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**FALL TOWN MEETING**  
**NOVEMBER 10, 2009**

**ADVISORY BOARD LETTER**

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**NORFOLK ELEMENTARY SCHOOL BUILDING LETTER**

**NORFOLK PUBLIC SAFETY BUILDING LETTER**

October 24, 2009

The Advisory Board is pleased to present the warrant and its recommendations for the upcoming town meeting. We anticipate a robust discussion of issues very important for the town and urge you to come to the meeting and contribute to the debate.

The dominant issues on the warrant are recommendations for the town to proceed with approximately \$47 million in construction of a replacement for the existing Freeman Centennial School and Public Safety building. The school accounts for approximately \$37 million of this investment and the public safety building approximately \$10 million.

There are two key considerations behind our recommendation to proceed with both these investments and a third consideration unique to the school.

First, the need for the proposed new construction has been clearly established. The alternative to not replacing the buildings would be repair and refurbishments to the existing buildings. Those expenses would be funded from the town's operating budget (which, as you will recall, has been stripped of all capital spending for repairs and refurbishments for the last two years). The building committees have estimated that the necessary repairs and refurbishments would, over the next ten years, be comparable to or in excess of the cost to the town of the new construction.

Second, the current weak construction market will allow the town to realize significant savings relative to past periods or likely future conditions. The building committees have both suggested that savings in excess of 10% of the proposed construction budget could be realized if the town acts promptly.

We believe these considerations are sufficiently compelling to justify the investments.

In addition, the new school construction has been approved by the state to receive a subsidy for the new construction, for approximately 47% of the total cost of the program (and 53% of the cost of the components that meet state minimum requirements). That subsidy is worth about \$17 million to Norfolk. It is likely that Norfolk will lose eligibility for that support unless it acts promptly to approve the new school. The availability of this subsidy, provided by taxpayers of the entire state, provides a significant incentive to proceed with the school.

It should be noted that the new building recommendations represent many years of thought and investment on the part of the town. Most recently the town funded its share of a \$0.5 million feasibility study confirming the need for the new school, preparing a design, and supporting the application to the state for support. The town has spent approximately \$0.5 million to acquire land for the new public safety building and to prepare the initial designs and proceed with plans as required by the state. The AB believes the resulting proposals reflect careful thought and commitment of substantial resources and have resulted in the best options for the town.

In making its recommendations the AB is mindful of the continued financial stress of the town and its citizens. We are entering the second year of the worst post-war recession and the situation is likely to get worse before it gets better. Cuts in state aid for the current year and even more substantial cuts for next year's budget are likely. Cost savings and funding from one-time sources that benefited this year's budget are not likely to be realized next year.

Those reductions in state aid and increased costs will have to be offset by cuts in town services or an increase in our taxes – most likely a combination of both.

The AB has struggled to balance these deep financial stresses with the need to invest in the new school and public safety building. We are concerned that our recommendations clearly reflect a sound and prudent plan for the town. How can we recommend expanding the town's infrastructure knowing that we will in the near future recommend cuts in services and increases in taxes for operating purposes?

Three considerations guide our recommendation in these difficult times. First is that the proposed investments are necessary to maintain Norfolk's existing level of educational and public safety services. The proposed plans do account for changing educational standards and practice but are not an investment in expanded services. If the town does not support these investments to maintain service standards we recommend that it make some hard decisions on how to trim services and reduce ambitions for quality of life in the town.

Second we believe that the current financial crisis will not last indefinitely. The overall economy is likely to improve, state support for Norfolk's budget is likely to increase modestly, and the investments the town has made in encouraging commercial development will expand its tax base. These factors lead us to believe that the town's financial resources will recover and expand over time, easing the current strains.

Finally (but perhaps least satisfyingly) if we don't replace the school and public safety buildings we will have to repair them. Those repairs are going to be expensive and unsatisfactory in light of the sadly deteriorated condition of the existing buildings. And they will have to be funded from the town's operating budget at the expense of existing services.

We do not want to overlook articles in the warrant to support a road maintenance override; to fund a new town well; revise town bylaws for office hours, senior citizens property tax deferrals and political signage; and to buy a police cruiser. We support these proposals and believe they are relatively non-controversial.

Come to the town meeting on the 10<sup>th</sup> of November. Listen to the questions and concerns of your neighbors. Make sure that your questions and concerns are addressed. We look forward to seeing you there!

# FALL TOWN MEETING WARRANT

**NORFOLK, ss.**

To either Constable in the Town of Norfolk, in said County:

## **GREETINGS:**

You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, 3 and 4, to meet on Tuesday, the 10th day of November, 2009, at 7:00 p.m. at the King Philip Middle School, 18 King Street, Norfolk, MA 02056, for a Special Town Meeting, then and there to act on the following articles, viz:

### **ARTICLE 1**

**Submitted by the Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to be added to departmental budgets and appropriations for the fiscal year ending on June 30, 2010; or take any other action relative thereto.

### **RECOMMENDATION:**

The Advisory Board ("AB") will make its recommendation at Town Meeting.

### **ARTICLE 2**

**Submitted by the Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to pay unpaid bills of a prior year pursuant to Massachusetts General Laws Chapter 44, Section 64; or take any other action relative thereto.

### **RECOMMENDATION:**

The AB will make its recommendation at Town Meeting. We are not aware of any prior year outstanding bills at this time.

### **ARTICLE 3**

**Submitted by the Town Clerk**

To see if the Town will vote to accept the provisions of MGL Chapter 41: Section 110A. Office hours on Saturday; or take any other action relative thereto.

### **RECOMMENDATION:**

The AB recommends approval of this article. The change will allow the Town Clerk greater flexibility in maintaining office hours for voter registration.

## **ARTICLE 4**

### **Submitted by School Building Committee**

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for replacement of the elementary school located on Boardman Street, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”) provided, however, that this appropriation and debt authorization be contingent upon passage of a Proposition 2½ debt exclusion referendum under General Laws Chapter 59, § 21C(k). The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that Norfolk may receive from the MSBA for the Project shall not exceed the lesser of (1) 53.16 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or take any other action relative thereto.

### **RECOMMENDATION:**

The AB recommends approval of this article.

The total cost of the proposed new school is approximately \$37 million. That includes approximately \$33 million in facilities that the State has judged as necessary to meet Norfolk’s educational requirements and approximately \$4 million in additional capacity that the School Building Committee regards as essential to fulfilling the School’s mandate in Norfolk. This budget includes necessary furniture, technology, and other fittings necessary to upgrade the entire facility to the appropriate standards.

The proposed new construction, will avoid costly repairs and upgrades to the existing facility. Beginning construction now is expected to yield savings as a result of the weak construction market.

Savings from these considerations could be substantial. The School Building Committee has indicated that nearly \$17 million in repairs to the existing facility may be necessary over the next ten years if the building is not replaced. And indications based on recent construction bids elsewhere suggest that savings in excess of 10% could be realized relative to the proposed construction budget.

In addition, the State has confirmed State funding for approximately 47% of the total construction costs – worth more than \$17 million to Norfolk. All taxpayers in the State of Massachusetts will thus contribute to the cost of building the new school. It is likely (although not certain) that Norfolk will lose the State support if it decides not to proceed with the school construction at this time.

After the State subsidy the cost to the town of the new school is nearly \$20 million. That is only \$3 million higher than the costs to refurbish the school for a ten-year life. New construction is clearly a better strategy.

From an educational perspective, the new school will provide a significantly better environment for students and teachers better suited to current educational practice.

From a community perspective, the new school will provide enhanced recreational opportunities for the Town through the new gymnasium and the auditorium/cafeteria.

**ARTICLE 5** **Submitted by Public Safety Building Committee**

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the Public Safety Building Committee for renovation, replacement or a combination of renovation and new construction of the Norfolk Public Safety Building, located at 117 Main Street provided, however, that this appropriation and debt authorization be contingent upon passage of a Proposition 2½ debt exclusion referendum under General Laws Chapter 59, § 21C(k); or take any other action relative thereto.

**RECOMMENDATION:**

The AB recommends approval of this article.

The total cost of the proposed new Public Safety Building is approximately \$10 million. That reflects the minimum requirements for Norfolk's existing fire and police services as well as likely growth in those requirements over the next thirty years.

The proposed new construction, will avoid costly repairs and upgrades to the existing facility. Beginning construction now is expected to yield savings as a result of the weak construction market.

Savings from these considerations are substantial. The Public Safety Building Committee has indicated that the cost to repair and refurbish the existing facility over the next ten years will essentially match the cost of new construction. And indications based on recent construction bids suggest that savings in excess of 10% could be realized relative to the proposed construction budget.

Construction of the Public Safety Building will not receive State support. The Fire and Police Departments will pursue grants and other support for the building.

The existing facility was built in 1966. It now fails to meet the needs of the Police and Fire Department. It is unsafe and unsanitary and in some cases represents a clear risk to the current occupants. Tours by the AB of the existing

facility have convinced us that the building should be replaced as soon as possible.

**ARTICLE 6**

**Submitted by Board of Selectmen**

To see if the Town will appropriate the amount of \$200,000, subject to a Proposition 2 ½ operating override, for purposes of funding the Town of Norfolk Road Maintenance Stabilization Fund; or take any other action relative thereto.

**RECOMMENDATION:**

The AB recommends approval of this article.

The original article was approved at the previous town meeting but the vote was not tallied to confirm that it was approved by the required two-thirds majority. Because of this procedural failure the motion must be re-voted.

Should the town pass the necessary override the tax impact will not be felt until fiscal 2011. Funds from the Road Maintenance Stabilization Fund will not be available to be expended until fiscal year 2012.

**ARTICLE 7**

**Submitted by the Board of Selectmen**

To see if the Town will vote to appoint any committee, or hear or act on the report of any committee or town officer, or instruct any committee or town officer; or take any other action relative thereto.

**RECOMMENDATION:**

No recommendation from the AB is necessary in this case. We understand that presentations from the School Building Committee, the Public Safety Building Committee and the Energy Efficiency Committee are scheduled.

**ARTICLE 8**

**Submitted by the Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, borrow or bond pursuant to any applicable statute to fund capital and other expense items; or take any other action relative thereto. (Capital Budget)

**RECOMMENDATION:**

The AB recommends approval of this article.

Due to limitations in the Capital Budget the Town has not approved any capital spending for two years. One consequence is that the Town's police cruisers now require costly and time-consuming repair.

We recommend the purchase of one new cruiser at this time, financed by savings realized in the purchase of vehicles from previously appropriated funds.

**ARTICLE 9**

**Submitted by the Council on Aging**

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59 § 5, Clause 41A from \$40,000 to 100% of the amount established annually by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the “circuit breaker” state income tax credit for the preceding state tax year, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2009; or take any other action relative thereto.

**RECOMMENDATION:**

The AB recommends approval of this article.

The change will bring the Town into compliance with State standards for deferral of property taxes. We believe that sufficient accounting for such abatements has been made in the current budget.

**ARTICLE 10**

**Submitted by the Bylaw Committee**

To see if the Town will vote to amend the General Bylaw, Article IX SIGN REGULATIONS, Section 4. Signs that are allowed, by deleting subsection A. Temporary political signs in its’ entirety and replacing it with a new subsection A as follows; or take any other action relative thereto.

A. Temporary political signs concerning candidates for public office and ballot issues, unlimited in number and not exceeding eight (8) square feet in area per sign. Such signs shall be removed no later than two (2) days after the election or referendum;

**RECOMMENDATION:**

The AB recommends approval of this article.

The proposed changes will eliminate certain restrictions on political signage that the AB believes inappropriately limit freedom of expression.

**ARTICLE 11**

**Submitted by Department of Public Works**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow for the Department of Public Works Water Division the sum of \$450,000.00 to fund pump testing and well construction at the Spruce Road Well site for the development of a replacement well; or take any other action relative thereto.



**RECOMMENDATION:**

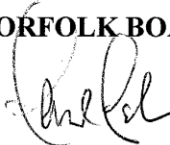
The AB recommends approval of this article.

The new well is an important part of a program to maintain Town pumping capacity at a level consistent with Town requirements. Efforts to increase capacity at other wells have failed.

The costs of this investment will be paid by Norfolk’s water consumers through their water bills; it will not have an impact on property taxes.

Hereof, fail not, but make due return of this warrant, with your doings thereon to the Town Clerk, on or before the hour of said meeting. Given under our hands and seal of the Town of Norfolk on the 13th day of October, 2009 A.D.


**NORFOLK BOARD OF SELECTMEN**



**James C. Lehan, Chairman**



**Robert J. Garrity, Vice Chairman**



**James M. Tomaszewski, Clerk**

A true copy, attest:  
Town of Norfolk  
Norfolk, ss

By virtue of this Warrant, I have notified and warned the legal voters of the Town of Norfolk aforesaid to meet at the time and place and for the purposes specified in said Warrant, by posting true and attested copies thereof in the Town Hall, and in at least one public place in each of the four (4) precincts, not less than fourteen (14) days at least before the date of said meeting.

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date

## Letter to Norfolk Advisory Board

In the year 2000 the Town of Norfolk recognized the need for a new school building to replace the aging Freeman Centennial School. As a result, the Norfolk School Building Task force was created. Their efforts in getting a school project off the ground were halted with the unfortunate and abrupt end of the state committee overseeing school building construction. The state, concerned over misappropriation of finances and overall mismanagement called for a moratorium on funding for all school construction.

With the newly appointed Massachusetts School Building Authority (MSBA), the Town of Norfolk, realizing the urgency for a new school, quickly jumped at the opportunity. On September 20, 2009, after more than 16 months of meetings and negotiations, both with the newly formed Norfolk School Building Committee and MSBA, Norfolk was granted approval, with 53.16% state reimbursement, to begin construction of a new grade 3 – 6 elementary school. This was all predicated on securing approval of the town.

The agreement between MSBA and Norfolk was for a Total Facilities Grant (TFG) of \$32,500,093 and a Total Project Budget (TPB) of \$36,893,050 with a reimbursement of \$17,277,050. The difference in the TFG and TPB of \$4 Million is a combination of floor asbestos abatement, building site work (additional parking, septic system, fire lane, demolition of the existing building) and alternatives such as administrative offices, a larger gymnasium, photovoltaic system (approx. \$300,000 reimbursed through a grant), Norfolk Cable TV/SACC/ Recreation, and restoration of one ball field. While the cost to the town is in the \$19M range spread out over 20 years, the estimated cost of doing necessary repairs, maintenance, and safety upgrades on the existing building is \$16.6 M over 10 years, with the inevitable reality of still building a new facility down the road.

Some will challenge the idea of building a new school in the economic climate that we are currently in. I would counter that explaining that these couldn't be better times to build. As State Treasurer Tim Cahill stated at our last meeting, construction costs, labor, materials, and interest rates are ALL at record lows. Now is the time to get things done. Construction projects across the state are coming in 5 – 12% below bid estimates. This is a savings of millions of dollars to the taxpayers. On top of this, the tax impact won't begin until 2014. It is hoped that by this time both the economic climate and the job market will be in full recovery mode.

One of the major changes at the MSBA, along with stringent accountability to the tax payers of Massachusetts, has been with its timetable and local acceptance of state reimbursement money. Districts no longer have the luxury of voting numerous times to get a project passed. New MSBA guidelines allow districts a 120 day window from the approval date, which in our case was September 20, to get town support. If the Town of Norfolk fails to pass this generous \$17 M reimbursement in the November Town Meeting and the December 8 vote, the contract would become null and void and Norfolk would be removed from the list. On top of this, the \$500,000 already appropriated for the hiring of an Owners Project Manager, architects, feasibility study, site survey, etc., would be for naught.

This new building is being designed to be more than just a top notch educational facility. It is being developed with the town in mind. Before and after school facilities, Norfolk Cable TV, and a gymnasium capable of handling recreation programs and adult leagues are all part of the proposal. Special education classes, recreation camps, and adult fitness opportunities would all be possible during the summer months, as well as during the school year.

In conclusion, the Town of Norfolk has a one shot, golden opportunity to build a first rate, technologically savvy, multi-faceted, green school with a state reimbursement rate of 53.16% or \$17,277,050. The ramifications of not capitalizing on this opportunity would inevitably require the town to spend roughly \$16 million updating a 60 year old building with 0% reimbursement. The time is NOW! We have one shot to carpe diem. The Town of Norfolk, and more importantly the students of Norfolk, deserve an educationally appropriate, safe, and green school to propel them into the future.

## Letter to the Norfolk Advisory Committee

Norfolk has been considering a new Public Safety Building for the better part of a decade now, going back to the Clinton Administration. Town Meeting has been supportive of a new building at least four times, approving \$30,000 for a feasibility study back in the early 2000's, supporting the borrowing for feasibility study along with the creation of a ballot question for authorization to borrow the full construction costs back in 2008, funding the \$250,000 purchase of adjacent property and then, most recently, the borrowing of \$295,000 to conduct a full feasibility study, preparing for the question we have before you today. It is now time to complete this work and construct a new building.

Recently the Town also formed the Public Safety Building Committee "PSBC" made up of Town officials and interested residents who offer a tremendous amount of experience and expertise to this process.

In the short time since the Annual Town Meeting concluded in June the PSBC has worked diligently with our architect to define the space needs of the departments, design the floor plan of the building and then work through the painful process of compromising to keep the building project within the construction budget as set by the committee. This hasn't been easy, but as of press time, we're almost there and expect to bring the project to Town Meeting at a price below \$10,000,000.

As with the school building project, some will question whether this is the time to ask the Town for a tax increase to fund this project. The answer is yes, and there are two very important reasons.

The first reason that this is the right time is for financial concerns. We all fully understand today's current economic climate and the challenges we all face. The good news is that there hasn't been a construction climate like this in a long time and projects that are going "out to bid" are coming in 10 – 15% below estimated costs. This is great news and an opportunity to construct a building today for significantly less than we might be able to in a few short years. The difference will easily reach 20 – 30 % which will mean millions of dollars.

The second and equally important reason is that we NEED this building to safely perform our Public Safety operations. Despite the external appearance of our current facility, which looks all too good from Main Street, the inside of the Public Safety Building is inadequate for today's operations. This building was built in 1966, with an addition in 1984, for 4 Police Officers a volunteer Fire Department and a dispatcher that worked from her home. Today we operate with 17 Police Officers, 2 Civilian Administrative Support team members, 13 Career Fire Fighters with 6 Call Staff, an Animal Control Officer and 4 full time Dispatchers.

The alternative is to do nothing. This is not a good choice. Let's focus on the financial implications. The state of the building is poor. We have already battled mold in the building and we know that the ventilation system cannot adequately offset the impact of the diesel engines. We know we need to dramatically improve the technological infrastructure to handle the ever growing complexities of the communications systems that are in use today. The prison cells need to be improved to keep our prisoners and officers safe and to meet the State's standards. The roof has been a constant battle during the life of this building and without a new building it too, would likely need a major overhaul.

The garage bays for the Fire Equipment are too small and not properly outfitted to today's equipment. The Sally Port is too small to safely transfer a prisoner to the building. In addition to the things that are in bad shape we also have to deal with those things that we don't have today. Without a new building we would need to add proper locker facilities for the women in the departments, add proper storage facilities for medicine and weapons, add adequate garage space for a portion of the Police fleet, and enhance our administrative offices (desk space) so that the officers have adequate area to complete their reporting and train effectively.

What is the cost of these repairs and add ons? Estimates put them into the millions of dollars which we will detail for you at Town Meeting, not much different than the cost of the replacement building, and we end up with a building that is less valuable and far less functional than what we would have with a replacement and what we need to function effectively.

Today's Public Safety Departments are challenged by a very dangerous world, even in Norfolk. Fires, motor vehicle accidents, motor vehicle violations and animal issues are the norm. Unfortunately potential tragedies such as missing persons, murder, suicide, domestic violence, armed assault and many other violent and tragic events are becoming more and more common and have been and will sadly be a reality in Norfolk. We need to provide a facility where these men and women can perform their duties well, where they can conduct their administrative duties, perform training, have the tools and facilities to be prepared to respond to the realities that we all face on an all too regular basis.