set up in the Library's parking lot, however they are requesting the use of the gazebo on Town Hill to be under cover to transact the sales. As you know, use of Town Hill requires approval by the Board. A copy of their application and the current policy for use of Town Hill are included in your packet. As we typically do we've reached out to Police, Fire & DPW for any concerns they have and there are none. I would point out that for events other than those by the Town we typically obtain a \$100 refundable fee in case there is damage or excessive cleanup required after an event. In this case I believe that since they are affiliated with the Library and the sale proceeds support this department that this fee not be collected.

MOVE that the Board approve a request from the Friends of the Norfolk Library to utilize the Town Gazebo during their book sale in the Town Library parking lot on July 25th from 10 a.m. to 2:00 p.m. with a rain date of August 1st.

8. Please consider approval of Garden Club projects for Town Hill and the Veteran's Plaza

Emily Nicodemus & Michelle Noonan, co-presidents of the garden club have sent the attached request to the Board for approval to plant a tree on Town Hill to honor essential workers during the pandemic, and for approval to renovate the Veteran's Plaza with a grant they want to apply for. Their email to us and pictures of what they are proposing are included in your packet. Nia Tzellas will be in the meeting to discuss the tree planting proposal, and Emily will present the proposal for Veteran's Plaza. DPW has worked with them on this and endorses their plan. They do wonderful work for the Town at various locations, and we believe these projects will be a welcomed addition.

MOVE that the Board approve a request from the Garden Club to plant a tree on Town Hill in recognition of essential workers on the front lines of the pandemic, and the renovation of Veteran's Plaza dependent upon a grant application to the Garden Club Federation.

9. Please discuss the Board's goals and work plan for Fiscal Year 2021

Included in your packet are two items regarding the goals that the Board set for itself early in FY20. The list of goals is highlighted in green, yellow and red to indicate progress or not on each of those. In addition, there is a large spreadsheet showing more detail on each of these as well as staff goals and Town projects and updates on those. These items are on the agenda so the Board can discuss what has happened as it formulates its goals and work plan for the coming year.

10. Please discuss whether to hold a Parking Lottery for Liberty Lane and Old Town Hall for permit period October 1, 2020 – September 30, 2021

For a few years the Board has held a lottery to sell 90 parking passes for commuters to use at the Old Town Hall, and 32 spaces on Liberty Lane. Just for context, the Select Board has done so in order to offer an economical parking opportunity just for Town residents at a rate much lower than the \$80/month charged by the MBTA. These passes were as a benefit to

residents, not a revenue producing endeavor. The yearly cycle for these passes runs from October 1st to September 30th, and the price for each as listed below:

- Old Town Hall - \$150/year + \$5 for a second sticker (1 car parked at a time)
- Liberty Lane - \$300, also with a second sticker for \$5/year

Typically, our office would be starting the process to advertise the lottery, and asking the Board to determine how much to charge for the coming year. However, at this point in 2020 virtually none of the parking is being used given the pandemic, and we aren't sure there would be a strong interest from residents to buy the passes. Thus we've put this on the agenda as a discussion item so the Board can consider whether or not to move forward with a lottery. I believe that there are several options to think about including extending the use of the current passes for some period of time, selling passes at a lower price point, or not selling passes at all and letting people self-park until demand returns.

11. Town Administrator Updates

This item is on the agenda in case there are any informational updates on topics in front of the Town that may be of interest to the Board or to the viewing public.

12. The following warrants have been signed:

- 06/30/2020 53V20 \$240,570.55 (KK)
- 6/30/2020 54V20 \$284,513.87 (AM)
- 6/30/2020 54VS20 \$103,040.54 (AM)
- 7/02/2020 26P20 & 26PS20 \$441,745.75 (AM)
- 7/07/2020 01V21 \$2,569,253.76 (AM)

13. Please consider approval of the minutes

There are several sets of minutes of recent meetings ready for approval by the Board.

MOVE that the Board approve the regular meeting minutes of June 2, 9, 16, 27 and 29, 2020.



Town of Norfolk

Blythe Robinson <brobinson@norfolk.ma.us>

Re: Melissa Mitchell

1 message

Kevin Kalkut <kkalkut@norfolk.ma.us>

Wed, Jul 8, 2020 at 9:49 AM

To: Jeremy Cohen <jcohen@bostondoglawyers.com>

Cc: Blythe Robinson <brobinson@norfolk.ma.us>

Good Morning Attorney Cohen,

Thank you for reaching out. While I can understand the nature of your requests, I hope you can understand my need to run them through the appropriate internal channels. I've copied our Town Administrator on this reply and will get back to you once we've had the opportunity to review with Town Council.

Thanks again,

Kevin

Kevin Kalkut | Selectman

Town of Norfolk, MA 02056

direct: 781-302-6206

kkalkut@norfolk.ma.us

www.norfolk.ma.us

On Wed, Jul 8, 2020 at 9:18 AM Jeremy Cohen <jcohen@bostondoglawyers.com> wrote:

Good Morning Mr. Kalkut,

I have been retained by Melissa Mitchell relative to a dog hearing that has been scheduled for Tuesday July 14th. Given a conflict I have and my need to conduct my own investigation prior to presenting a proper defense for Ms. Mitchell, I am asking that you remove the hearing from the agenda and reschedule for the next available time slot.

Please also consider extinguishing the muzzle order until such time as a hearing authority has actually reviewed the facts and followed proper procedure under MGL c. 140 sec. 157. It could be that the dog is determined to be dangerous, but my role here is to make sure that we get to the right decision the right way.

I am very concerned about the issuance and reissuance of the restraint order and how that came about.

Thank you,

Jeremy Cohen

**BOSTON DOG
LAWYERS**

Jeremy Cohen | Attorney

website: BostonDogLawyers.com

Facebook | Twitter | Google

450 B Paradise Rd. #289

Swampscott, MA 01907

Tel. 978-867-7251

Fax 978-336-0513

E-Mail: JCohen@BostonDogLawyers.com

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TOWN OF NORFOLK
SELECT BOARD

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS

Blythe C. Robinson
Town Administrator

(508) 440-2855
(508) 541-3366 FAX

June 30, 2020

VIA FIRST CLASS MAIL AND CERTIFIED
MAIL (return receipt requested)

Melissa Mitchell
90 Boardman Street
Norfolk, MA

Re: Notice of Public Hearing under G.L. c. 140, §157 on Tuesday, July 14, 2020, to be held virtually via Zoom in accordance with Chapter 53 of the Acts of 2020.

Please be advised that the Norfolk Select Board (the "Board") has received a written complaint (the "Complaint," a copy of which is attached hereto as **Exhibit A**) under G.L. c. 140, §157 ("Section 157," a copy of which is attached hereto as **Exhibit B**), alleging that a dog named Annabell that you own and/or keep at property located at 90 Boardman Street (the "Property"), has "attack[ed] people and pets multiple times." See Exhibit A. Accordingly, pursuant to Section 157, the Board "shall investigate or cause the investigation of the complaint, including an examination under oath of the complainant at a public hearing in the municipality to determine whether the dog is a nuisance dog or a dangerous dog." G.L. c. 140, § 157. The Board shall commence such public hearing (the "Public Hearing") on **Tuesday, July 14, 2020 at 7:15 p.m.** In accordance with Chapter 53 of the Acts of 2020, the Public Hearing will be held virtually via Zoom, available at the following link: Zoom Meeting Link: <https://zoom.us/j/3560716045>.

As you will note, the Complaint and materials submitted to the Board (copies of which are attached as **Exhibit C**) allege that on Saturday, June 13, 2020, your dog, Annabell, bit and injured a child at the Property and has "attack[ed] people and pets multiple times." See Exhibits B & C. At the Public Hearing, the Board intends to hear testimony from the complainant and others, including you, the Town of Norfolk Animal Control Officer, members of the Town of Norfolk Police Department, witnesses, and members of the public, among possible others. You may have counsel represent you at the Public Hearing. In addition, the Board will review any materials submitted to it in connection with the Public Hearing, including the attached materials submitted to date. Please note that, at or prior to the Public Hearing, you may submit materials to the Board.

Please do not hesitate to contact me with any questions regarding this matter.

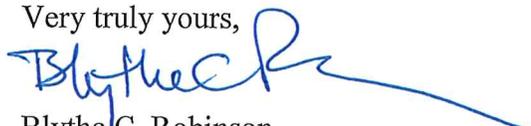
Very truly yours,

Blythe C. Robinson
Town Administrator

Exhibit A

EXHIBIT A



Town of Norfolk

Blythe Robinson <brobinson@norfolk.ma.us>

Request for Dangerous Dog Hearing

1 message

brian beachkofski <beachkofski@gmail.com>
To: Blythe Robinson <brobinson@norfolk.ma.us>

Tue, Jun 30, 2020 at 7:33 AM

Blythe,

Consistent with M.G.L. Ch 140 Section 157, I am requesting a dangerous dog hearing by the appropriate hearing authority. The dog is Annabell, owned by Ms. Melissa Mitchell of Boardman Street. This is based on that dog attacking people and pets multiple times.

Thank you for your consideration,
Brian Beachkofski
[94 Boardman St](#)

Exhibit B

EXHIBIT B

Part I ADMINISTRATION OF THE GOVERNMENT

Title XX PUBLIC SAFETY AND GOOD ORDER

Chapter 140 LICENSES

Section 157 NUISANCE OR DANGEROUS DOGS; ORDERS FOR
REMEDIAL ACTION; APPEAL; VIOLATION OF ORDER

Section 157. (a) Any person may file a complaint in writing to the hearing authority that a dog owned or kept in the city or town is a nuisance dog or a dangerous dog; provided, however, that no dog shall be deemed dangerous: (i) solely based upon growling or barking or solely growling and barking; (ii) based upon the breed of the dog; or (iii) if the dog was reacting to another animal or to a person and the dog's reaction was not grossly disproportionate to any of the following circumstances:

- (1) the dog was protecting or defending itself, its offspring, another domestic animal or a person from attack or assault;
- (2) the person who was attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of the dog;

(3) the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog; or

(4) at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of 7, it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing.

The hearing authority shall investigate or cause the investigation of the complaint, including an examination under oath of the complainant at a public hearing in the municipality to determine whether the dog is a nuisance dog or a dangerous dog. Based on credible evidence and testimony presented at the public hearing, the hearing authority shall: (i) if the dog is complained of as a nuisance dog, either dismiss the complaint or deem the dog a nuisance dog; or (ii) if the dog is complained of as a dangerous dog: (A) dismiss the complaint; (B) deem the dog a nuisance dog; or (C) deem the dog a dangerous dog.

(b) If the hearing authority deems a dog a nuisance dog, the hearing authority may further order that the owner or keeper of the dog take remedial action to ameliorate the cause of the nuisance behavior.

(c) If the hearing authority deems a dog a dangerous dog, the hearing authority shall order 1 or more of the following:

(i) that the dog be humanely restrained; provided, however, that no order shall provide that a dog deemed dangerous be chained, tethered or otherwise tied to an inanimate object including, but not limited to, a tree, post or building;

(ii) that the dog be confined to the premises of the keeper of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner or keeper; provided further, that such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides thereof, the sides shall be embedded into the ground for not less than 2 feet; and provided further, that within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog;

(iii) that when removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length;

(iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance if a policy has not been issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance;

(v) that the owner or keeper of the dog provide to the licensing authority or animal control officer or other entity identified in the order, information by which a dog may be identified, throughout its lifetime including, but not limited to, photographs, videos, veterinary examination, tattooing or microchip implantations or a combination of any such methods of identification;

(vi) that unless an owner or keeper of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner or keeper of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact; or

(vii) that the dog be humanely euthanized.

No order shall be issued directing that a dog deemed dangerous shall be removed from the town or city in which the owner of the dog resides. No city or town shall regulate dogs in a manner that is specific to breed.

(d) Within 10 days after an order issued under subsections (a) to (c), inclusive, the owner or keeper of a dog may bring a petition in the district court within the judicial district in which the order relative to the dog was issued or where the dog is owned or kept, addressed to the justice of the court, praying that the order be reviewed by the court or a magistrate of the court. After notice to all parties, the magistrate shall, under section 62C of chapter 221, review the order of the hearing authority, hear the witnesses and affirm the order unless it shall appear that it was made without proper cause or in bad faith, in which case the order shall be reversed. A party shall have the right to request a de novo hearing on the complaint before a justice of the court.

(e)(1) Pending an appeal by an owner or keeper under subsection (d), a hearing authority may file a petition in the district court to request an order of impoundment at a facility the municipality uses to shelter animals for a dog complained of as being a dangerous dog. A municipality shall not incur liability for failure to request impoundment of a dog under this subsection.

(2) A justice of a district court, upon probable cause to believe that a dog is a dangerous dog or that a dog is being kept in violation of this section or in violation of an order issued under this section by

a hearing authority or a court, may issue an order: (i) of restraint; (ii) of confinement of the dog as considered necessary for the safety of other animals and the public; provided, however, that if an order of confinement is issued, the person to whom the order is issued shall confine the dog in accordance with clause (ii) of subsection (c); or (iii) of impoundment in a humane place of detention that the municipality uses to shelter animals; or (iv) any other action as the court deems necessary to protect other animals and the public from the dog.

(f) A justice of the district court shall hear, de novo, an appeal filed under subsection (d). Based upon credible evidence and testimony presented at trial, the court shall, whether the dog was initially complained of as a nuisance dog or as a dangerous dog: (i) dismiss the complaint; (ii) deem the dog a nuisance dog; or (iii) deem the dog a dangerous dog. The decision of the court shall be final and conclusive upon the parties.

(g) If a court affirms an order of euthanasia, the owner or keeper of the dog shall reimburse the city or town for all reasonable costs incurred for the housing and care of such dog during its impoundment and throughout the appeals process, if any. Unpaid costs shall be recovered by the municipality in which the owner or keeper of the dog resides on behalf of the hearing authority by any of the following methods: (i) a lien on any property owned by the owner or keeper of the dog; (ii) an additional, earmarked charge to appear on the vehicle excise of the owner or keeper of the dog; or (iii) a direct bill sent to the owner or keeper of the dog.

All funds recovered by a municipality under this subsection shall be transferred to the organization or entity charged with the responsibility of handling dog complaints and impoundment. If the organization or entity falls under the management or direction of the municipality, costs recovered shall be distributed at the discretion of the municipality.

If the court overturns an order of euthanasia, the city or town shall pay all reasonable costs incurred for the housing and care of the dog during any period of impoundment.

(h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If the keeper of the dog is in violation, all reasonable effort shall be made by the seizing authority to notify the owner of the dog of such seizure. Upon receipt of such notice, the owner may file a petition with the hearing authority, within 7 days, for the return of the dog to the owner. The owner or keeper shall be ordered to immediately surrender to the licensing authority the license and tags in the person's possession, if any, and the owner or keeper shall be prohibited from licensing a dog within the commonwealth for 5 years. A hearing authority that determines that a dog is dangerous or a nuisance or that a dog owner or keeper has violated an order issued under this section shall report such violations to the issuing licensing authority within 30 days.

(i) Orders issued by a hearing authority shall be valid throughout

the commonwealth unless overturned under subsection (d) or (f).

SELECT BOARD LIAISONS 2019-2020

Kevin Kalkut

Norfolk Schools
Planning Board
Conservation Commission
Energy Committee
Buckley Mann Project
Advisory Board

Christopher Wider

Board of Health
Zoning Board of Appeals
Community Preservation Committee
Council on Aging
Tri-County School

CiCi Van Tine

Historical Commission
Library
Public Safety Building Committee
Recreation Commission
King Philip Schools



AMENDMENT-Change or Alteration of Premises Information

Change of Location

- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

Alteration of Premises

- Chg of Location/Alteration of Premises Application
- ~~Financial Statement~~
- Vote of the Entity
- ~~Supporting financial records~~
- Legal Right to Occupy
- Floor Plan
- ~~Abutter's Notification~~
- ~~Advertisement~~

1. BUSINESS ENTITY INFORMATION

Entity Name

Municipality

ABCC License Number

HORSE N' CREAMERY

NORFOLK MA

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name

Title

Email

Phone

KEVIN OBOY

President

KSTRONGOBY@yahoo.com

617-513-4344

Kstrongoboy@yahoo.com 617-513-4344

2. ALTERATION OF PREMISES

A. DESCRIPTION OF ALTERATIONS

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

LOOKING TO ADDITION OUTSIDE SEATING FOR FOOD AND BEVERAGE OPERATION WED - SAT 330 - 830 PM

B. PROPOSED DESCRIPTION OF PREMISES

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

OUTSIDE SEATING

TOTAL SEATING 100

Total Sq. Footage

17,500

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors

APPLICANT'S STATEMENT

I, Kevin O'Boyle the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of KOB Inc
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- 1) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- 1) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- 1) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: Kevin O'Boyle

Date: 7-6-20

Title: president

CORPORATE VOTE

The Board of Directors or LLC Managers of
Entity Name

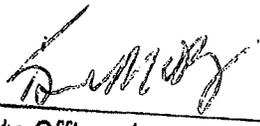
duly voted to apply to the Licensing Authority of
City/Town and the
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on
Date of Meeting

For the following transactions (Check all that apply):

- Alteration of Licensed Premises
- Change of Location
- Other

"VOTED: To authorize
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

A true copy attest,


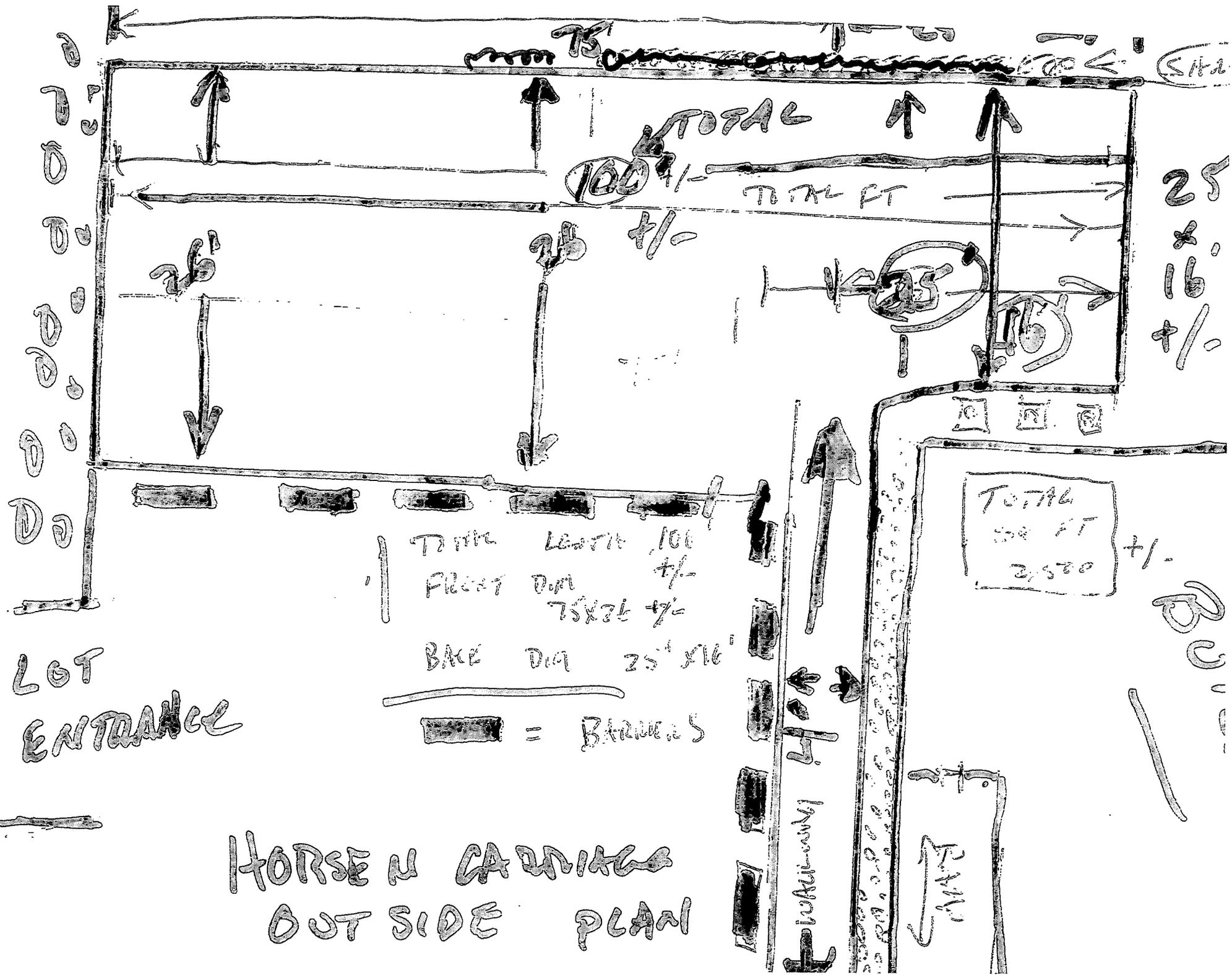
Corporate Officer / LLC Manager Signature


(Print Name)

For Corporations ONLY
A true copy attest,

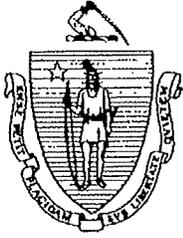
Corporation Clerk's Signature

(Print Name)



TOPIC Length 100 +/-
 FRONT DIA 75x26 +/-
 BACK DIA 25' x 16'

= BARRIERS



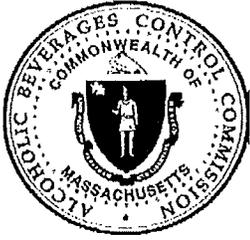
*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114*

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

**GUIDELINES FOR EXTENSION OF PREMISES TO
PATIO AND OUTDOOR AREAS**

1. Alcoholic beverages cannot be served outside of a licensed establishment unless and until an application to extend the licensed premises has been approved.
2. An application to extend the premises must describe the area in detail, including dimensions, seating capacity, and maximum occupancy.
3. The premises must be enclosed by a fence, rope, or other means to prevent access from a public walkway.
4. The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.
5. The applicant must have a lease or documents for the right to occupy the proposed area.
6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
7. Preferred are outdoor areas where alcohol is served to patrons who are seated at the tables and where food is also available.



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
LOCAL LICENSING AUTHORITIES' APPROVAL OF OUTDOOR SEATING**

On June 1, 2020, Governor Charlie Baker issued an Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces, which, in part, details the process for reopening establishments for on-premises consumption. The text of the Governor's Order can be found [HERE](#).

When the Governor declares that the Commonwealth has entered Phase II of its reopening plan all licensees for on-premises consumption of alcohol may commence outdoor table service only. Indoor service will remain prohibited until further order from the Governor.

The Governor's Order also grants the local licensing authorities ("LLA") the authority to expand alcohol licensees' licensed premises for outdoor seating in an expedited process.

Pursuant to the Governor's Order, on application from a licensee that serves alcohol for on-premises consumption¹, the LLA may alter the description of the licensee's licensed premises to expand for outdoor seating that the LLA deems "reasonable and proper." The LLA does not need to comply with M.G.L. c. 138, § 15A, and therefore does not need to provide advance notice to abutters or hold a public hearing on the application. LLAs must continue to follow the ABCC's guidelines issued in 2015 for the approval of outdoor seating, which can be found [HERE](#).

ABCC approval is not required on these applications. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through November 1, 2020, or until the Order is rescinded, whichever is sooner, and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of

¹ This includes restaurants, bars, hotels, general-on-premises, clubs, war veterans' clubs, continuing care retirement communities, pub-brewers (M.G.L. c. 138, §§ 12 and 19D), farmer-series pouring permits, and manufacturers' pouring permits (M.G.L. c. 138, §§ 19(b), 19B(n), 19C(n), and 19E(o)).

alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued June 1, 2020)



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
RESTAURANTS COMMENCING OUTDOOR TABLE SERVICE OF ALCOHOL**

On June 6, 2020, Governor Charlie Baker declared that the Commonwealth had entered Phase II of its reopening plan. According to the Governor and the Executive Office of Housing and Economic Development, licensees for on-premises consumption of alcohol may commence outdoor seated service, provided food is prepared on-site under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Indoor service remains prohibited until further order from the Governor.

Please note that establishments that do not offer seated table service of food that is prepared on-site under a retail food permit are not allowed to open in Phase II.

Please refer to your Local Board for guidance on outdoor seating.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued June 7, 2020)



These workplace safety standards for restaurants are posted in advance of the Governor's initiation of Phase 2 to allow restaurants time to prepare to operate in compliance with these mandatory health and safety standards. Restaurants may not provide any service beyond carry-out or delivery until specifically authorized to do so in Phase 2 of the Commonwealth's Workplace Re-Opening Plan. The Governor will initiate Phase 2 of the Re-Opening Plan by formal Executive Order and only following a careful review of public health data.

Restaurants may provide outdoor table service at the commencement of Phase 2 of the Commonwealth's Reopening Plan. Restaurants will be authorized at a later date and by a subsequent Phase 2 Order to commence indoor table service if the public health data reflects continued positive progression

MANDATORY SAFETY STANDARDS



SOCIAL DISTANCING

When indoor table service is permitted, restaurants are encouraged to structure operations to operate as much as possible through outdoor table service and to strictly limit indoor table service in order to assure effective compliance with social distancing requirements and to limit activities within confined spaces

Restaurants must comply with the following sector specific social distancing rules for providing dining services in all customer seating areas:

- Tables must be positioned so to maintain at least a 6 foot distance from all other tables and any high foot traffic areas (e.g., routes to bathrooms, entrances, exits); tables may be positioned closer if separated by protective / non-porous barriers (e.g., structural walls or plexi-glass dividers) not less than 6 feet high installed between tables and high foot traffic areas
- The size of a party seated at a table cannot exceed 6 people
- Restaurants may not seat any customers at the bar, but subject to any applicable building and fire code requirements, bar areas may be re-configured to accommodate table seating that complies with all spacing and other requirements in these COVID-19 safety standards
- All customers must be seated; eat-in service to standing customers (e.g., around bar areas) is prohibited
- Restaurants may provide carry-out or delivery service, but all safety standards for table separation, size of party, and hygiene must be maintained for any indoor or outdoor table seating that is available to carry-out patrons
- All other amenities and areas not employed for food and beverage service (e.g., dance floors, pool tables, playgrounds, etc.) must be closed or removed to prevent gathering of customers

Ensure separation of 6 feet or more between all individuals (workers, vendors, and customers) unless this creates a safety hazard due to the nature of the work or the configuration of the workspace:

- Close or reconfigure worker common spaces and high density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow 6 feet of physical distancing; redesign work stations to ensure physical distancing (e.g., separate tables, stagger workstations on either side of processing lines so workers are not face-to-face, use distance markers to assure spacing including in the kitchen area)
- Establish directional hallways and passageways for foot traffic if possible, to minimize contact (e.g., one-way entrance and exit to the restaurant). Post clearly visible signage regarding these policies
- Prohibit lingering in common areas (e.g., waiting areas, bathrooms) and ensure social distancing in common areas by marking 6 feet spacing with tape or paint on the floor and signage
- All customer-facing workers (e.g., servers, bus staff) must minimize time spent within 6 feet of customers

Designate assigned working areas to workers where possible to limit movement throughout the restaurant and limit contact between workers (e.g., assigning zones to servers)

Stagger work schedules and staff meal and break times, regulating maximum number of people in one place and ensuring at least 6 feet of physical distancing

Minimize the use of confined spaces (e.g., elevators, vehicles) by more than one individual at a time

Require face coverings for all customers and workers at all times, except where an individual is unable to wear a face covering due to medical condition or disability

Recommended best practices

Improve ventilation for enclosed spaces where possible (e.g., open doors and windows)

Customers may remove face coverings while seated at tables



HYGIENE PROTOCOLS

All workers must wash their hands frequently, and table servers must wash their hands or apply hand sanitizer between each table interaction

Ensure access to handwashing facilities on site, including soap and running water, and allow sufficient break time for workers to wash hands frequently; alcohol-based hand sanitizers with at least 60% alcohol may be used as an alternative

Alcohol-based hand sanitizers with at least 60% alcohol should be made available at entrances, exits, and in the dining area

Supply workers at workplace location with adequate cleaning products (e.g., sanitizer, disinfecting wipes)

Post visible signage throughout the site to remind workers and customers of hygiene and safety protocols

Self-serve, unattended buffets, topping bars, drink stations, and other communal serving areas must remain closed

Condiments and similar products (e.g., salt, pepper, and salad dressing) should not be pre-set on tables and should instead only be provided upon request either in single-serving portions (e.g., individual packages or cups) or in serving containers that are sanitized between each use



MANDATORY SAFETY STANDARDS



HYGIENE PROTOCOLS

Menus must be one of the following: 1) paper, single-use menus disposed after each use, 2) displayed menu (e.g., digital, whiteboard, chalkboard), 3) electronic menus viewed on customers' phones / mobile devices

Utensils and place settings must be either single-use or sanitized after each use; utensils should be rolled or packaged. Tables should not be pre-set to reduce opportunity for exposure

Tables and chairs must be cleaned and sanitized thoroughly between each seating



STAFFING & OPERATIONS

When possible, reservations or call ahead seating should be encouraged; managers must ensure that diners waiting for tables do not congregate in common areas or form lines

Restaurants may not provide customers with buzzers or other devices to provide alerts that seating is available or orders are ready; restaurants should instead use no-touch methods such as audio announcements, text messaging, and notices on fixed video screens or blackboards

Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission, including:

- Social distancing, hand-washing, and requirement and proper use of face coverings
- Modifying practices for serving in order to minimize time spent within 6 feet of customers
- Self-screening at home, including temperature or symptom checks
- Reinforcing that staff may not come to work if sick
- When to seek medical attention if symptoms become severe
- Which underlying health conditions may make individuals more susceptible to contracting and suffering from a severe case of the virus

Restaurant operators should establish adjusted workplace hours and shifts for workers to minimize contact across workers and reduce congestion at entry points

Limit visitors and vendors on site; shipping and deliveries should be completed in designated areas

Workers should not appear for work if feeling ill

Restaurants must screen workers at each shift by ensuring the following:

- Worker is not experiencing any symptoms such as fever (100.3 and above), cough, shortness of breath, or sore throat;
- Worker has not had 'close contact' with an individual diagnosed with COVID-19. "Close contact" means living in the same household as a person who has tested positive for COVID-19, caring for a person who has tested positive for COVID-19, being within 6 feet of a person who has tested positive for COVID-19 for 15 minutes or more, or coming in direct contact with secretions (e.g., sharing utensils, being coughed on) from a person who has tested positive for COVID-19, while that person was symptomatic
- Worker has not been asked to self-isolate or quarantine by their doctor or a local public health official
- Workers who are sick or feeling ill must be sent home.

Anyone showing signs of illness may be denied entry

If the employer is notified of a positive case at the workplace, the employer should notify the local Board of Health (LBOH) where the workplace is located and work with them to trace likely contacts in the workplace and advise workers to isolate and self-quarantine

Notify workers that they may not work if they test positive for COVID-19 (they should be isolated at home) or are found to be a close contact of someone with COVID-19 (they should be quarantined at home)

Testing of other staff may be recommended consistent with guidance and / or at the request of the LBOH. Post notice to workers and customers of important health information and relevant safety measures as outlined in government guidelines

Post notice to workers and customers of important health information and relevant safety measures as outlined in the Commonwealth's [Mandatory Safety Standards for Workplace](#)

Designate the Person in Charge (105 CMR 590) for each shift to oversee implementation of the guidelines in this document

Restaurants will be allowed to maximize outdoor dining space, including patios and parking lots where available, where municipal approval is obtained

Recommended best practices

When taking reservations and when seating walk-in customers, restaurants should retain a phone number of someone in the party for possible contact tracing

Encourage use of technological solutions where possible to reduce person-to-person interaction (e.g., contactless payment, mobile ordering, text on arrival for seating)

Workers who are particularly high risk to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home or arrange an alternate work assignment

Workers are strongly encouraged to self-identify symptoms or any close contact to a known or suspected COVID-19 case to the employer

Encourage workers who test positive for COVID-19 to disclose to the employer for purposes of cleaning / disinfecting and contact tracing



MANDATORY SAFETY STANDARDS



CLEANING & DISINFECTING

Clean commonly touched surfaces in restrooms (e.g., toilet seats, doorknobs, stall handles, sinks, paper towel dispensers, soap dispensers) frequently and in accordance with CDC guidelines

Keep cleaning logs that include date, time, and scope of cleaning

Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, elevator buttons, staircases)

Implement procedures to increase cleaning / disinfecting in the back-of-house. Avoid all food contact surfaces when using disinfectants. Food contact surfaces must be cleaned and sanitized before use with a sanitizer approved for food contact surfaces. Non-food contact surfaces must be frequently cleaned

In the event of a presumptive or actual positive COVID-19 case of a worker, patron, or vendor, the restaurant must be immediately shut down for 24 hours and then must be cleaned and disinfected in accordance with current CDC guidance before re-opening

Nothing in this Order shall prevent the ABCC from exercising its statutory or regulatory enforcement authority over any such amended license issued.

Approval to use an outdoor dining area shall not result in an increase in the number of seats authorized for the premises. In the event the Commonwealth authorizes at a later date indoor table service, this guidance may be deemed revised accordingly, except that the number of seats permitted inside the establishment shall be reduced by the number of seats allowed outside the establishment.

GUIDELINES FOR ALCOHOL SERVICE ON PATIO AND OUTDOOR AREAS

- Alcoholic beverages cannot be served outside of a licensed establishment unless and until an application to extend the licensed premises has been approved.
- An application to extend the premises must describe the area in detail, including dimensions, seating capacity, and maximum occupancy.
- The premises must be enclosed by a fence, rope, or other means to prevent access from a public walkway.
- The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.
- The applicant must have a lease or documents for the right to occupy the proposed area.
- The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
- Preferred are outdoor areas where alcohol is served to patrons who are seated at the tables and where food is also available.

Relaxed Signage Regulations

Temporary signage should be limited to the purpose of facilitating the social distancing goals and should not be used specifically to exceed the sign area requirements.

- Limiting signage ensuring it is COVID-19-related to alert customers that they are open and to follow social distancing protocol
- Temporary window signage and sandwich board signage (depending on available space) focused on the need to operate safely.
- Ensuring circulation on sidewalks, streets, and elsewhere is not impeded
- Ensuring signage does not inhibit vehicle sight lines and safety
- Possibly limiting the size of signage, such as how much of store façade or window area can be covered by temporary signage
- No additional illumination for temporary signage

Outdoor Entertainment Uses

- Due to a lack of current guidance, outdoor entertainment uses are not covered under this approval. The Licensing Board will still need to approved outdoor entertainment. Once guidance is provided, a Temporary Modification approval may be amended to reflect such a change.

Temporary Tents and Covered Areas for Outdoor Uses

- **Tents and canopies are now covered under the Governor's Order and will NOT require Zoning Board Special Permit approval.**
- At least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.
- Tent permit application must demonstrate manufacturers fire spread specifications.
- Tent material meets fire safety standards
- Tent complies with any height requirements and size requirements established by the town
- If the tent is located within a parking area or immediately adjacent to a roadway, a physical barrier or separation, such as bollards or planter boxes, is used to protect customers from vehicle traffic on-site and adjacent to the site
- Specifications must be provided for any proposed outdoor heating elements and must be approved by the Building Commissioner.
- Tent does not obstruct safe parking lot circulation
- Tent does not block handicapped parking spaces or limit handicap accessibility
- Umbrellas may also be used over tables and do not require any additional permitting.

Reduced Parking Requirements

- Existing Special Permits may be modified to reduce the parking requirements to advance the goals of social distancing whether for restaurant seating or outdoor retail display. Property owners may not block handicapped parking areas nor handicapped access.
- New requests for a reduction in parking not associated with an existing Special Permit or Non-conforming situation will require a Special Permit from Zoning.

Norfolk Restaurants' Guide to Covid-19 Modifications to Existing Seating Plans

On June 1, 2020, the Governor issued COVID-19 Order No. 35, which allows restaurants to provide outdoor table service at the commencement of Phase II of the Commonwealth's phased re-opening of workplaces. The Governor's Order authorizes the Select Board to establish the process for approving requests from restaurants to provide outdoor table service. The Town of Norfolk provides this guidance in response to the COVID-19 pandemic and outline certain measures to prevent the spread of COVID -19 within the Town. The guide reminds restaurants of their obligation to comply with the Workplace Safety Standards (Attached) provided by the Governor and Department of Public Health.

Outdoor table service is encouraged in Phase 2 of the State's re-opening plan, and is defined as, *outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space. Outdoor table service may be provided under awnings or table umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.*

- Temporary modifications to existing seating plans are specific to the Town's goals of advancing the social distancing criteria and guidance required by the Governor.
- The timeline of the modification will be tied directly to Governor's Order date which is currently November 1, 2020.
- The modification may be changed and adjusted depending on the changing health environment.
- Any temporary modification granted is not a suspension of enforcement of the Zoning Bylaw or Licensing Regulations.
- Town staff will approve Modified Seating Plans provided the modification conforms to the Joint Order and the Workplace Safety Standards (Attached).
- There is no fee for the Modified Seating Plan.

Application Procedure

1. Applications for Temporary Modifications to existing Seating Plans shall be submitted to the Select Board Office in the form of a site plan or seating plan as applicable.

Plan Requirements:

- a. Neatly drawn seating/site plan (preferably based on your existing Zoning and Licensing approved plan) depicting the precise area and placement of tables within the dining area demonstrating compliance with the guidance.
- b. The arrangement of outdoor dining furniture, perimeter fencing, cafe umbrellas, outdoor heaters, trash, and any other equipment.

- c. **Tents and canopies are now covered under the Governor's Order and will NOT require Zoning Board Special Permit approval.** Plan showing the location of the proposed tent on a site plan, size and height of tent, proposed tent material; sketch is detailed enough to show the tent will not interfere with safe site circulation. At least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times. Tent permit application must demonstrate manufacturers fire spread specifications. **Umbrellas may also be used over tables and do not require any additional permitting.**
 - d. Areas designated for picking up take-out food shall also be shown on the plan.
2. Any expansion into outdoor areas must demonstrate ownership or site control with a signed Property Owner's Affidavit (Attached) if property owner is different from business owner.
 3. The Town will review the application and plan for outdoor seating area plan and will consult with the Health, Licensing, Building, Fire, Police and Zoning Departments.
 4. Seating Area Plans may be "conditionally approved based on seating area, final approval may contingent upon an inspection confirming compliance with valid Orders from the Commonwealth and Norfolk Board of Health regarding restaurants and social distancing."
 5. All plans must comply with Workplace Safety Standards (Attached).
 6. Seating Plans may include additional conditions of approval such as maintenance of the outdoor seating area, trash, or barriers as appropriate.
 7. If additional information is needed or a revision to the seating plan is required, they will contact the applicant. Applications shall be submitted on the attached form along with a plan for the outdoor seating area and an insurance certificate as described below.

The following issues may be considered as part of the Staff review of the temporary modifications:

Temporary Pickup/Loading Zones

Consideration for temporary pick-up/loading zones that do not have an impact on traffic circulation. Exclusive use areas within the public way require Select Board approval.

- Limit signage related only to the instructions for pickup
- Establishing consistent timeframes for pickup areas

Flexible Indoor/Outdoor Restaurant Seating

- "Outdoor table service" shall mean service that is provided outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space. Outdoor table service may be provided under awnings or table

umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.

- Meets social distancing requirements.
- Does not allow an increase in overall seating or an increase to the assigned Title 5 flow for any property or business.
- Availability of outdoor space adjacent to the business on the property or in an adjacent parking area.
- Considered on an adjacent parcel, sidewalk **only on a case by case basis** and with a higher level of scrutiny. Additional review and approvals might be required that could take longer to obtain.
- If seating is placed in a parking lot, a physical barrier or safe separation of seating areas from vehicle traffic is required, that will protect customers from vehicle traffic both on-site/within the parking area and adjacent to the site.
- Proximity to sensitive resources such as adjacent residential units and environmental resources would be considered and should be minimized.
- Outdoor Food Preparation is not allowed unless specifically authorized by the Health Department.
- Tables may not block entrances, exits, fire lanes, hydrants, drive aisles, back-up areas, or pedestrian circulation
- Outdoor seating does not utilize handicap parking spaces, block handicapped parking spaces or handicapped access
- A physical barrier or separation, that protects customers from vehicle traffic both on-site and adjacent to the site
- If the establishment intends to use the outdoor area for entertainment, the permit holder shall obtain a permit from the Select Board
- Outdoor dining areas are maintained and free of trash and other debris and include adequate provisions for trash disposal and recycling
- Operating hours do not exceed the hours of indoor seating
- **Smoking is prohibited in all outdoor dining areas.**

Liquor Licenses

Takeout and delivery: During the State of Emergency, Massachusetts has allowed businesses with liquor licenses to sell beer and wine for off-premises consumption. The current order in Massachusetts requires food to be purchased along with the beer or alcohol.

Expanded Outdoor seating: In order to provide improved opportunities for outdoor table service, for any type of license that permits the sale of alcoholic beverages for on-premises consumption, a local licensing authority ("LLA") may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, without further review or approval by the Alcoholic Beverages Control Commission ("ABCC") prior to issuance. Upon approval of an amended license, the LLA shall provide notice of the amended license to the ABCC.

THE COMMONWEALTH OF MASSACHUSETTS

NO. 20-003

FEE: \$25.00



TOWN OF NORFOLK

This is to Certify that:

Kevin M. O'Boy, Manager
KOB, INC., d/b/a
HORSE N' CARRIAGE RESTAURANT
210 Dedham Street, Norfolk, MA

IS HEREBY GRANTED A
COMMON VICTUALLER'S LICENSE

In said location and at the place only and expires December thirty-first, 2020 unless sooner suspended or revoked for violation of the laws of the Commonwealth respecting the licensing of common victuallers. This license is issued in conformity with the authority granted to the licensing authorities by General Laws, Chapter 140, and amendments thereto.

In Testimony Whereof, the undersigned have hereunto affixed their official signatures.

Two handwritten signatures are present. The first signature is written over a horizontal line. The second signature is written over another horizontal line.

LICENSING AUTHORITY
NORFOLK SELECT BOARD

DATE: December 10, 2019

THIS LICENSE MUST BE DISPLAYED IN A PROMINENT LOCATION ON THE PREMISES.



Fwd: Restaurant Reopenings

1 message

Nancy Langlois <nlanglois@norfolk.ma.us>

Thu, Jul 9, 2020 at 2:13 PM

To: Blythe Robinson <brobinson@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>

For inclusion in the SB 7/14 meeting packets, I am forwarding the email in which Mr. O'Boy confirmed he will comply with the Commonwealth's workplace safety standards and Phase II protocols for restaurants.

Nancy

----- Forwarded message -----

From: **Kevin O'Boy** <thehorsenorfolk@gmail.com>

Date: Wed, Jun 24, 2020 at 1:44 PM

Subject: Re: Restaurant Reopenings

To: Nancy Langlois <nlanglois@norfolk.ma.us>

In answer to your questions above,

1. Yes. Not sure the date, but hopefully asap. I need more information, so can you send me the best number to call you to discuss the reopening.
2. We hope to. Please advise with the required information.
3. Yes.
4. Yes.

After discussing the issues with you, I can give a better response about exact date of opening.

Thanks,
Kevin O'Boy, Owner

On Mon, Jun 22, 2020 at 1:38 PM Nancy Langlois <nlanglois@norfolk.ma.us> wrote:

Good Afternoon,

On June 19, 2020, Governor Charlie Baker approved the reopening of all licensees for on-premises consumption of food and alcohol beginning Monday, June 22, 2020, as part of Phase II of the Governor's reopening of the Commonwealth.

As of today, June 22, 2020, all licensees for on-premises consumption of alcohol may commence indoor table service so long as they comply with the Governor's Safety Standards and Checklist for Restaurants, which can be found in the attached Advisory.

As the Local Licensing Authority, the Select Board is requesting that you provide this office with the following information:

- 1) Do you intend on reopening and if yes, the anticipated date of your reopening?
- 2) Will outdoor dining services be provided? **Please note that if you intend on serving alcohol outdoors and outside of the restaurant building envelope approved on your current license, you must first obtain approval from the Select Board.**
- 3) Will indoor dining services be provided?
- 4) Confirmation from you that you will be following the Governor's SECTOR SPECIFIC WORKPLACE SPECIFIC SAFETY STANDARDS FOR RESTAURANTS TO ADDRESS COVID-19 Updated as of June 19, 2020 (attached) **and** Phase II Protocol Summary for Restaurant (attached)

As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law.

If you have any questions, please do not hesitate to contact me.

Best of luck with your reopenings!

--

Nancy A. Langlois
Executive Assistant
Town of Norfolk
One Liberty Lane
Norfolk, MA 02056
(508) 440-2801

--

Horse N' Carriage Restaurant
[210 Dedham St.](#)
[Norfolk, MA. 02056](#)
508-384-2274
508-384-5897 (Fax)

--

Nancy A. Langlois
Executive Assistant
Town of Norfolk
One Liberty Lane
Norfolk, MA 02056
(508) 440-2801

SECTION 3. Water Use Restriction Bylaw

A. Authority

This bylaw is adopted by the Town under its police powers to protect public health and welfare and its powers under Massachusetts General Laws, Chapter 40, Section 21 *et. seq.*, implementing the Town's authority to regulate water use pursuant to Massachusetts General Laws, Chapter 41, Section 69B. This bylaw also implements the Town's Authority under Massachusetts General Laws, Chapter 40, Section 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

B. Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety and whenever there is in force a state of Water Supply Conservation or State of Water Emergency by providing for enforcement of duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection.

C. Definitions

- 1) "Person" shall mean any individual, corporation, trust, partnership or association, or other entity
- 2) "State of Water Supply Emergency" shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under MGL, C21G, Sections 15 17.
- 3) "State of Water Supply Conservation" shall mean a State declared pursuant to Section D of this bylaw.
- 4) "Water Users" or "Water Consumers" shall mean all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

D. Declaration of State of Water Supply Conservation

The Town, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a State of Water Conservation shall be given under Section F of this bylaw before it may be enforced.

E. Restricted Water Uses

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as per necessary to protect the water supply. The application of restrictions, conditions or requirements shall be included in the public notice required under Section F:

- a) Odd/Even Day Outdoor Watering: Outdoor watering by water users with odd numbered addresses is restricted to off numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days;
- b) Outdoor Watering Ban: Outdoor watering is prohibited;

- c) Outdoor Watering Hours: Outdoor watering is permitted only during daily periods of low demand to be specified in the declaration of a State of Water Conservation and public notice thereof;
- d) Filling Swimming Pools: Filling of swimming pools is prohibited;
- e) Automatic Sprinkler Use: The use of automatic sprinkler systems is not allowed at any time when the watering system is connected to the Town of Norfolk system or water supply.

F. Public Notification of a State of Water Supply Conservation

Notification of any Provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means responsibly calculated to reach and inform users of the State of Water Supply Conservation. Any restriction imposed under Section E shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

G. Termination of a State of Water Supply Conservation Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by Section F.

H. State of Water Supply Emergency/Compliance with DEP Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

I. Penalties

Any person violating this bylaw shall be liable to the Town in the amount of \$50 for the first violation and \$100 for each subsequent violation which shall inure to the Town for such uses as the Board of Water Commissioners may direct. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with Chapter 30 of the Massachusetts General Laws. Each day of violation shall constitute a separate offense.

J. Severability

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof. (5/16/95)

SECTION 4. Scenic Roads Bylaw

- A. Any repair, maintenance, construction or paving work done within the right-of-way of any road designated as a Scenic Road by the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 15C, shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board, after a



Fwd: Selling books at the library

17 messages

Nancy Langlois <nlanglois@norfolk.ma.us>
 To: Nanci Murphy <nancimurphy4@gmail.com>
 Cc: Judith Lizardi <jlizardi@norfolk.ma.us>

Mon, Jun 29, 2020 at 1:58 PM

Hi Nanci,

Can you please provide answers to Matt Haffner's questions? Once we receive the information, we will review with Police, Fire and the Building Department for their input, comments and concerns. The following links may be helpful in understanding some basic requirements during the Covid 19 crisis:

www.mass.gov/info-details/reopening-massachusetts
<https://www.mass.gov/info-details/reopening-mandatory-safety-standards-for-workplaces>

If you have any questions, please do not hesitate to contact me.

Regards,

Nancy Langlois

----- Forwarded message -----

From: **Matt Haffner** <mhaffner@norfolk.ma.us>
 Date: Mon, Jun 29, 2020 at 11:38 AM
 Subject: Re: Selling books at the library
 To: Nancy Langlois <nlanglois@norfolk.ma.us>
 Cc: Matt Malneritch <mmalneritch@norfolk.ma.us>

1. Parking of vehicles?
2. Social distancing plan?
3. Need a drawing/sketch of proposed areas used
4. How many volunteers?
5. Where are the books being stored?
6. The library has strict rules with book handling, how will this be handled with onlookers and staff touching them?
7. Restroom Access? Presently none. Not planning on providing until the Library is open to the public.
8. Tents?

These questions need a written response. Once we understand the plan, I would run everything through the Fire and Police Departments. For an additional layer of everyone's safety, I would also ask Bob Bullock to weigh in. Avoid any issues by having a team consensus.

On Mon, Jun 29, 2020 at 10:31 AM Nancy Langlois <nlanglois@norfolk.ma.us> wrote:

Hello,

Can you please provide your input to me on this request. I realize that the request comes from the Library itself, however, is there any procedure to follow to allow events in the parking lot?

Thanks,

Nancy

----- Forwarded message -----

From: **Nanci Murphy** <nancimurphy4@gmail.com>
 Date: Mon, Jun 29, 2020 at 9:48 AM
 Subject: Selling books at the library
 To: <nlanglois@norfolk.ma.us>
 Cc: Stephanie Hamel <stephaniemhamel@gmail.com>

Hi Nancy,

Thanks for your time on the phone today. The Friends of the Norfolk Library are thinking of holding a paperback book sale at the library. It would be outside in the library parking lot area.

We would like to hold the sale on the 25th of July and may hold other sales through August.

We will have some tables set up with books on them and books in boxes below the tables or surrounding the area. People may browse the books and purchase what they like.

We are thinking of holding this sale on a Saturday from 10-2 and would probably do the same for other sales.

Is there anything we need from the town in order to hold these book sales at the library?

Thanks, Nanci

--

Nancy A. Langlois
Executive Assistant
Town of Norfolk
One Liberty Lane
Norfolk, MA 02056
(508) 440-2801

--
Matthew Haffner

Town of Norfolk / Norfolk Public Schools
Shared Director of Facilities

Office 508.440.2820
Cell 508.272.1785



--
Nancy A. Langlois
Executive Assistant
Town of Norfolk
One Liberty Lane
Norfolk, MA 02056
(508) 440-2801

Nanci Murphy <nancimurphy4@gmail.com>
To: Nancy Langlois <nlanglois@norfolk.ma.us>, mhaffner@norfolk.ma.us, mmalneritch@norfolk.ma.us
Cc: Judith Lizardi <jlizardi@norfolk.ma.us>, Sarah Ward <sward@sailsinc.org>

Mon, Jun 29, 2020 at 5:49 PM

Hi All,

Please see answers below regarding questions from Matt.

Any comments, feedback or improvements are welcome. We want to do possibly more sales this way and would appreciate the feedback.

Thanks, Nanci

1. **Parking of vehicles?** The library has a parking area by the gazebo which is to the right as you enter the library parking area. We will be setting up anywhere from 4-10 tables with plenty of space in between them. The tables will be in the parking area. The rest of the library parking lot will be available for parking for patrons who are coming to buy books.

2. **Social distancing plan?** When we advertise the sale, we will remind everyone that they will need to wear masks to attend the sale. We will have a person greeting the patrons to let them know that it is one person per table at a time. We will monitor this as the sale progresses so that we do not have anyone not social distancing.

3. **Need a drawing/sketch of proposed areas used** As mentioned above, we will be using the parking area outside where the tramp house is. We can use the parking lines to keep the tables six feet apart.

4. How many volunteers? There will probably be 6-8 volunteers at any one time. Our cashier will sit under the gazebo away from everyone where people can go to pay for the books. We will supply only brown paper bags for those buying books.

5. Where are the books being stored? Currently, the books are stored in the Friend's Trailer at the DPW. We will be taking only those boxes which apply to the sale (paperback only) and packing them in our cars the night before. They will remain in the cars overnight. In the AM, we will take the boxes out of the cars and assign one person for setup for each table. The volunteers will wear gloves and we will have hand sanitizer available.

6. The library has strict rules with book handling, how will this be handled with onlookers and staff touching them? The volunteer staff will be keeping books sanitized with lysol wipes. The books are already cleaned with lysol but we will be using this on books as the sale progresses. We will have extra gloves for anyone who would like to use them.

7. Restroom Access? Presently none. Not planning on providing until the Library is open to the public. There will be no access to the library and no bathroom available for the patrons.

8. Tents? We are not having tents and are hoping for a nice day. Our backup day is Saturday, August 1.

[Quoted text hidden]

Matt Haffner <mhaffner@norfolk.ma.us>

Mon, Jun 29, 2020 at 6:08 PM

To: Nanci Murphy <nancimurphy4@gmail.com>

Cc: Bob <bbullock@norfolk.ma.us>, Elisabeth O'Neill <eoneill@sailsinc.org>, Erron Kinney <ekinney@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Nancy Langlois <nlanglois@norfolk.ma.us>, Sarah Ward <sward@sailsinc.org>, mmalneritch@norfolk.ma.us

Nanci,

Thank you for the feedback. It sounds like you have a great plan in place.

I know our Nancy spoke to the chief of police and he was fine with the event.

I have no issues with your plans as proposed but I included the fire chief and building commissioner to this email for any input they might have.

Thank you and best wishes with your sales!

[Quoted text hidden]

Nanci Murphy <nancimurphy4@gmail.com>

Mon, Jun 29, 2020 at 6:14 PM

To: Matt Haffner <mhaffner@norfolk.ma.us>

Cc: Bob <bbullock@norfolk.ma.us>, Elisabeth O'Neill <eoneill@sailsinc.org>, Erron Kinney <ekinney@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Nancy Langlois <nlanglois@norfolk.ma.us>, Sarah Ward <sward@sailsinc.org>, mmalneritch@norfolk.ma.us

Thanks so much Matt!

If this works as well as we hope, we will be asking to hold more sales. We have some kid books that some parents may like in the doldrums of August!

We'll be in touch.

Thanks again,

Nanci

[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>

Tue, Jun 30, 2020 at 10:10 AM

To: Nanci Murphy <nancimurphy4@gmail.com>

Cc: Blythe Robinson <brobenson@norfolk.ma.us>, Bob Bullock <bbullock@norfolk.ma.us>, Charles Stone <cstone@norfolk.ma.us>, Erron Kinney <ekinney@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Matt Haffner <mhaffner@norfolk.ma.us>

Hi Nanci,

When we spoke yesterday, we discussed that the event would be held in the library parking lot. I note that in your answer to item 4 you mention that the cashier will sit under the gazebo. If you would like to use the gazebo on Town Hill, you will need the Select Board to approve the request. We could put your request on the agenda for their next meeting on July 14th. There is a \$100 deposit required for events on Town Hill which is refundable after the event as long as the area is left clean of any refuse and there is no damage to Town property. Another option would be to bring a pop up tent for the cashier and keep it on library property. That way you could move forward without the Select Board's involvement.

Please let me know how you would like to proceed.

Thank you.

Regards,
Nancy Langlois

[Quoted text hidden]

Nanci Murphy <nancimurphy4@gmail.com>

Tue, Jun 30, 2020 at 6:07 PM

To: Nancy Langlois <nlanglois@norfolk.ma.us>

Cc: Blythe Robinson <brobins@norfolk.ma.us>, Bob Bullock <bbullock@norfolk.ma.us>, Charles Stone <cstone@norfolk.ma.us>, Erron Kinney <ekinney@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Matt Haffner <mhaffner@norfolk.ma.us>

Hi Nancy,

Since we are trying to raise money, we don't want to use the gazebo if it will cost us money to use it. Didn't realize we couldn't sit someone in there for free!

Thanks,

Nanci

[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>

Wed, Jul 1, 2020 at 6:07 PM

To: Nanci Murphy <nancimurphy4@gmail.com>

Cc: Blythe Robinson <brobins@norfolk.ma.us>, Bob Bullock <bbullock@norfolk.ma.us>, Charles Stone <cstone@norfolk.ma.us>, Erron Kinney <ekinney@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Matt Haffner <mhaffner@norfolk.ma.us>

Hi Nanci,

Attached please find the Select Board's Town Hill Usage Policy. After further review, the deposit will be waived as The Friends of the Norfolk Library book sale can be considered a "town sponsored" event. The use of the gazebo would still need to be approved by the Select Board. We will add your request to the July 14th Select Board agenda.

If you have any questions, please do not hesitate to contact me.

Regards,

Nancy Langlois

[Quoted text hidden]

 **Town Hill Usage Policy.pdf**
123K

Nancy Langlois <nlanglois@norfolk.ma.us>

Wed, Jul 1, 2020 at 6:15 PM

To: Charles Stone <cstone@norfolk.ma.us>, Erron Kinney <ekinney@norfolk.ma.us>, Bob Bullock <bbullock@norfolk.ma.us>, Blythe Robinson <brobins@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Matt Haffner <mhaffner@norfolk.ma.us>

Good Evening,

Please provide your comments and or concerns on the request from the Friends of the Norfolk Library to hold a book sale on July 25th and various dates during the month of August 2020. Please note that Nanci Murphy has provided detailed information as requested from Facilities Director Matt Haffner. We will be forwarding your input to the Select Board for their consideration of this request at their July 14th meeting. Thank you.

Regards,

[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>

Tue, Jul 7, 2020 at 10:28 AM

To: Nanci Murphy <nancimurphy4@gmail.com>

Cc: Judith Lizardi <jlizardi@norfolk.ma.us>

Good Morning Nanci,

No worries. We have placed your request for use of the gazebo at Town Hill for a book sale on July 25th (10 a.m.-2 p.m.) with a rain date of August 1st on the July 14th Select Board agenda. You mentioned that you would possibly like to hold other book sales during the month of August. For your information, the use of the area for August 22nd has already been secured by another group and therefore, will not be available. Do you know of the other dates in August you would like to schedule at this time?

Regards,

Nancy Langlois

On Mon, Jul 6, 2020 at 8:29 PM Nanci Murphy <nancimurphy4@gmail.com> wrote:

Hi Nancy,

[Quoted text hidden]

Nanci Murphy <nancimurphy4@gmail.com>

Wed, Jul 8, 2020 at 11:42 AM

To: Matt Haffner <mhaffner@norfolk.ma.us>

Cc: Bob <bbullock@norfolk.ma.us>, Elisabeth O'Neill <eoneill@sailsinc.org>, Erron Kinney <ekinney@norfolk.ma.us>, Judith Lizardi <jlizardi@norfolk.ma.us>, Nancy Langlois <nlanglois@norfolk.ma.us>, Sarah Ward <sward@sailsinc.org>, mmalneritch@norfolk.ma.us

Hi all,

Regarding the paperback book sale, we do intend to have a few pop up tents around for shade for workers to use. We will have one person in them because they are small.

Just wanted to update you on this.

Thanks, Nanci

On Mon, 29 Jun 2020 at 18:09, Matt Haffner <mhaffner@norfolk.ma.us> wrote:

[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>

Wed, Jul 8, 2020 at 5:00 PM

To: Erron Kinney <ekinney@norfolk.ma.us>

Cc: Judith Lizardi <jlizardi@norfolk.ma.us>

Hi Chief,

Just a friendly reminder that we are looking for your input on this request to include with the Select Board's packets being prepared tomorrow.

Thanks for your cooperation.

Nancy

On Wed, Jul 1, 2020 at 6:15 PM Nancy Langlois <nlanglois@norfolk.ma.us> wrote:

[Quoted text hidden]

[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>

Wed, Jul 8, 2020 at 5:01 PM

To: Judith Lizardi <jlizardi@norfolk.ma.us>

Hi Judith,

Here is Bob's response to the book sale in the library parking lot.

Nancy

----- Forwarded message -----

From: **Bob** <bbullock@norfolk.ma.us>

Date: Tue, Jul 7, 2020 at 12:08 PM

Subject: Re: Selling books at the library

To: Nancy Langlois <nlanglois@norfolk.ma.us>

I don't have any issues.

Bob

[Quoted text hidden]

--

Robert J Bullock Jr

Building Commissioner

Town of Norfolk

508-528-5088

bbullock@norfolk.ma.us

<http://norfolk.ma.us/departments/building/>

[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>

Wed, Jul 8, 2020 at 5:02 PM

To: Judith Lizardi <jlizardi@norfolk.ma.us>

Here is Chief Stone's response to the book sale. Now just waiting for Chief Kinney's response.

Nancy

7/9/2020

Town of Norfolk Mail - Fwd: Selling books at the library

----- Forwarded message -----

From: Charles Stone <cstone@norfolk.ma.us>
Date: Wed, Jul 1, 2020 at 6:18 PM
Subject: Re: Selling books at the library
To: Nancy Langlois <nlanglois@norfolk.ma.us>

No comments, sounds like a good event
CS

On Wed, Jul 1, 2020 at 6:15 PM Nancy Langlois <nlanglois@norfolk.ma.us> wrote:

[Quoted text hidden]

--

Charles H. Stone Jr.
Chief of Police
Norfolk, Mass
FBINAA 165
508-520-4288
[Quoted text hidden]

Nancy Langlois <nlanglois@norfolk.ma.us>
To: Judith Lizardi <jlizardi@norfolk.ma.us>

Wed, Jul 8, 2020 at 5:31 PM

....and from Chief Kinney.

Nancy

----- Forwarded message -----

From: Erron Kinney <ekinney@norfolk.ma.us>
Date: Wed, Jul 8, 2020 at 5:24 PM
Subject: Re: Selling books at the library
To: Nancy Langlois <nlanglois@norfolk.ma.us>

The FD has no comment or restriction on proposed plan

Erron Q. Kinney, FO

On Jul 8, 2020, at 5:01 PM, Nancy Langlois <nlanglois@norfolk.ma.us> wrote:

[Quoted text hidden]

[Quoted text hidden]



Town of Norfolk

Blythe Robinson <brobinson@norfolk.ma.us>

RE: Garden Club Proposed Projects

1 message

enicodemus@comcast.net <enicodemus@comcast.net>

Wed, Jul 1, 2020 at 11:07 AM

To: Blythe Robinson <brobinson@norfolk.ma.us>Cc: Michelle Noonan <mickymac21@yahoo.com>, Emily Nicodemus <enicodemus@comcast.net>, "Hamel, Stephanie" <stephaniemhamel@gmail.com>, Joanne Wason <jowason@comcast.net>, Nia Tzellas-Davis <nia_tzellas@yahoo.com>, Stephanie Ackley <iamstephackley@gmail.com>

Hi Blythe,

I would like to discuss two projects with the Selectmen:

Planting of a tree on town hill in appreciation for Essential workers during the 2020 pandemic. I have attached a photo of where Barry Lariviere, DPW, has suggested we plant it.

Second proposal: Renovation of the planting of the Veteran's Memorial Garden. I have attached that photo which shows the lower garden, to the right and left of the steps leading to the memorial. We are writing a grant for this project.

Can these two photos be displayed at the Zoom meeting?

Thank you so much and have a wonderful fourth.

Emily

From: Blythe Robinson <brobinson@norfolk.ma.us>**Sent:** Wednesday, July 1, 2020 10:26 AM**To:** enicodemus@comcast.net**Cc:** Michelle Noonan <mickymac21@yahoo.com>; Judith Lizardi <jlizardi@norfolk.ma.us>**Subject:** Re: Garden Club Proposed Projects

Emily,

We will kick into gear to get ready for the July 14th BOS meeting agenda early next week. Just a reminder that I will need to know if your plans for a flowering tree for essential workers is going to be placed on Town owned land and where, as that would need Select board approval. At the same time we could update the Board on the grant for Veteran's Plaza.

I hope you have a nice holiday weekend, and look forward to hearing back from you regarding the tree placement.

Thanks,

Blythe

On Mon, Jun 15, 2020 at 3:25 PM <enicodemus@comcast.net> wrote:

Dear Blythe,

The Garden Club of Norfolk is proposing two projects that we seek your endorsement and/or approval.

Project One: Tree to honor Essential Workers

We would like to plant a native spring flowering tree to honor the Essential Workers who have been on the front lines for us during the pandemic. We have talked to Barry at the DPW and he suggested that we run the idea by you to get permission. Barry is looking for a few good locations for us. We hope to plant a tree in the early fall, and installed a plaque that honors the Essential Workers of Norfolk. What do we need from you to proceed with this project?

Project Two: Renovation of the Veterans Plaza

The Veterans' Plaza was originally planted in 1995 with plants from a nursery from Conn. We hope to submit a grant to the Garden Club Federation of Massachusetts with a plan to renovate this space with native plants. Native plants do not need a lot of extra water, they do not need pesticides, are already acclimated to insect populations and they rarely need fertilizers. The grant is due on September 1. If we receive the grant, the area would be planted in the Spring 2021.

We submitted a grant two years ago to the same group and received \$1,500.00 to renovate the Rose Garden on Town Hill. Hope you have taken a walk through it recently. It is in full bloom.

Do we need any formal approval to move forward with these two projects? Please advise. We are about to start planning and writing the grant.

Thank you,

Emily Nicodemus

Michelle Noonan

Co-Presidents

Garden Club of Norfolk

--

Blythe C. Robinson

Town Administrator

Town of Norfolk

One Liberty Lane

Norfolk, MA 02056

brobinson@norfolk.ma.us

508-440-2855

2 attachments



veteran's plaza 2.jpg

1353K



Essential_Worker_Tree_Location_-_Town_Hill.jpg

254K



Town of Norfolk

Nancy Langlois <nlanglois@norfolk.ma.us>

Selectmen's meeting

2 messages

enicodemus@comcast.net <enicodemus@comcast.net>

Wed, Jul 8, 2020 at 4:38 PM

To: Nancy Langlois <nlanglois@norfolk.ma.us>

Hi Nancy,

I sent to Blythe two photos that I would like included in the Packet for Tuesday's meeting or to be shown on the zoom meeting. This is for the Garden Clubs presentation of two projects. I have attached the two photos for you too.

The first is the Veteran's Memorial Garden showing the area for Replanting

The second is the placement of the Tree for Essential Workers

I hope the Selectmen will be able to see these two photos.

Thank you, Emily Nicodemus

Garden Club of Norfolk

2 attachments



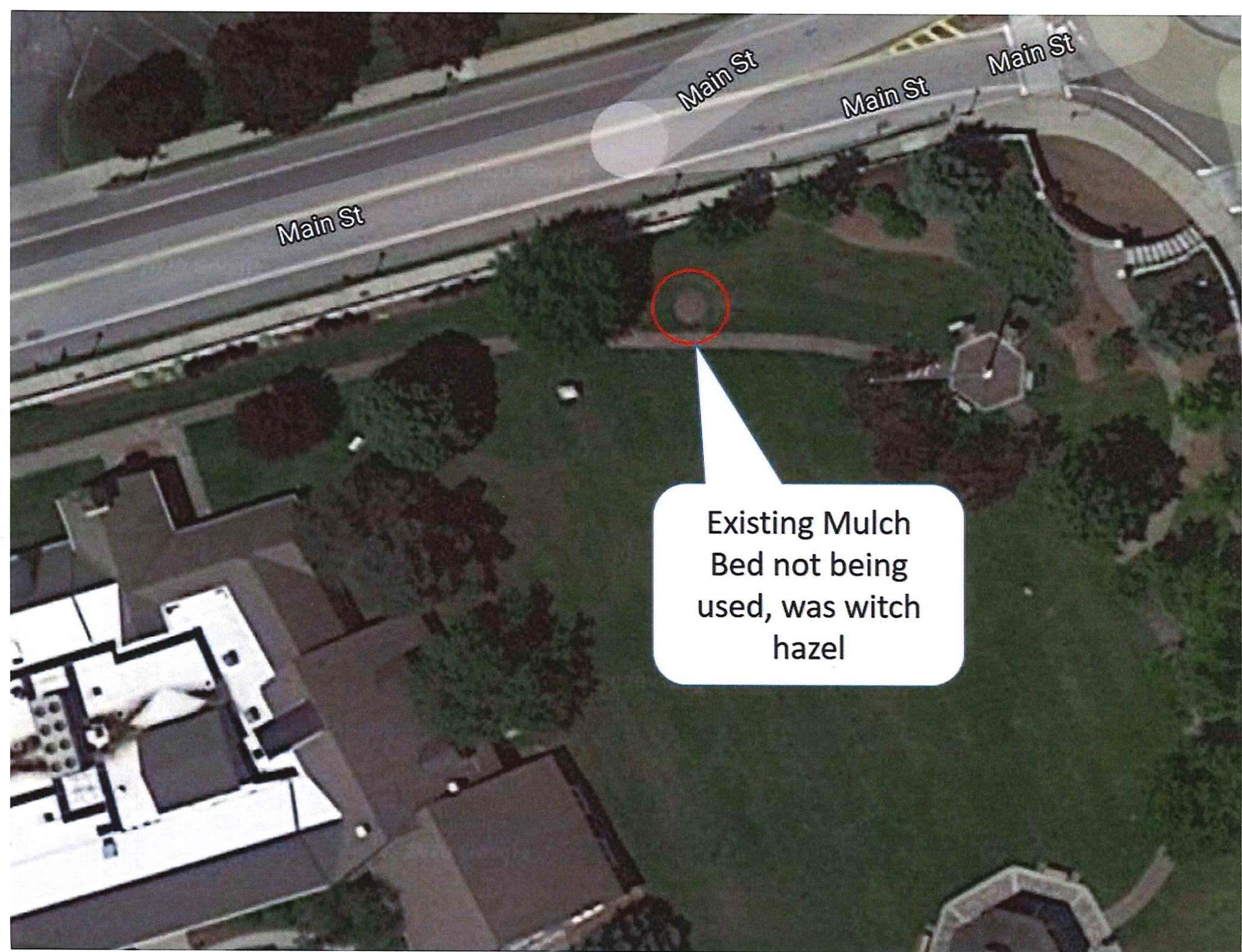
veteran's plaza 2.jpg
1353K



Essential_Worker_Tree_Location_-_Town_Hill.jpg
254K

Nancy Langlois <nlanglois@norfolk.ma.us>

Wed, Jul 8, 2020 at 4:54 PM



Existing Mulch
Bed not being
used, was witch
hazel



TOWN HILL USAGE POLICY

The Town, through the Select Board, will issue permits for the usage of Town Hill. Permits may be granted to anyone as long as the following conditions are met:

1. Does not conflict with any Town sponsored event.
2. Conditions of the Hill and Bandstand are conducive to the event contemplated.
3. Applicant has not forfeited their privilege to use the facility due to past failure to comply with regulations (See regulations below).

PRIORITY

Permits will be granted in the following order of priority:

1. Town Sponsored/Co-Sponsored
2. Town Charitable Organization
3. Town Resident
4. Charitable Organization
5. Other Individual or Organization

SECURITY DEPOSIT

Town sponsored events will not require a security deposit.

All others will provide a minimum \$100 deposit check with application, payable to the "Town of Norfolk". The check will be returned, if upon determination the area is clean of any refuse; there is no damage to the bandstand or property, other than normal wear; and there were no violation of rules.

If it is determined that damage has been done that is above security deposit amount, appropriate repairs will be arranged by the Town and payment for those repairs will be the responsibility of the permit holder.

FEES

Application and other town permit fees will be assessed accordingly.

All users are encouraged to make a donation to the Town Hill Endowment Fund.

FACILITIES

If the event requires the use of any utilities, the permit holder must make the appropriate arrangements.

Use of electricity will be a flat fee of a \$10.00 minimum.

Toilet facilities, if required, are the responsibility of the permit holder.

Rules and Regulations

1. Security is the permit holder's responsibility, and if traffic control is required, these must be coordinated through the Norfolk Police Department.
2. All permits must be obtained by the permit holder. The issuance of a Usage Permit does not waive the requirement for any other permit, and does not indicate compliance with any regulation or law. If food is to be prepared and sold on site, the permit holder must check with the Board of Health and Select Board. If a temporary structure and/or equipment are to be used where a safety issue is involved, the permit holder must consult with the Building Inspector.
3. Parking is at a premium in the Town Center. When the Library is open, attendees of events on Town Hill should not use Library parking.
4. Nothing is to be attached or hung on the bandstand, any tree or town structure, except with lightweight white string. Stainless hooks are already in place for such use, both inside and outside the bandstand. Anything so hung must be completely removed.
5. No confetti or rice shall be used.
6. No crepe paper or streamers shall be used.
7. Trash collection and removal is the permit holder's responsibility. Permit holder should designate on the application if they wish to

provide their own trash disposal, or if they wish to pay for this service through our Department of Public Works.

8. No structure may be placed on the Town Hill without the express approval of the Select Board.
9. There shall be no blockage of the level entry of the bandstand (on the plaza or in the interior of the bandstand) at any time.
10. Functions should take place within the stated hours of operation for Norfolk Town Hill (Monday through Saturday, 8:00 a.m.-10:00 p.m., and Sundays, 12:00 Noon-10:00 p.m.). Any variance from these times should be approved by the Select Board.
11. If, in the opinion of the Select Board or the Chief of Police, police details or other Town services are required, the permit holder will be expected to be responsible for the cost of these services.

NORFOLK TOWN HILL IS THE PRIDE OF OUR TOWN CENTER. WE TRUST THAT WHEN USING THIS AREA, YOU WILL GIVE IT THE SAME RESPECT THAT YOU WOULD GIVE YOUR OWN HOME.

2019-2020 BoS Goals & Objectives – Year End Update

1. Community Engagement (CE)

a. Goal CE-1 - “Development of additional and more efficient means by which residents can interact with, learn about and provide feedback to town officials.”

b. Supporting Objectives

- i. CE 1.1 – Structure a schedule for holding reoccurring monthly “office hours” to allow residents a dedicated window to engage with a member of the board one-on-one.
- ii. CE 1.2 – Explore the possibility of expanding the monthly “Conversation Corner” program to a more interactive Facebook Live stream to allow for a wider audience with Q&A functions. – **On hold, planning phase**
- iii. CE 1.3 – Explore the addition of a Visual Budget component to the Town website to provide the public with a visual representation of the Town’s financial history and outlook, as well as illustrate key trends. - **On hold, cost assessment**
- iv. CE 1.4 – Explore the possibility of holding a “town hall” style session where a single member or full board is available with or without key department heads to field questions/concerns from residents on a single topic or in a more general sense in a less formal session than public meeting.
- v. CE 1.5 – Develop a newsletter for public distribution (print and/or electronic) that will include town project updates, notices, events and general town hall happenings. - **On hold, cost assessment**
- vi. CE 1.6 – Evaluate and Potentially Implement a public comment period into the Select Board public meeting agenda (multi-faceted approach for comments and for dialogue).
- vii. CE 1.7 – Explore and evaluate a potential partnership with the local Boy Scouts and Girl Scouts for projects and service opportunities.

2. Strategic Planning (SP)

- a. Goal SP-1 – “Update and align the community directional plans to provide a clear and consistent path forward for residents, business partners and developers”
- b. Supporting Objectives
 - i. SP 1.1 – Evaluate the effort to update the Master Plan and outline a delivery schedule for development and proposal to Town Meeting. – **On hold, B1 Zoning/Town Planner**
 - ii. SP 1.2 – Evaluate and potentially reorganize the Economic Development Committee to carry forward any accepted recommendations put forth by the B1 Zoning Working Committee. - **On hold, awaiting B1 Zoning Recommendations**
 - iii. SP 1.3 – Develop a 10yr roadway improvement plan, including a publicly available tracking sheet that identifies condition and priority
 - iv. SP 1.4 – Evaluate operational efficiency either through professional outside assessment or internal review to identify any opportunities or validate. – **In process via Salary Study**
 - v. SP 1.5 – Evaluate any programs, both existing statewide or potential new local, that could alleviate the fiscal burden on our senior community. – **In process, highlighted existing local programs, looking to identify others**

3. Town Facilities (TF)

- a. Goal TF-1 – “Review, update and map out the growing needs of the community and match them with a prioritized plan aligned with Goal SP-1”
- b. Supporting Objectives
 - i. TF 1.1 – Evaluate needs/timeline for potential Freeman Kennedy School Expansion
 - ii. TF 1.2 – Recalibrate on Fire Station project with updated projections related to cost/timeline as well as define a collective path forward. – **In process, appointment of permanent building committee next step**
 - iii. TF 1.3 – Assess Town Government space needs, including seniors, recreation, parking, etc. and establish a prioritization plan for addressing opportunities
 - iv. TF 1.4 – Evaluate the value in obtaining commuter parking space to offer as benefit to residents at a discounted rate.

Selectmen's Office Work Plan - June - FY20

Project	Issue or Current Status	Next Steps	Resources Required	BOS Liaison	Staff Assigned	Completion Date
<u>SELECTMEN'S GOALS</u>						
<i>Community Engagement:</i>						
Expand Conversation Corner program	Met w/Kevin & NCTV to discuss options	Schedule a follow up mtg to develop program		Kevin		
Explore Visual Budget Pres. On the website	Look at available software/systems	Hold another demonstration of Clearview to determine if this system meets our needs	\$5,000 annually		Blythe	
Explore Holding Town Hall "forums"						
Develop Town newsletter - paper & electronic	Launch a newsletter	Investigate options & costs, coord. w/depts				
Explore partnering w/Boyscouts or girl scouts for projects						
<i>Strategic Planning</i>						
Develop proposal to update Master Plan	Conduct update to 2007 Plan	Staff to recommend options to facilitate	Form committee, staff time, \$\$		Rich, Blythe	
Potentially reorg Econ. Development Comm.	Discuss as a follow up to B-1 Committee	Awaiting B-1 Zoning Recommendations				
Develop 10 Year Pavement Mgmt Plan	No current plan for long term upgrades	Plan reviewed with BOS, funding strategy required to implement			Blythe & Barry	
Investigate operational efficiencies	Discuss regional solutions w/other towns	Mtg w/Plainville & Wrentham 8/29 & 11/12				
Eval. Programs to reduce fiscal burden Seniors	COA Director review Senior Work Off program	COA Director soliciting "jobs" for seniors to do for various departments			Sherry Norman	
<i>Town Facilities</i>						
Evaluate & Plan Freeman Kennedy Expansion	School reaching capacity, SC & SB approved Statement of Interest to MSBA	Statement of Interest submitted April, 2020. Awaiting MSBA response - late summer.				
Fire Station Project - timeline/cost projection	Renovation or replace current station, appoint building committee	Expressions of interest received from four residents				
Assess town gov't space needs						
<u>STAFF PRIORITY PROJECTS</u>						
Police Station Project Closeout	Punchlist complete, final payments complete.	Schedule executive session to discuss planned next steps	Town debt exclusion		Blythe, Matt, Todd	
<u>DEVELOPMENT & 40B PROJECTS</u>						
Southwood Hospital	New Developer - Lincoln Properties conducting due diligence on property	Possible developer continuing with due diligence, town meeting action required to change the zoning			Rich	
Abbyville	30 single family homes, 24 townhomes	In decision making phase-July 22 ZBA Mtg			Rich, Blythe	
144 Seekonk Street	44 units - combin. Of single family & townhouses	In decision making phase-July 22 ZBA Mtg			Rich	
Main Street Apartments	36 Townhouse style homes	In decision making phase-July 22 ZBA Mtg			Rich	
<u>FINANCIAL PROJECTS</u>						
Develop Capital Improvement Program	No plan in place, draft a 5-year plan	Draft plan to BOS Oct. 2019, continue to refine, analyze funding, discuss priorities	Gather data from all departments		Todd, Blythe	
OPEB Funding Schedule	Need a plan to fund Town's liability	Began funding - \$25K at Fall 2019 STM			Blythe, Todd	2020 ATM

<u>POLICIES/BYLAWS</u>						
Updated Pay & Classification Plan	Plan outdated, job descrip not up to date	Review draft job descriptions, salary survey results & proposed pay plan	Funding at town meeting		Blythe, Scott	Sept, 2020
Plowing of Private Ways	Town doesn't follow state law, dev. policy	Prepare a white paper on topic for the board			Blythe, Blair	
<u>OTHER PROJECTS</u>						
Holbrook Well	Permit finalized, add'l funding approved at 2020 ATM, finalizing bid documents	Installation of 6 wells almost complete, out to bid on the building & equipment shortly			Barry, Blythe	Jan-21
<u>COMPLETED PROJECTS</u>						
Structure monthly BOS Office Hours	Setup monthly office hrs for residents	Monthly Mtgs began September 11th	Selectmen time, conference room	N/A		Sept. 11th
Consider BOS agenda item - public comment	Debate merits of a public comment period	Reviewed draft 8/13, adopt on Sept. 3rd				Sept. 3rd
Fire Chief Hiring	Hire new chief fall, 2019	Chief Kinney begins on December 2nd	Assmnt Center Cost - \$4,000		Blythe, Scott	Sept. 2019
Lawrence Street Bridge Completion	Add'l grant funds of \$130K awarded, Final pave - summer	Final paving done August 30th, project closeout in process	2 State grants = \$2.3 M	Kevin	Bob McGhee	Aug. 2019
Evaluate expansion of commuter parking	Award parking spots Liberty Lane, Old TH	Updated rates, held Lottery for October 1st	Staff time		Nancy, Blythe	October 1st
Olive Day Roof Replacement	Work complete, punch list in process	Project completed			Matt, Blythe	Aug-19
DPW Director Hiring	Blair Crane Appointed on April 27, 2020	Completed			Scott, Blythe	Apr-20
<u>FY21 New Staff Projects</u>						
Update Animal Control Bylaw	Bylaw not in compliance w/State law changed in 2012				Blythe, Hilary, Carol	
Budget Document - complete for FY22 budget	Draft budget book prepared Feb. 2020	Refine document for publication for FY22			Blythe, Todd	
Buckley Mann Redevelopment Plan	Contaminated site, interest in redeveloping	Work w/Developer, neighborhood, boards & state to formulate a plan			Rich, Blythe	
Police Dept. Succession Planning	Chief & Deputy both retire in 2022	Review dept. staffing and possibilities for internal promotions			Blythe, Chief, Scott	

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Town of Norfolk - LIVE
PRELIMINARY ACCOUNTS PAYABLE WARRANT REPORT

P 1
apwarrnt

DATE: 06/30/2020 WARRANT: 53V20 AMOUNT: \$ 240,570.55

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF
BILLS PAYABLE THE SUMS SET AGAINST THEIR RESPECTIVE NAMES, AMOUNTING IN THE
AGGREGATE SHOWN ABOVE, AND CHARGE THE SAME TO THE APPROPRIATIONS OR ACCOUNT
INDICATED.

APPROVED



FINANCE DIR TODD LINDMARK



SELECTBOARD KEVIN KALKUT

SELECTBOARD ANITA MECKLENBURG

SELECTBOARD CAROLYN C. VAN TINE

SCHOOL BILLS

SCHOOL COMMITTEE
THOMAS DOYLE

SCHOOL COMMITTEE
SARA WARD

SCHOOL COMMITTEE
JENNIFER WYNN

SCHOOL COMMITTEE
MEDORA CHAMPAGNE

SCHOOL COMMITTEE
SHANNON MENESES

07/07/2020 13:03
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|Town of Norfolk - LIVE
|PRELIMINARY ACCOUNTS PAYABLE WARRANT REPORT

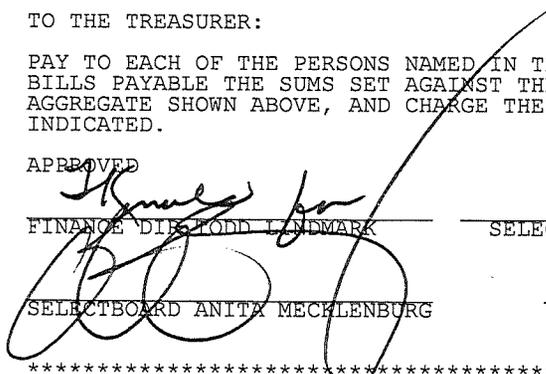
|P 1
|apwarrnt

DATE: 06/30/2020 WARRANT: 54V20 AMOUNT: \$ 284,513.87

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF
BILLS PAYABLE THE SUMS SET AGAINST THEIR RESPECTIVE NAMES, AMOUNTING IN THE
AGGREGATE SHOWN ABOVE, AND CHARGE THE SAME TO THE APPROPRIATIONS OR ACCOUNT
INDICATED.

APPROVED


FINANCE DIR. TODD LANDMARK

SELECTBOARD KEVIN KALKUT

SELECTBOARD ANITA MECKLENBURG

SELECTBOARD CAROLYN C. VAN TINE

SCHOOL BILLS

SCHOOL COMMITTEE
THOMAS DOYLE

SCHOOL COMMITTEE
SARA WARD

SCHOOL COMMITTEE
JENNIFER WYNN

SCHOOL COMMITTEE
MEDORA CHAMPAGNE

SCHOOL COMMITTEE
SHANNON MENESES

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Town of Norfolk - LIVE
ACCOUNTS PAYABLE WARRANT REPORT

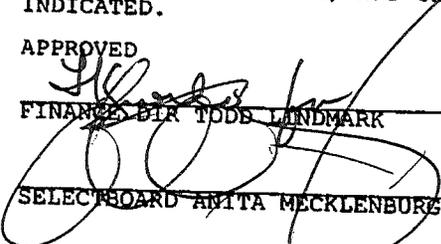
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DATE: 06/30/2020 WARRANT: 54VS20 AMOUNT: \$ 103,040.54

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF
BILLS PAYABLE THE SUMS SET AGAINST THEIR RESPECTIVE NAMES, AMOUNTING IN THE
AGGREGATE SHOWN ABOVE, AND CHARGE THE SAME TO THE APPROPRIATIONS OR ACCOUNT
INDICATED.

APPROVED

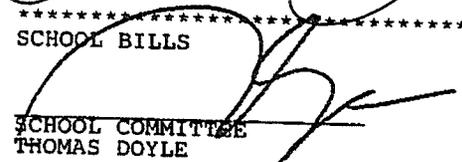

FINANCIAL CLERK TODD LANDMARK

SELECTBOARD KEVIN KALKUT

SELECTBOARD ANITA MECKLENBURG

SELECTBOARD CAROLYN C. VAN TINE

SCHOOL BILLS


SCHOOL COMMITTEE
THOMAS DOYLE

SCHOOL COMMITTEE
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SCHOOL COMMITTEE
JENNIFER WYNN

SCHOOL COMMITTEE
MEDORA CHAMPAGNE

SCHOOL COMMITTEE
SHANNON MENESES

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|Town of Norfolk - LIVE
|PRELIMINARY ACCOUNTS PAYABLE WARRANT REPORT

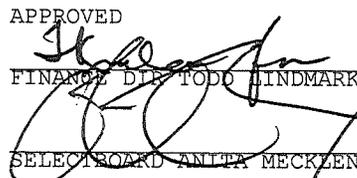
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|apwarrnt

DATE: 07/07/2020 WARRANT: 01V21 AMOUNT: \$ 2,569,253.76

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF
BILLS PAYABLE THE SUMS SET AGAINST THEIR RESPECTIVE NAMES, AMOUNTING IN THE
AGGREGATE SHOWN ABOVE, AND CHARGE THE SAME TO THE APPROPRIATIONS OR ACCOUNT
INDICATED.

APPROVED


FINANCIAL DIR TODD LINDMARK

SELECTBOARD KEVIN KALKUT

SELECTBOARD ANITA MECKLENBURG

SELECTBOARD CAROLYN C. VAN TINE

SCHOOL BILLS

SCHOOL COMMITTEE
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MEDORA CHAMPAGNE

SCHOOL COMMITTEE
SHANNON MENESES

DRAFT

**Norfolk Select Board's Open Session Meeting Minutes
June 2, 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; Todd Lindmark, Finance Director; 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 June 2, 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 there is one new case of COVID-19 in Norfolk this week for a total of 24 cases. She stated the governor issued an emergency order enabling the Select Board to vote to make changes to the license premises for the sale of alcohol. The state is considering going into Phase II; at that time, restaurants will be able to serve food outdoors. There are five establishments in Norfolk licensed to serve alcohol, and they may want to change their license premises to serve alcohol outside. Those establishments have been made aware of this. The next Select Board meeting is on June 16th. If the required information is provided by the establishments, the Select Board could have a meeting prior to the 16th so the establishments could get licensed to sell alcohol in an outside area. She will keep the Select Board apprised. She noted the Town election is on June 23, 2020, from 10 AM to 5 PM; the Town Clerk is continuing to announce the vote-by-mail option.

Public Comment

Mr. David Rosenberg, 123 North Street, asked when the Library would be available for use. Ms. Robinson said the Library is targeting July to reopen for the public to enter the building; the Library is currently providing curbside pickup.

Mr. Kalkut clarified the exact wording of a public comment made by Ms. Anne Marie Battistone during the May 19, 2020, Select Board meeting. He further noted that since that meeting, Ms. Robinson and Ms. Battistone connected regarding additional information about the Town vehicle in question.

Mr. Kalkut read an email from resident Julie Redlitz, 6 Montauk Avenue, who could not attend tonight's meeting. Ms. Redlitz requested that for safety reasons regarding COVID-19, the Town Meeting should be held outdoors. Ms. Robinson stated the high school auditorium, gymnasium, and

cafeteria together would accommodate 300 people sitting 6 ft. or more apart. Mr. Kalkut noted that Plainville and Wrentham are holding their Town meetings in that location on the prior two nights. He stated that as of now, Town Meeting will be held indoors at the high school.

Ms. Susan Klein, 11 Keeney Pond Road, requested that having Town Meeting outdoors at the high school football field be considered; there would probably be a better turnout if it were held outdoors.

Action Items

Please consider approving a refunding of the 2012 bond issue and approval of a new bond issue as a result of a bond sale on June 1, 2020

Ms. Robinson stated the Town had a bond sale on Monday, June 1, 2020, to take advantage of market conditions and refund a 2012 bond issue for the Freeman-Kennedy School, and to place debt for the H. Olive Day School roof project as well as road repairs and the DPW roll-off truck approved at last fall's special Town Meeting. In all, the bond issue was for \$4,055,000. There was good participation in the sale and the new rates will save the Town money over time. She noted that prior to the sale, meetings were held with both bond rating agencies (S&P and Moody's), and both have affirmed the Town's rating, though with a negative outlook which is attributed primarily to the current economic situation; however, both agencies have noted that the Town's reserve levels are not where they believe they should be, and this could put the Town's ratings in jeopardy in the future. Copies of both rating updates are included in the Select Board's meeting packet as well as a portion of the Official Statement for this issue; a full copy of the 139-page document has been posted with the agenda.

Ms. Van Tine read the following aloud:

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Norfolk, Massachusetts (the "Town"), certify that at a meeting of the board held June 2, 2020, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: 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 or a portion of the Town's \$4,344,000 General Obligation School Bonds dated April 1, 2012 maturing on April 1 in the years 2021 through 2024 (inclusive), 2026, 2028, 2030 and 2032, in the aggregate principal amount of \$2,580,000 (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.

Further Voted: that the sale of the \$3,950,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated June 15, 2020 (the "Bonds"), to Piper Sandler & Co., at the price of \$4,370,680.26 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on April 1 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>
2021	\$360,000	5.00%	2027	\$325,000	2.00%
2022	350,000	5.00	2028	325,000	2.00
2023	350,000	5.00	2029	320,000	2.00
2024	355,000	5.00	2030	315,000	2.00
2025	350,000	5.00	2031	295,000	2.00
2026	320,000	5.00	2032	285,000	2.00

Further Voted: to approve the sale of a \$100,000 1.34 percent General Obligation Bond Anticipation Note of the Town dated June 26, 2020, and payable June 25, 2021 (the "Note"), to Norwood Bank at par and accrued, if any.

Further Voted: 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 May 22, 2020 and a final Official Statement dated June 1, 2020 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: 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.

Further Voted: that the Town Treasurer and the Select Board 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, as applicable, for the benefit of the holders of the Bonds from time to time.

Further Voted: 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.

Further Voted: that each member of the Select Board, 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.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and

remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds and Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended, and all as further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020.

A motion was made by Ms. Van Tine that the Board vote to approve that which Ms. Van Tine just read aloud. 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.

Please consider executing the warrant for the 2020 annual town meeting

Ms. Robinson stated that included in the Select Board's meeting packet is a copy of the warrant that needs to be executed by the Board at this meeting. The warrant has evolved since the last Select Board meeting. The opening section needed to be amended to reflect the new date of the meeting and its location at the high school, and included language to enable the meeting to be moved back to the middle school if neither State legislation or a court order came through in time to enable the meeting to be held in Wrentham. In addition, there has been activity relative to two citizens' petitions. Ms. Betsey Whitney has over the last three weeks submitted three versions of a petition for a zoning bylaw change, and withdrawn the first two; thus, included in the warrant is the third version. Resident Peter Chipman submitted language he would like the Select Board to support and put on the warrant to create a Finance Committee. This has been forwarded to Town Counsel for review. The Advisory Committee is not meeting until tonight and again on June 3rd, so not all of their recommendations have been finalized to put in the warrant document. As well, Town Counsel pointed out revisions to the Nichols Road article. There are currently 24 articles which include the two citizens' petitions.

Mr. Kalkut discussed Mr. Chipman's email requesting the Select Board sponsor an article to create a Finance Committee. He stated there is an existing Advisory Committee that serves the same purpose. There is not an intent for both committees to exist in one municipality. He would like to learn more about the proposal; however, there is not sufficient time to address it for the spring Town Meeting. Ms. Van Tine asked for the rule about citizens requesting the Select Board to put an article on the warrant versus a citizens' petition. Ms. Robinson stated she believes the warrant is the responsibility and ownership of the Select Board, and they determine what goes on it. Mr. Wider said this seems like a worthy article to consider, but there does not seem to be time to do the work to consider it for this Town Meeting. Ms. Van Tine agreed it may be ready for fall Town Meeting.

Ms. Susan Klein, Advisory Committee member, stated a version of this proposal was taken up by the Advisory Committee; it was unanimously rejected. She reviewed the difficulty with the structure of the proposal and stated it would eliminate the independent nature of the Advisory Committee. She stated that she does not think the Advisory Committee would support this in the spring or fall Town Meeting.

Ms. Rachel Cochran, 5 Standish Road, stated that she does not think it is safe to have 300 people in the high school for Town Meeting. For people who do not feel comfortable with that, there should be an option to have the meeting outside. This is an important Town Meeting and everyone's voice needs to be heard.

Mr. Peter Chipman, 5 Overlea Road, stated that his proposed submittal was put forth to not box the Select Board into a citizens' petition. He stated this is important going forward; other towns have done it. He stated that he assumes that appointees made by the Select Board may not vote the same as the Select Board. He provided the history of the Advisory Committee and asked the Select Board to review his submittal. Ms. Van Tine stated that if this item were on the fall warrant, the Select Board would make sure it was appropriate. Ms. Klein noted that the Select Board does put forth warrants; the Advisory Committee does not as they are an independent party.

A motion was made by Mr. Kalkut that the Board, in accordance with the General Bylaws Article IV Legal Affairs, Section 1 (Authority of Select Board to institute, prosecute and Compromise Suits) grants approval and ratification with respect to the filing of a complaint in Superior Court for injunctive relief to enable the Town to hold its 2020 Annual Town Meeting outside of the boundaries of Norfolk. 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.

A motion was made by Mr. Kalkut that the Board execute the warrant for the 2020 annual town meeting to be held on June 24, 2020 at the King Philip Regional High School in Wrentham as, based upon consultation with and approval by the town moderator, and its review, and having received authorization from the Norfolk Superior Court, the Select Board has determined that it is not possible to adequately conduct town meeting in a location within the geographic limits of the town in a manner that ensures health and safety. 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 authorizing the Chair to execute a grant application for Federal CARES funding incurred in response to the COVID-19 outbreak

Ms. Robinson stated that earlier this year the Federal government passed the CARES Act, which has provided funding to all 50 states to cover COVID-19 related expenses. The State has committed \$500 million of Massachusetts funds to cities and towns. The amounts are apportioned by population; Norfolk's amount is \$1,056,955. The State is accepting grant applications in two rounds, the first of which closes on June 5th. Costs have been gathered and categorized for all COVID-19 related items and salaries since the federal declaration was made on March 1st for both the town's side and schools; approximately \$104,000 has been spent by both. The grant requires that the Chief Executive Officer (The Board) vote to approve of the application. A second application is expected to be made closer to the end of the calendar year when further costs are known and accounted for. There is also the opportunity for FEMA funds for 75 percent of some specific COVID-related costs.

Mr. Wider requested a breakdown of the \$104,000 and asked if the funds would be designated as Free Cash. Mr. Lindmark stated approximately \$80,000 is on the Town's side, and \$24,000 is from the schools. He stated there will probably be another \$26,000 in costs through July 1st; all directly related COVID-19 expenses are tracked separately. He explained that the reimbursement monies would be added to Free Cash, and he discussed the FEMA and CARES Act reimbursement processes. He reviewed COVID-19 related expense categories such as PPE including face masks and gloves, disinfectant and special sprayers for the application of the disinfectant, plexiglass for accommodations at the Town Hall, changing areas at the police station where officers can change out of their PPE gear, Internet access costs, creation of Zoom accounts, video cameras and other technology. He noted it is not known what additional expenses schools could utilize such as for programing and technology to accommodate remote learning. Mr. Wider asked if the outlined costs include legal counsel costs to change Town Meeting location and costs associated with disinfecting the high school for Town

Meeting. Mr. Lindmark said he would check into it. Ms. Van Tine reiterated the money is for reimbursement of expenses that were not anticipated related to COVID-19. If the expenses can include the legal fees for securing the injunction to hold Town Meeting in Wrentham and the preparation and cleaning of the Town Meeting area, they should be added.

A motion was made by Mr. Kalkut that the Board authorize the Chair to make application to the Commonwealth of Massachusetts for CARES Act funds to reimburse Norfolk for its necessary expenditures due to the public health emergency which began March 1, 2020 to date. It was seconded by Ms. Van Tine. A friendly amendment was made by Mr. Kalkut to change the word "date" in the above motion to "June 30, 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 making appointments to various Town Boards & Committees

Ms. Robinson stated that annually in June the Board begins the process of appointing residents to various boards/committees. These include reappointments for those with terms ending on June 30, 2020, and wish to continue in their roles, and new appointments where there are vacancies. Included in the Select Board's meeting packet is a spreadsheet showing all of the relevant committees and the status of the membership. Committee Chairs have been asked whether members want to be reappointed and if they have any applicants for vacancies. She recommended the Select Board reappoint all of the persons who are highlighted in yellow on the spreadsheet. She noted that the MA Corrections Advisory Committee does not need to be reappointed. She recommended Hilary Cohen to be reappointed as the Animal Control Officer.

Chair Kalkut called a three-minute recess.

Select Board members agreed to reappoint in one motion all of the persons whose names are highlighted in yellow on the spreadsheet provided in the Select Board's meeting packet. Select Board members thanked all committee/board members for their time. Ms. Robinson stated committee/board vacancies would be posted on the Town's website.

A motion was made by Mr. Kalkut that the Board vote to make the appointments to committees for the period beginning July 1, 2020 for all those persons highlighted in yellow on the appointments list. 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 setting the Board's Meeting Schedule for 2020

Ms. Robinson stated that at this time of year, the Select Board typically sets its meeting calendar for the balance of 2020. The Board has traditionally met on the first and third Tuesdays of the month, except during the summer to accommodate time away.

Mr. Kalkut stated that usually one meeting per month is adequate during the summer months; however, this year has brought unique circumstances. Ms. Robinson suggested one meeting in July and two meetings in August, if needed. Mr. Wider and Ms. Van Tine agreed one meeting per month be held during the summer and twice monthly meetings resume in September. Mr. Kalkut stated no motion will be taken at this time; however, a motion will be made at the next Select Board meeting regarding the meeting schedule.

Please consider executing Proclamations for Eagle Scouts

Ms. Robinson stated that a request was received from Mr. Adam Cambria, Scoutmaster for Norfolk Troop 80, for the Select Board to recognize the significant achievement of eight scouts who have attained the ranking of Eagle Scout. Included in the Select Board's meeting packet are proclamations for each of the scouts which outline what they have done to achieve this rank. Mr. Cambria has asked that each scout be recognized on a different day, so that each can celebrate in their own manner. As such, the first proclamation is for June 8th, and the next seven business days after that.

Mr. Kalkut stated that typically the Select Board members join the scouts in their ceremony to celebrate the Eagle Scout recognition. However, due to the current COVID-19 circumstances, the proclamations are a small way to recognize scouts' achievements. Select Board members took turns reading aloud the names, ranks held, number of merit badges earned, and projects completed by each scout to achieve the recognition of Eagle Scout. They thanked the Eagle Scouts for their contributions to the community and congratulated them on their achievements.

A motion was made by Mr. Kalkut that the Board execute proclamations for Owen Conlin, Christopher Currier, Nicholas Dadasis, Casey Frommer, Brendan McLaughlin, Adrian Mercado, Michael Norberg, and Tristan Stephani in recognitions of their attaining the rank of Eagle Scout. 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.

Discussion Items

Please discuss the status of changes to the FY21 budget to achieve reductions approved by the Board

Ms. Robinson stated this item is on the agenda to give the Board an update on actions to balance the budget to the 0.13 percent increase approved at the last meeting. The reduction of \$983,063 was broken down in the following manner: MECC Assessment \$380,564 (with $\frac{3}{4}$ cut now and $\frac{1}{4}$ cut at Special Town Meeting), Town of Norfolk \$204,849, Norfolk Schools \$284,822, and KP Schools \$112,828. She stated that it has not been determined how monies would be reapportioned. She discussed that for the Town-side services, the focus is to mitigate to the greatest extent possible reductions in services that Norfolk residents have. To that end, each of Norfolk's unions has been approached to request that they work with the Town to forgo a portion of their negotiated pay increases for FY21 to make up the budget shortfall. It is believed that the previous work to reduce the budget to what would have been a 2.43 percent budget increase already led to cutting expenses and some positions. Should all four unions agree, it would effect a change to reduce all salary line items by 2.3 percent, including non-union and contracted employees by about 2.3 percent. Should concessions not be successful, a list of other budget reductions that may include either not filling some positions, layoffs, hour reductions, expense reductions or some combination of cuts will be developed.

Mr. Kalkut stated that during the last two Advisory Committee meetings the budget was taken under consideration with dialogue on the proposed budget as well as some other budget alternatives. A budget that reflected a 1.5 percent increase that would have restored funding to the schools and Town departments was discussed. However, the final vote was five to three with one member not in attendance to support the original budget presented by the Select Board. Mr. Wider stated this was a good strategy; if the unions agree, the level of service can be kept and everyone will share in the budget reductions.

Please discuss future changes to the premium cost share for retiree health insurance

Ms. Robinson stated that finalizing adjustments for the budget to be recommended by the Select Board to voters at Town Meeting is in progress. Currently, information has not been provided from the State regarding various revenues the Town receives from them. With that in mind, the Chair placed this item on the agenda for the Board to discuss bringing a vote on this matter back up once there is clarity on revenues, especially if further reductions must be made before the tax rate is set in the fall.

Mr. Kalkut stated the last time this option was discussed, the Select Board agreed that although Norfolk is higher in the Town's contribution than other neighboring towns, they did not believe it was the first step that should be taken to mitigate negative budget impacts. However, if things got dire and revenues come in even lower than expected, they would look at this area again for further consideration. He stated that he wanted to review and reaffirm the Select Board's position on this item.

Mr. Wider stated that one month ago he agreed this item would be open for discussion if the Town got to a dire situation with the budget, but that discussion would include reviewing all other possible savings. He is surprised that this one item is the only tier 2/tier 3 item being discussed. He is concerned that this seems to have a political tone to it. He noted it was brought up at the Advisory Committee, as well. He does not want to see senior retirees become a political pawn in an election year. He noted that this item seems to be a constant issue of some Advisory Committee members. Mr. Kalkut stated this item is on tonight's agenda as a discussion item. The intent is to reaffirm the position of the Select Board that in the current strategy this item does not have a place. The only intention was to clearly identify where in the Select Board's budget responses this falls. Ms. Van Tine said it was her understanding that if all the pieces to reduce the budget do not work, all things would then be on the table, inclusive of this item.

Mr. Kalkut confirmed that the Select Board does not anticipate leveraging this to offset negative budget impacts. However, if the Town gets into a situation where the current budget strategy does not come to fruition, other measures, including this, would have to be considered. Ms. Susan Klein, 11 Keeney Pond Road, said the State allows the Town to be at a 50 percent rate, and Norfolk is paying more. She stated that she has no political agenda, and it is disheartening to say that she does not care. However, if the Town is at a point of cutting salaries of current employees, why would this item with its possible savings not be on the table to be reduce to the state's recommended level. Mr. Kalkut noted that while the measures on the table would remove the increases for union and other Town employees, cuts to those who have a fixed income may be more impactful.

Please discuss reopening plans for Town buildings

Ms. Robinson stated that as the metrics have improved in the State with regard to the COVID-19 pandemic and the governor's phased reopening plan has begun, a reopening plan for Norfolk's Town buildings is in process with focus on the measures needed to be in place to safely start welcoming residents back to Town buildings. She summarized the reopening plan provided in the Select Board's meeting packet. Library staff have begun to return to offer more services on a remote basis. The target for reopening Town Hall is June 8th for services by appointment. The Town Clerk's office has been relocated to the bottom floor, plexiglass has been installed as needed, and the former Town

Clerk's office has been made into a meeting room to conduct business with the public one-on-one. Staff training, putting up posters, and changing signage will begin this week.

Mr. Rosenberg requested that the reopening plan outline the use of the meeting rooms in the library as their use is a different situation than borrowing materials from the library.

Town Administrator Update

Ms. Robinson stated that this agenda item is on a trial basis to provide the Select Board and the public with some updates and insights to Town operations. She stated the DPW went live with the auction; they brought in \$17,600. The Town was planning to do a real estate auction earlier this year, but it was derailed because of the pandemic; it is now planned for the fall. The Moderator's Meeting to plan for Town Meeting is scheduled for Wednesday, June 10th at 9:30 AM. The Municipal Affordable Housing Trust made a bid for a property on Leland Road which was accepted. Lake Street had the first course of paving done. Some questions were raised by an abutter about where work can and cannot be done; Town Counsel is now involved. This is hoped to be resolved in the next few weeks, and the job can be finished.

Report of Warrants

The following warrants have been signed:

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

- 5/10/2020 47V20 \$2,500,882.06
- 5/22/2020 23P20 and 23PS20 \$823,545.05

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.

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

- 5/26/2020 48V20 \$361,177.73
- 5/26/2020 48VS20 \$67,046.93

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.

Approve Minutes

A motion was made by Ms. Van Tine that the Board approve the minutes of the April 7, 2020, and April 21, 2020 regular meeting. 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.

Ms. Robinson stated she will let the Select Board members know if a meeting needs to occur before June 16th regarding the outdoor seating for restaurants. Mr. Wider asked where the Town is in tax collection. Ms. Robinson stated she will check with the Treasurer/Collector.

At 9:26 p.m., a motion was made by Mr. Kalkut to adjourn the meeting. 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.

The next meeting of the Norfolk Select Board is scheduled to be held remotely on Tuesday, June 16, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's remote meeting of June 2, 2020.

CiCi Van Tine, Clerk

Norfolk Select Board's Open Session Meeting Minutes June 9, 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 7:05 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 June 9, 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.

Action Items

Please consider approval of an application from the Eagle Brook Saloon to alter their licensed premises for the service of alcohol to accommodate additional outdoor dining

Ms. Robinson stated this item is to approve a change of premise for Eagle Brook Saloon for the service of alcohol. Besides a motion to approve the change, she recommended that the Select Board waive the \$500 building permit fee that would otherwise be charged to inspect the tent the restaurant is planning to use. She suggested that the Town can forgo that fee in order to help out a Norfolk business in this tough time. She stated that should the Select Board approve the application, Eagle Brook intends to begin outdoor service this Thursday. She also noted that the owner agreed to the Police Chief's request to have a detail officer for the few days to make sure things go safely, and they will revisit that to see if it is still needed afterwards. The Board discussed the reopening plan. Mr. Wider and Ms. Van Tin expressed concern about asking the restaurant to pay for a detail officer given the economic hardship of being closed for several months. They also noted that the owner seemed to have a thorough plan to address safety. Ms. Robinson indicated that staff was concerned about people driving through the parking lot while diners and servers might also be traversing the area, which is why the detail was recommended. The Board indicated that they preferred not to require a detail and instead that the police department monitor the situation to see how things were going.

A motion was made by Mr. Kalkut that the Board approve an application from the Eagle Brook Saloon to alter their licensed premises for the service of alcohol to accommodate additional outdoor dining in accordance with Governor Baker's Order regarding the State's reopening plan. Furthermore, this expanded license will remain in effect until November 1, 2020 or until the order is rescinded. 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.

A motion was made by Mr. Kalkut that the Board waive the \$500 building permit fee otherwise required for the inspection of a tent erected as part of the Eagle Brook Saloon's reopening plan. 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.

At 7:28 p.m., a motion was made by Mr. Kalkut to adjourn the meeting. 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.

The next meeting of the Norfolk Select Board is scheduled to be held remotely on Tuesday, June 16, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's remote meeting of June 9, 2020.

CiCi Van Tine, Clerk

Norfolk Select Board's Open Session Meeting Minutes June 16, 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 June 16, 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.

Executive Session

Executive Session under M.G.L. c.30A, §21(a)(3) to discuss settlement of litigation, specifically James B. Lorusso Trustee v. the Zoning Board of Appeals and Marie & Bruce Simpson Land Court Case #18MISC16943

At 7:05 p.m. a motion was made by Mr. Kalkut to move that the Board vote to enter into Executive Session under M.G.L. c.30A, §21(a)(3) to discuss settlement of litigation, specifically James B. Lorusso Trustee v. the Zoning Board of Appeals and Marie & Bruce Simpson Land Court Case #18MISC16943, and further to invite Town Counsel Cynthia Amara, Town Administrator Blythe Robinson, and Executive Assistant Judith Lizardi. The Board will reconvene into open session at the end of the executive session. The motion 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.

At 7:14 p.m. a motion was made by Mr. Kalkut to close the Executive Session and enter into open session. 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.

At 7:17 p.m. the open session of the meeting resumed.

COVID-19 Updates

Ms. Robinson stated that the Town website has been revised with a separate section for all COVID-19 related information including the number of cases, open Town buildings, municipal services, and restaurant and business information. She noted there have been no new cases of COVID-19 in the past week in Norfolk with the number of cases remaining at 25.

Public Comment

None.

Action Items

Please consider making appointments to various Town Boards & Committees

Ms. Robinson stated that this item is on the agenda for the Select Board to continue making appointments to various boards/committees. The Select Board's meeting packet contains information for the Board to consider appointment of Val Stone to the Conservation Commission. There is a joint appointment up for renewal of Mr. Brian Mushnick to the Tri-County School Committee. This appointment requires a joint vote of Norfolk's Select Board Chair, Norfolk's local School Committee Chair, and Norfolk's Moderator per the School's Superintendent-Director Stephen Dockray. Both School Committee Chair Thomas Doyle and Moderator Jay Talerman have been invited to the meeting to act on this appointment. Also provided in the Select Board's meeting packet is an updated spreadsheet showing all of the relevant committees and the status of the membership. Those persons who are highlighted in yellow are requesting reappointment.

Mr. Val Stone provided background information about himself and stated that he has a master's degree in sustainable agriculture and is interested in conservation. Mr. Wider stated that from Mr. Stone's resume, it looks like he would make a great contribution to the Conservation Commission.

Mr. Mushnick provided background information about himself and stated that he is currently the vice chair of the Tri-County School Committee. He noted that he attended the Tri-County Regional Vocational Technical School many years ago.

A motion was made by Mr. Kalkut that the Board vote to appoint Val Stone to the Conservation Commission. 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.

A motion was made by Mr. Kalkut that the Board vote that Brian Mushnick be reappointed to the Tri-County School Committee. It was seconded by Mr. Doyle. A roll call vote was taken as follows: Mr. Kalkut – aye; Mr. Doyle – aye. All were in favor. Mr. Jay Talerman, Moderator, was not in attendance at the meeting to vote.

A motion was made by Mr. Kalkut that the Board vote to make appointments to committees for the period beginning July 1, 2020, for all those persons highlighted in yellow on the appointments list. 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 to file an application with the State Dept. of Local Services to implement a FY21 1/12 spending plan

Ms. Robinson stated that in an abundance of caution, this item is on the agenda so the Select Board can approve the filing of a 1/12 spending plan for FY21. This could become necessary if for some reason the annual Town Meeting is not finished by midnight on June 30th, or the meeting had to be postponed into the month of July or later. The State Dept. of Local Services has strongly urged all communities to submit these at their earliest convenience so they can review them and be ready to approve them for communities if need be without delay. Included in the Select Board's meeting packet is the plan developed by Finance Director Todd Lindmark, as well as the relevant section of the Acts of

2020, Chapter 53 as guidance on this topic. The law allows for full prepayment of expenditures that are generally paid at the beginning of the year such as pension assessments, insurance premiums, contractual obligations, and debt service payments, as well as regular expenditures such as payroll and expenses.

Mr. Kalkut noted that Town Meeting is scheduled for next Wednesday with both inside and outside seating planned. A plan is currently being worked on in the event of rain. Mr. Lindmark reviewed scheduled payments due on July 1, 2020.

A motion was made by Mr. Kalkut that the Board approve the filing of an application with the State Dept. of Local Services to implement a FY21 1/12 spending plan should the Town be unable to complete Town Meeting prior to midnight on June 30, 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 authorizing the Chair to submit a request to the State Dept. of Local Services to deficit spend for COVID related expenses for FY2020

Ms. Robinson stated that the Town applied for a portion of the Federal CARES Act funds allocated to Norfolk by the State and is in the process of submitting a similar request to FEMA. While the CARES funds are expected shortly, the FEMA funds may take longer to receive. The State Director of Accounts has the authority to give approval for the Town to deficit spend such accounts provided the Town submits a request to do so. This item is being requested for the approval of the Select Board to ensure that should it be necessary; the Town is able to deficit spend relevant accounts and that it will not be determined as a negative adjustment to Free Cash. A copy of the State bulletin on this topic is included in the Select Board's meeting packet.

Mr. Lindmark stated the Town already received CARES funds of approximately \$49,000.

A motion was made by Mr. Kalkut that the Board authorize the Chair to submit a request to the State Dept. of Local Services to deficit spend for COVID related expenses for FY2020. 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 the Board's preference to take a position on any articles on the Annual Town Meeting Warrant

Ms. Robinson stated that included in the Select Board's meeting packet is a copy of the motions for Town Meeting and the warrant articles. The motions were discussed at the Moderator's meeting last week and are almost in their final form. Also included are the Transfers for Article 3 and the Water Budget for Article 6. These both need to be voted on as Free Cash or retained earnings are used. She noted that the Select Board can discuss any of the articles as to whether or not the Board wants to take a position on them, particularly those brought by other boards or citizens' petitions.

Mr. Kalkut asked if historically the Select Board takes positions on specific articles. Mr. Lindmark stated that if the Select Board feels strongly on any article, it is usually discussed at Town Meeting. Ms. Van Tine agreed. She noted that if she feels strongly about a specific article, she will let her position be known as a towns person and a taxpayer.

A motion was made by Mr. Kalkut that the Board approve the utilization of \$136,207 of Free Cash for Year End Transfers in Article 3, and \$173,000 in Water Retained Earnings for Article 6. 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 changing the date and location of the annual town meeting currently scheduled for June 24th

Ms. Robinson stated that in the past two weeks there have been several meetings and multiple conversations about the best location for Town Meeting within the High School complex, either the football field or a combination of the cafeteria and a roped-off area outdoors adjacent to that space, as well as whether a 7 PM start is a good idea if late day thunderstorms are a concern and/or the quality of the lighting on the football field is at issue. Another meeting is planned for Monday with KP staff to continue discussions and determine a final plan. She noted that the Moderator suggested that perhaps the Board would want to entertain the idea of changing Town Meeting to Saturday, June 27th, and as well, whether it should remain at the High School or be on a field in Norfolk. She stated that the details of the final plan regarding location, time, access, and safety will be posted to the Town website.

Mr. Kalkut thanked the KP staff for their efforts in planning how to execute Town Meeting in the safest way for the community.

No motion was made for this agenda item.

Please consider setting the Board's Meeting Schedule for 2020

Ms. Robinson stated that at the last Select Board meeting it was agreed to formulate the calendar at this meeting, with the understanding that there would be one meeting each in the months of July and August, and then the Select Board would return to a more typical schedule beginning in September. The Board has traditionally met on the first and third Tuesdays of the month, except during the summer to accommodate time away.

Select Board members discussed and confirmed the following Select Board meeting dates: July 14, August 11, September 1, and September 15, 2020.

No motion was made for this agenda item.

Please consider approval of the request by Exhale School of Dance to hold a dance celebration on Town Hill on Saturday, August 22, 2020, from 10 AM to 4 PM with set up beginning at 8 AM with a rain date of August 23, 2020

Ms. Robinson stated that a request from Jennifer Cote, Owner and Director of the Exhale School of Dance, to utilize Town Hill for an outdoor celebration of dance on August 22, 2020, was received. This business has been impacted by the limitations required during the pandemic, and they would like to hold this celebration outdoors to comply with current orders issued by the State. All of the relevant departments have signed off on this event, and there are no other scheduled activities that day. She noted the Town does not typically rent the Town Hill space for private events; however, this event is intended to be a public celebration. She stated that Ms. Cote has requested to use a 20 ft. x 30 ft. tent during the event to keep the dancers covered from the heat. As the Select Board did for the restaurant at the last meeting, Ms. Robinson recommended the required building permit be obtained and safety inspection be conducted, but the fee for the permit be waived.

Ms. Cote stated that her business has been open for three years. They have been conducting virtual classes during the pandemic. This event is meant for closure and a sense of ending the season; they are excited to have this celebration. She stated she is requesting the tent because she is concerned about sun exposure for the dancers. Mr. Kalkut stated that in the Select Board's efforts to assist small businesses in Town to get back up and running, he is inclined to do whatever the Board can to assist.

A motion was made by Mr. Kalkut that the Board approve the request by Exhale School of Dance to hold a dance celebration on Town Hill on Saturday, August 22, 2020, from 10 AM to 4 PM with set up beginning at 8 AM with a rain date of August 23, 2020, and further that the building permit fee for the tent be waived by the Town. 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

Discussion Items

Please discuss future additional public health staffing with the Board of Health

Ms. Robinson stated that included in the Select Board's meeting packet is an email from Ms. Fran Sullivan, a member of the Board of Health, requesting the Select Board and Advisory Committee consider increasing the FY21 Board of Health budget to add a part-time Public Health Director not only due to the current pandemic, but for other reasons regarding effective public health measures. This item has been placed on the agenda so that the Select Board can have a discussion with the members of the Board of Health on this topic. Also included in the meeting packet is background on eligible expenses under the CARES Act, which Ms. Sullivan identified as a funding source. Ms. Robinson stated that she agrees with Ms. Sullivan that Norfolk has not traditionally focused enough resources on public health, which has been very apparent during this pandemic. She noted the Town has been well supported by Norfolk's VNA assigned nurse Alyssa Kaiser, and the Town has received additional separate grant funding to cover a fair amount of the needed nursing services which are eligible expenses under CARES or FEMA. However, she pointed out that those funds will only be available through the end of this calendar year. She suggested that a longer-term solution is needed and this meeting can be a starting point for what both the Board of Health and Select Board may want to accomplish. For various reasons, conversations with KP partner towns earlier this fiscal year who have more resources in this area than Norfolk did not enable this to be brought forward as a regional plan; she recommended those conversations be restarted which might enable a plan to be put together before fall Town Meeting to ask for funding. At this juncture, the pandemic at present must be addressed. She stated she does not recommend increasing the budget that Town Meeting will vote on June 24th as it is not known what the revenue picture will be for FY21, and further budget cuts may be required.

Ms. Sullivan thanked the community for all they have done throughout the pandemic. She stated that she thinks that in the long term, COVID-19 is not going to go away. She noted there will be a flu clinic in the fall and possibly other clinics if a COVID-19 vaccine is established. Many businesses are reaching out to her for guidance on reopening. She stated that they could use one person as a point person to take the burden off others who are doing this work. She stated that the Town could use at least a part-time director of public health, someone with a master's degree in public health.

Mr. Kalkut thanked Ms. Sullivan and the Board of Health for their leadership during this time. Mr. Wider noted that Ms. Robinson suggested regionalization of this initiative. Ms. Robinson stated that she has had conversations with Wrentham as they have two public health nurses on staff. There may be an opportunity for an intermunicipal agreement to possibly buy some nursing services through

Wrentham. Mr. Wider asked if there is a way to obtain some part-time help and apply it to the CARES Act funding. Ms. Robinson stated that she does not know when the next CARES Act application will be available.

Ms. Ilene Segal, Board of Health member, stated they spent \$9,000 during this time. She stated the Wrentham grant application was not accepted as five communities were needed to apply together. She talked about the regionalization of local boards of health and noted they are all volunteers and not paid. She discussed the roles of the board of health and stated that getting someone to help would be good at this time. Ms. Van Tine stated that she appreciates this being brought to the Select Board. However, it is premature to add another position to the Town as the budget is very tight; she is not comfortable adding positions when they may be asking for cuts. She noted appreciation that people are exploring other avenues for gaining the funds necessary. She agreed it is an important role, but is mindful that the resources to pay for it may not be available by the Town. Mr. Kalkut stated he believes there is still much to learn about what is going to be involved in the future with opening the schools. He would be happy to learn more about the potential for regionalization. He noted that he shares Ms. Van Tine's concerns that there are a number of areas that resources need to be dedicated, and it would be difficult to add positions while trying to maintain the positions that the Town currently has. He thanked Ms. Sullivan and Ms. Segal for their participation in the meeting and stated he would look forward to exploring this further.

Please discuss status of changes to the FY21 budget to achieve reductions approved by the Board

Ms. Robinson stated this item is on the agenda to give the Board an update on actions to balance the budget to the 0.13 percent increase approved. The reduction of \$983,063 was broken down in the following manner: MECC Assessment \$380,564 (with $\frac{3}{4}$ cut now and $\frac{1}{4}$ cut at Special Town Meeting), Town of Norfolk \$204,849, Norfolk Schools \$284,822, and KP Schools \$112,828. She stated that included in the Select Board's meeting packet is the budget with adjustments to reflect the Town's share of the reductions. Over the last two weeks considerable time was spent meeting with the Town's unions to determine if concessions could be achieved, which were unsuccessful thus other reductions were made. Included in the meeting packet is a list of the adjustments made. She noted that the overall budget increase on the last page of the document shows both a .36 percent and .13 percent increase. The difference is the MECC assessment being left in the budget at this time of \$95,141 to cover Norfolk's first quarter payment if needed. The Intermunicipal Agreement adding the two towns is expected to be executed next week. She reviewed each of the eight budget adjustments which together total \$205,000. She noted the plan is to post the budget to the Town's website tomorrow. She thanked Mr. Lindmark for the work he has done putting together these budget iterations.

Mr. Kalkut stated appreciation for the initiative of Ms. Robinson and other department heads who volunteered not to take any salary increase. Ms. Van Tine recognized and appreciated what everyone had to give up for this budget. Mr. Wider said it was great that everyone was able to come together to get to the budget number needed.

Mr. Haddad, 138 Red Maple Run, noted the extraordinary efforts Ms. Robinson and Mr. Lindmark have made to bring the budget home, and he admires what they have done to make it happen. He asked if the unions and department heads that did not give back could be identified as he wanted to recognize those who did step forward. Ms. Robinson said she respectfully declined to answer as it is not a good management practice to put one against another. In this particular year, none of the union contracts were open; there was no obligation for the unions to bargain with the Town. As well, it is a personal decision for the department heads if they want to be identified as having given up their increase.

Town Administrator Update

Ms. Robinson provided some updates and insights to Town operations. She stated that the MECC Board met and all four towns voted to change the intermunicipal agreement to add Mendon and Millville; the agreements will be signed by the end of the month. The Town's 2019 Annual Report was received today. The electronic version should be posted on the Town's website tomorrow; 100 hard cover reports were purchased and are available. The budget will be posted on the website tomorrow. She stated the State Senate is working on a \$300 million bill which the governor plans to sign; this would bring \$200,000 to Norfolk. She discussed a problem with the chiller in the Library; \$10,000 from Facilities will be needed to fix the problem. Through a MIIA wellness grant which required no matching funds from the Town, the Town was able to purchase \$12,000 of fitness equipment for the police station. The DPW has been notified by Columbia Gas that the gas main extension project which was shut down last fall will be restarted. An announcement will be forthcoming on the website regarding the transition from trash bag stickers to trash bags; the announcement will include the details of this transition as well as the names of local retailers who will be stocking bags for purchase by residents.

Report of Warrants

The following warrants have been signed:

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

- 3/13/2020 18P20 & 18PS20 \$836,371.52 (Revised)
- 6/1/2020 37ADJ20 \$-9.00
- 6/2/2020 49V20 \$442,406.27

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.

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

- 5/29/2020 LUMP20 \$1,569,917.40
- 6/5/2020 24P20 & 24PS20 \$825,363.30
- 6/9/2020 50VS20 \$97,519.60
- 6/9/2020 50V20 \$583,069.58

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.

Approve Minutes

A motion was made by Ms. Van Tine that the Board approve the minutes of the May 19, 2020, regular meeting. 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.

Mr. Kalkut reminded residents about the Town election on June 23, 2020, including mail-in ballots and in-person election hours. He noted that Town Meeting is scheduled for June 24, 2020, and additional information will be provided on the Town website.

At 8:42 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, July 14, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's remote meeting of June 16, 2020.

CiCi Van Tine, Clerk

Norfolk Select Board's Open Session Meeting Minutes June 27, 2020

Members Present: Kevin Kalkut; CiCi Van Tine; Anita Mecklenburg. Members Not Present: None. Also Present: Blythe Robinson, Town Administrator; Todd Lindmark, Finance Director.

This meeting was held at King Philip Regional High School, Room 442 (Main Office), 201 Franklin Street, Wrentham, MA. Mr. Kalkut called the meeting to order at 9:14 AM.

Please consider approving a resolution regarding COVID-19 State Funding

Ms. Robinson stated that the School Committee has adopted this resolution to request the State fully fund the additional costs related to opening school this fall given the COVID-19 pandemic. Through the Superintendent, they have asked the Select Board if they would support it as well. The Board discussed the matter briefly and indicated their support for it.

A motion was made by Mr. Kalkut to adopt the Norfolk Select Board Resolution: COVID-19 State Funding regarding Full State Funding for COVID-19 related expenses. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Pre-Town Meeting Discussion

Ms. Robinson provided the Board with an update on Articles 4 & 10. Regarding Article 4, she recommended indefinite postponement as budget adjustments needed to balance the budget eliminated the ability to provide non-union employees a COLA. Regarding Article 10, the School has identified additional savings this year so they would like to contribute \$250,000 to this fund rather than \$100,000. This is the maximum amount that such a fund can have.

Please consider approval of the following warrants:

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

- 6/16/2020 51V20 \$481,861.34
- 6/19/2020 25P20 & 25PS20 \$530,024.04

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

Attend Town Meeting

At 9:37 a.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 of the Norfolk Select Board is scheduled to be held remotely on Monday, June 29, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's meeting of June 27, 2020.

CiCi Van Tine, Clerk

06-27-20

DRAFT

**Norfolk Select Board's Open Session Meeting Minutes
June 29, 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. 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 June 29, 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.

Public Comment

None.

Action Items

Please consider the extension of an interim restraining order for a dog owned by Ms. Melissa Mitchell in accordance with the Town's General Bylaws, Article XIII, Section 3.F.

Ms. Robinson stated that included in the Select Board's meeting packet is a temporary restraining order issued by Hilary Cohen, the Town's Animal Control Officer, to Ms. Melissa Mitchell for her dog as a result of an incident on June 13, 2020. On that day, Ms. Mitchell's dog, Annabell, bit a minor child who was present on her property. The Town's General Bylaws, also included in the meeting packet, provide that the Animal Control Officer may issue a temporary restraining order for up to 14 days after which the order can be either extended by the Select Board, or vacated if the Board takes no action. The date of this meeting is the fourteenth day after the restraining order was received by the Town Administrator's office, and thus the last day that the Board can act if it decides to do so. She stated that this is not a hearing; it is a meeting to determine if the restraining order should be extended. She noted that a written complaint was received from the family of the victim, and there is some history with the animal. She explained that there is state law regarding hearings, and if one is requested, a specific process must be followed. She recommended a limited extension of the restraining order to allow that process to take place. The following parties were present at the Zoom meeting: Hilary Cohen, Animal Control Officer; Melissa Mitchell, dog owner; Sarah Durand and Brian Beachkofski, parents of the minor child; and Christopher Wider, Animal Inspector. Mr. Wider's role in this event was to quarantine the dog for 10 days after being alerted to the incident by the Animal Control Officer per State law.

Ms. Cohen provided a brief background regarding the history of this dog. She reviewed a situation occurring in July 2017 when she was contacted by the Norfolk Police Department to contact Ms. Durand of 94 Boardman Street due to an incident involving Ms. Mitchell's dog. In this instance, the dog, Annabell, bit Ms. Durand's dog. Ms. Cohen contacted the Animal Inspector and the dog was quarantined for 10 days. A written warning for biting and unlicensed dog was issued. Ms. Cohen noted that it is also reported that a previous incident occurred, but it was never reported to her. The newest incident reported on June 13th involved the same dog. She described the incident as outlined in the materials provided in the Select Board's meeting packet. Ms. Cohen stated that she is requesting an extension of the restraining order to allow time to speak with this animal's dog trainer to obtain more information regarding the training plan going forward to determine whether a hearing is needed or if this can be resolved without a hearing.

Ms. Van Tine summarized that because Ms. Cohen has not yet been able to speak with the dog trainer, this situation is not ready to be determined beyond an extension. Mr. Kalkut stated there is disparity between the local bylaws and state law. Ms. Cohen discussed the Town bylaws. Mr. Kalkut confirmed that the Select Board is able to enact an extension. Ms. Robinson stated that Town Counsel's recommendation was to allow a brief extension of 30 days so the family of the injured party can make a request for a hearing and that the dog trainer can provide information, as well. She noted the next Select Board meeting is scheduled for July 14, 2020. Mr. Kalkut confirmed with Ms. Cohen that if the Select Board does not act to extend the restraining order at tonight's meeting because of perceived differences between local bylaws and state law, the order would vacate. Ms. Robinson stated that in order to make sure the hearing process is preserved, it would be best to not take any input from the dog owner or the parents of the dog bite victim at this time. She stated that she believes the family has the right to request a hearing even if more information is obtained from the trainer.

A motion was made by Mr. Kalkut that the Board vote to extend the restraining order issued by the Animal Control Officer for the dog named Annabell, owned by Ms. Melissa Mitchell, for a period of 30 days. 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 ratifying the designation of the Police Chief to file notice with the Attorney General's Office regarding the postponement of the Annual Town Meeting date to June 27th

Ms. Robinson stated that in response to the COVID-19 pandemic a number of legislative changes were approved by the State to facilitate spring town meetings and provide towns with flexibility to address financial matters. In particular, Moderator's were given more latitude to change the date of a Town Meeting in order to address either inclement weather, a public safety emergency, or both that would impact those attending the meeting. Besides the Moderator issuing a notice of declaration to recess or continue the meeting, a required step is to have "a local public safety or public health official designated by the Board of Selectmen" submit a report to the Attorney General providing justification for the declaration, per section "d" of the statute. As the decision to change the meeting date did not occur until Monday, June 22, 2020, there was no time to have the Select Board meet to vote on the declaration. At Town Counsel's recommendation, this notice has already been filed under the signature of the Police Chief. Town Counsel further recommended that the Select Board act to ratify the designation of the Chief for this purpose. Copies of the letter, Moderator's declaration, and the law on this topic are provided in the Select Board's meeting packet.

A motion was made by Mr. Kalkut that the Board ratify the designation of the Police Chief to file notice with the Attorney General's Office regarding the postponement of the Annual Town Meeting date to June 27th. 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.

Report of Warrants

The following warrants have been signed:

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

- 6/23/2020 52V20 \$717,279.00
- 6/23/2020 52VSA20 \$230.37
- 6/23/2020 52VS20 \$65,635.46

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

Public Comment

Ms. Mitchell clarified the incident involving her dog in July 2017. She stated that the Mitchell's dog came onto her property when it was nipped by her dog, Annabell. She stated that Annabell is a rescue dog. Mr. Kalkut explained that testimony will not be taken at this time; this meeting is only to extend the restraining order. Ms. Mitchell questioned the disparity between the town bylaws and state law and expressed concern that the correct process has not been followed. Mr. Kalkut noted there is a conflict between local bylaws and state law; as such, the Select Board obtained a recommendation from Town Counsel which is the action they are taking in order to determine additional facts. He stated that the concerns of Ms. Mitchell will be reported to Town Counsel.

At 7:34 p.m., a motion was made by Mr. Kalkut to adjourn the meeting. It was seconded by Ms. Mecklenburg. A roll call vote was taken as follows: Mr. Kalkut – aye; Ms. Van Tine – aye; Ms. Mecklenburg – aye. All were in favor.

The next meeting of the Norfolk Select Board is scheduled to be held remotely on Tuesday, July 14, 2020, at 7:00 p.m.

This is a true and accurate report of the Select Board's remote meeting of June 29, 2020.

CiCi Van Tine, Clerk