

**Norwell Board of Selectmen
Open Meeting Minutes
10/4/17**

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Ms. Allen updated the board on the status of the four applicants to the Advisory Board. Mark Cleveland and Harry Solis were appointed to the board by the Advisory Board Nominating Committee. The other two applicants were encouraged to apply for open seats on other committees. The next meeting of the Advisory Board will be Thursday, October 19th.

Motion; made by Alison Demong, seconded by Peter Smellie, to approve the Open Meeting minutes from 7/26/17. Unanimously voted

The meeting was called to order by Chair Jason Brown.

Motion; made by Alison Demong, seconded by Peter Smellie, to approve the agenda as written. Unanimously voted

Citizen Comments – Suzanne Jevne, 10 Central Street, presented a request to the board on behalf of family friends, who would like to have a street in the Town named after Norwell's first appointed Chief of Police Kenneth Bradeen. Mr. Morin will investigate the naming policy in the Town's bylaws and update all at next meeting.

BOS Announcements – None

Town Administrator Announcements – Mr. Morin reported that the certified Free Cash amount is \$2,369,746, which represents an increase of 6.85% over last year. The increase is due in almost equal measure to revenue estimates that were exceeded and lower than anticipated operating expenses in some departments. A portion of the Free Cash will be used to fund capital expenditure Articles at the Spring Town Meeting. Mr. Morin will provide a full breakdown of the anticipated revenue in the next couple of weeks.

7:35pm Disciplinary Hearing for Mobil Mart, Liquor License Violation

Mr. Brown opened the public hearing at 7:35pm.

Motion; made by Alison Demong, seconded by Peter Smellie, to open the public disciplinary hearing for Mobil Mart, Inc. at 7:35pm. Unanimously voted

Mr. Brown read the procedure for the hearing to the assembled meeting attendees, along with the charges. Town Counsel Bob Galvin read the list of exhibits, which are contained in the packet. Attorney Galvin stated that he advised the parents of the minors involved in the incident that they were allowed to be present if they chose (they are not present). The witnesses were sworn in by Attorney Galvin. Detective Dan Dooley questioned ABCC representative Michael Teehan, who was present to give testimony. The violation was a sale of beer to an individual under age 21. The ABCC representative stated that his boss had received word about the underage sales of alcohol occurring at Mobil Mart. Mr. Teehan added that the ABCC was only present this one night when the incident occurred.

Mr. Azmey gave testimony in his defense but did not dispute these charges. He also apologized to the board.

Ms. Allen stated that the ABCC had shared the list of acceptable forms of ID with the defendant Mr. Azmey prior to this violation. The three violations occurred in the same two-week period on 8/15, 8/24 and 8/31. (The first disciplinary hearing was held on Sept. 6th, subsequent to all three violations.) The board asked if the ABCC or the Police Department had done any further surveillance. Answer; the ABCC was present only on the evening following the third violation

(9/1/17). The Police Department has done sporadic surveillance. In answer to questions from the board, Mr. Teehan stated that it is outside the purview of his role to advise on the action of the board.

Motion; made by Alison Demong, seconded by Peter Smellie, to close the public portion of the hearing. Unanimously voted

The board deliberated on the evidence, stating the opinion that yes, a third violation did occur. Mr. Brown asked Chief Ross for his recommendation.

Chief Ross stated that he reviewed the history of events that brought us to this hearing, starting with the anonymous phone call alleging that the store is well known as a seller of alcohol to underage buyers. The Town of Norwell Rules and Regulations for Retail Package Store Licenses, Section 25c., states that for the third conviction the license shall be revoked. Chief Ross' recommendation is to revoke this license.

Ms. Allen concurred, adding that although the violations happened in a two-week period, there was enough time between each violation to train employees to check ID's correctly. Mr. McBride acknowledged that Mr. Azmey has had trouble finding competent help, but this is the third violation. The board stressed the importance of setting the precedent that license holders must abide by the Rules and Regulations of the Town

Motion; made by Alison Demong, seconded by Peter Smellie, to revoke the Alcoholic Beverage License to sell Wines and Malt from Norwell Mobil Mart and Michael Azmey, 89 Washington Street, Norwell, Massachusetts. Unanimously voted

Attorney Galvin noted that this decision may be appealed to the ABCC within 5 business days.

Motion; made by Alison Demong, seconded by Peter Smellie, to close the public hearing at 7:57pm. Unanimously voted

Ken Kirkland – Town Planner, Department Update

Ken Kirkland, the new Town Planner, introduced himself to the board. Planning Board Chair Don Mauch was also present.

Mr. Kirkland reviewed the list of current Planning Board projects with the board, highlighting the following status updates:

- Curtis Farm

- Wildcat Hills II

- Forest Ridge

- 103-113 Washington St. for a proposed commercial building.

Mr. Kirkland updated the board on his activities since his hire, which are included in his memo.

Mr. McBride added a more detailed update on the pathways plan from Gaffield Park to Town Center. He has also notified the Community Housing Trust about the Pathways meeting on October 18th, which will include this topic for discussion.

Don Mauch gave kudos to Mr. Kirkland for his hard work and added other Planning Board status updates. Mr. Morin and the board thanked Mr. Mauch for his hard work while the Town had no Town Planner.

8:19 – Hawker and Peddler Request – Comcast

Four sales representatives from Comcast are present to request approval for a door to door sales license. They gave reasons for applying and the background for this request, assuring the board that they would comply with all Town requirements.

Mr. Brown's response reiterated that Norwell residents don't like door knocking and are very uncomfortable with these types of sales calls. The services being marketed are from one of the two cable companies in the Town, both of whom use mail and TV ads extensively. Per Mr. Brown, across the board - the answer is always no to this type of request. The board thanked Comcast for their understanding and for coming in, but the answer is still no.

Library Project Study Committee

Present: Judy McConarty, Jeanne Ivas, Scott Brodsky, Rick Pomroy, (OPM)

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Ms. Allen presented a chart with two theoretical alternatives to a new library and compared them to the \$8.6M projected cost for taxpayers of the new library. These are: 1) renovate and add 5K square feet for \$7-\$9M or

2) renovate existing building for \$4-\$6M. These possible alternatives would need to be funded by overrides just like the proposed new library. Ms. Allen reviewed the specs of the existing building. The project would need a temporary relocation in all 3 scenarios, which is included in each cost estimate. She gave reasons for building the new library to meet the needs of the 21st century. Questions were asked and answered about the new building and the two alternatives. Only a new building could address the parking issues of the current building. All talked about the options and their impact on the library choices. Mr. Brown thanked the committee for all their hard work. Mr. Brown asked them to prepare an operating expense estimate for the increased costs of the new library. The committee will ask the board for a letter of support for this project. The Advisory Board is meeting on the 19th to review this project. Mr. Brown would like to wait until after that board votes to do the letter of support. More questions were asked and answered about the proposed project. Jamie Crystal-Lowry asked about a tax calculator for residents. Per Mr. Morin, the calculation is complicated, so they want to make sure it's correct. It will probably be ready in the next 10 days, and will only be an estimate. Mr. Morin reminded all that this calculation will be an isolated number and not as a component in the total tax bill.

Advance in Lieu of Borrowing

Darleen Sullivan is here to explain the \$500K advance from Free Cash to pay the outstanding bills for road resurfacing. Per Mr. Morin, once the Free Cash number was certified, that fund could be accessed. This also allows the Town to maintain the Stabilization Fund, which could be accessed in an emergency. This Advance will be repaid when the \$1.6M road bond is issued in the first calendar quarter of 2018.

Motion; made by Alison Demong, seconded by Peter Smellie, to advance \$500K from Free Cash in lieu of borrowing for the Highway Department outstanding invoices. Unanimously voted

No Place for Hate Committee

Ms. Allen drafted a proposal for this committee and also talked to School Committee Chair Kiersten Warendorf about this idea. She and Supt. Matt Keegan are interested in having the Schools participate and would have three seats on the 7-9 member committee. Mr. Brown explained his comments from the last meeting about the actions of this proposed committee. His objections are the committee's potential to infringe upon free speech and the role of municipal government in this area. Discussion ensued about the purpose of this committee, with board members voicing their opinions, pro and con. Mr. Brown asked for audience comments which were strongly in favor of forming the NPFH committee. Further discussion ensued about the committee's role in the community. All voiced concerns about who will take the initiative to address these issues. This would be an educational committee to help teach children about what they are saying.

Ms. Allen reiterated her committee proposal to the board.

Motion; made by Alison Demong, seconded by Peter Smellie, to create a Norwell No Place For Hate Committee with 7-9 members. Motion carried 4-1, Mr. Smellie voting no.

The board thanked the group of residents for attending the meeting to voice their opinions.

Amendment to Town Bylaws Contract Bids

Mr. Morin directed all to page 19 of the meeting notes and gave update on the changes to the bylaws that will make them consistent with the Town Charter. They will have to be approved at Town Meeting in the Spring. He asked for the board's input about contracts and bids. Right now

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the threshold is too low (\$1000 for a bid). He is recommending it be removed per the Municipal Reform Act which increased the bid threshold. This section of the bylaw will be eliminated at the May Town Meeting. There will be several recommendations for the bylaw changes.

Close Warrant

Mr. Morin reviewed the list of Articles for the Special Town Meeting, explaining each of the 5 Articles. Questions were asked and answered about the Articles.

Motion; made by Alison Demong, seconded by Peter Smellie, to close the Warrant for the Special Town Meeting on December 4, 2017. Unanimously voted

Future Agenda Items

The board discussed additions to future agendas.

Adjournment

Motion; made by Alison Demong, seconded by Peter Smellie, to adjourn. Unanimously voted



Jason Brown, Chair