

**Norwell Board of Selectmen
Open Meeting Minutes
2/28/18**

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2018 APR 12 AM 9:48

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Present: Jason Brown, Alison Demong, Ellen Allen, Gregg McBride, Peter Smellie, Peter Morin

The meeting was called to order by Chair Jason Brown at 7pm.

The board reviewed and discussed Library Building Committee (LBC) member Scott Brodsky's conflict of interest statement. Mr. Brodsky worked previously at one of the firms submitting a proposal for the new library, as well as with several sub-consultants selected by the project candidates. The LBC would like Mr. Brodsky to remain on the committee while they are conducting the search for a new project architect.

Motion; made by Alison Demong, seconded by Peter Smellie, to allow Scott Brodsky continue to work on the Library Building Committee on the choice of a new architect. Unanimously voted

Discussion ensued about the Electronic Voting Committee and future Town Meetings with regard to the adoption of electronic voting.

The board discussed approaches to presenting the Carleton Property Article at the Town Meeting.

Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the following minutes of the Board of Selectmen, Open Session - 1/24/18; Executive Session - 1/31/18, Open Session - 1/31/18, Open Session - 2/7/18. Unanimously voted

The board discussed the list of open items and agenda scheduling to address the following topics;

1. Mr. McBride is working on information needed for an application to Green Communities for a grant to help underwrite LED street lights in the Town.
2. He also reported that the CHT is discussing the update to the Affordable Housing Plan, due this year. He has discussed the update with the Town Planner, but noted that this is the responsibility of the CHT.

The Town Technology Committee is planning to meet with the Town Departments about software issues at Town Hall.

Regular Agenda Topics:

7pm BOS meeting – the board would like to include generic agenda items:

1. Review outstanding To Do items
2. Upcoming agenda topics
3. Administrative tasks; minutes/vouchers approval, document reviews and signatures
4. Agenda items not anticipated by the board

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Project Updates

Discussion ensued about the status of the Grange sale. The buyer's attorney Gary Thomas will be contacted for a status report and next steps. Per Mr. Thomas, there is no easement on the property at present; it was removed many years ago. The draft preservation restriction agreement is being reviewed by Town Counsel.

The Memorandum Of Agreement for the proposed Town Hall move to the Sparrell Building was discussed and edited by the board.

Open Session 7:33pm

Mr. Brown called the meeting to order at 7:30 pm.

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

Unanimously voted

Mr. Brown announced to all present that the discussion about the Whiting Fields will be held at the scheduled timeslot on the agenda.

Citizen Comments - None

Selectmen's Reports and Announcements

The board announced that the Metropolitan Area Planning Council (MAPC) will hold a forum in the Osborn Room from 6-8pm next Wednesday, March 7th. All are welcome to attend and discuss potential opportunities to increase Norwell's commercial tax base.

Ms. Allen attended the MBTA meeting as the Town's representative. She met with the MBTA's Advisory Board Director about the possibility of an MBTA payment to the Town to reimburse some of the costs of the COA's ride program.

Town Administrator's Report - None

7:35pm Library Budget

Library Director Judy McConarty and Assistant Director Rachel Green were present to review their budget, which is a level service request. The total increase is 2.47%, the majority of which is salary step increases. Ms. McConarty explained line items in the Salaries and Wages section of the Library's budget. There were no questions.

Accounting Department Budget – Finance Director

Donna Mangan was present to review her department's level service budget with the board. Ms. Mangan stated that it is a straightforward budget which includes the annual audit done by Melanson & Heath. There is also a fee of \$1K paid to the GFOA for CAFR certification. Mr. McBride asked about staff included in this budget. Per Ms. Mangan, the department's budget includes her salary and the salaries of the Assistant Town Accountant Nancy Dooley and the Accounts Payable Administrator Ellen Nurmeniemi.

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South Shore Recycling Co-Op (SSRC) Agreement

The intermunicipal agreement of the 15 member communities will expire in June, 2018. The Town has participated in this agreement for many years, which allows them to share resources and expertise for negotiating solid waste contracts. There will be additional efforts in coming years to recycle more and additional composting. The SSRC is looking for a 5-year extension to this agreement.

Motion; made by Alison Demong, seconded by Peter Smellie, to extend the Town's 5- year municipal agreement with the SSRC. Unanimously voted

Glenn Ferguson – Highway/Tree Department Budget

Mr. Ferguson reviewed his budget with the Board. Mr. Ferguson stated that his current priority is addressing the Town's infrastructure/drainage issues and tree and grounds management in the Town within the two departments.

His departments' tasks now include oversight of the Town's cemeteries. With some reorganization, he has enough administrative support, but is requesting an Assistant Director for the Highway/Tree and Grounds departments to help with project oversight. Ms. Demong asked about engineering qualifications for this position. Per Mr. Ferguson, candidates could have experience in engineering or construction management. Specific engineering projects would still rely on outside consultants. Per Mr. Brown, the issue is that Mr. Ferguson is in the field supervising both departments most of the time, which does not leave a lot of time for strategic planning and department oversight. Questions were asked and answered about his departments and their tasks as well as this proposed position. This would not be a union position. Mr. Morin added that he has worked with Mr. Ferguson to develop the job description for this new task oriented position. An assistant will help Mr. Ferguson become more effective and efficient. This is the only new position needed. The successful candidate will hopefully stay for 4-5 years and perhaps eventually take over for Mr. Ferguson.

The two department budgets are close to level service except for this new position. The entire Highway Surveyor salary is now in the Highway Department budget. Questions were asked about line items in the budget. Right now there is a small deficit in spending for the snow and ice line item which is due to filling the new salt shed, but at a very good price.

Town Meeting Warrant Articles for Highway and Tree and Grounds

Mr. Morin reviewed the proposed Articles with the board:

1. \$245K for River Street and Tara Drive - drainage improvements which need to be completed before the street can be repaved. Mr. Ferguson expanded on the River Street ongoing issues, adding that the needed improvements will be made in four phases, some in conjunction with the gas main replacement being done by Columbia Gas. He is very concerned about River Street, which is the Town's longest street and needs to be completely repaved. The Town's paving schedule for this summer does not include River Street, but the Article is asking for \$100K to patch certain sections of River St. up to Main Street at Town Center. All discussed paving strategy for River Street, which is a serious issue due to the constant large truck traffic.
2. An Article to create a fund for the Columbia Gas street paving reimbursements which will directly offset expenses to fix the streets being redone.
3. Maintenance for Stormwater Article that is filed annually.

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4. Request for 2 pickup trucks, as well as a 10-wheel truck to do as much in-house work as possible, a mini excavator (multipurpose vehicle for grass, snow, brush cutting) which is being swapped out for the backhoe in the capital plan. Mr. Morin gave details for these expenditures, some of which are replacements. Mr. Ferguson has been renting the mini excavator as a stopgap measure until the Town can purchase its own. Mr. Morin will be making recommendations to the Capital Budget Committee and working with the Finance Director to analyze the free cash number with regard to these asks. He is also syncing the requests with regard to the Capital Plan. Questions were asked and answered about equipment options such as lease vs. purchase. Mr. McBride asked about lease agreements vs. purchasing equipment. Mr. Ferguson added that he has done a fair amount of cost comparisons, and cited the difficulty of leasing equipment that needs to be customized for optimal use by the department.
 5. Additional Articles to be considered; traffic safety – \$50K for some solar powered safety features on certain roads, street signs, etc.; septic field repairs at the DPW, and the fueling system for the Town

Mr. Ferguson showed photos of the existing highway yard, as well as some concepts for a new highway barn and yard. Also discussed were proposed plans for combining Tree and Grounds and the Highway departments in a future layout. Mr. Ferguson noted that the existing facility does not meet any of the current codes, and asked the board to consider next steps. He also suggested some options to move forward with some small steps for now. Mr. Morin added that there are several probable departmental moves in the near future, so it would be prudent to keep all options open at this time.

Ken Kirkland - Planning Department Budget

Mr. Kirkland reviewed his department's budget with the board. The budget includes splitting an administrative assistant position between the Planning and Conservation departments - one part-time employee for each department. He noted that the two admins will continue to support each other as they do currently, and gave details for small increases in the department's budget. All thanked him for coming in.

Set the Pace Race Request

Mr. Morin reviewed the details of the race with the board, noting that the race begins and ends at the South Shore Medical Center on Longwater Drive. All departments have signed off on this request. *Motion; made by Alison Demong, seconded by Peter Smellie, to approve the application for the 9th annual Set the Pace road race subject to the conditions set by the Police and Fire Departments. Unanimously voted*

Proposed Town Hall/Sparrell Memorandum of Agreement (MOA)

The Selectmen and Mr. Morin have been talking with the School Administration about moving Town Hall to the Sparrell Administration Building. Mr. Morin has met with Supt. Keegan on several occasions. He has drafted a MOA with the assistance of Ellen Allen for consideration by both the BOS and the School Committee. Occupancy of the first floor of the Sparrell building by Town Hall employees will require a fair amount of renovation. The School department will remain on the second floor. The 3rd floor space will be potential office and shared meeting space, to be reviewed by both boards in the future. Some

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Town Hall Departments, such as Water, Recreation, Highway and Tree and Grounds will be located at other locations as outlined by Mr. Morin. The Norwell Historical Society would relocate a portion of its records and artifacts from the third floor of the Sparrell building to a History Room in the new library. Mr. Morin gave an overview of the work that will need to be done in addition to addressing parking and shared care and custody of the building. A space needs study to see if the Sparrell building can accommodate Town Hall employees is currently being conducted and will hopefully be completed within two weeks. The BOS is requesting funding for a preliminary architectural design at the May Town Meeting. Mr. Morin noted the good cooperative spirit of both organizations, but there are many hurdles. With the assessment of the work needed for Town Hall as well as the work at Sparrell, it makes no sense to rehab both buildings. The move would provide a more efficient and effective space than Town Hall, which would cost more than \$4M to bring up to code. He is hoping for the board's favorable action on this MOA tonight. All discussed the proposed shared space on the third floor. Mr. McBride does not want to give up the shared space at this point in time, and Ms. Allen would be more comfortable with additional specificity in the MOA, such as more shared space and more common uses. Discussion continued at length about sharing the third floor and revised wording.

Motion; made by Alison Demong, seconded by Peter Smellie, to approve the MOA between the BOS and the School Committee with the following proposed amendment:

1. *Delete the sentence stating the space assessment would be completed by March 1 and the schools may participate if they want.*
2. *Amend 1) of the areas for further discussion as follows:
"1. Use of and improvements to the third floor for use of both parties, including construction, heating, ventilation and air conditioning, access and building code related upgrades."*

Unanimously voted

Discussion of Draft Article for the Whiting Fields Purchase

Chair Jason Brown announced that he would take questions from the audience once the board completed its discussion of this topic.

Ms. Demong recapped the board's discussion with the CPC at their meeting last Thursday. First and foremost, the goal is to purchase this extraordinary property. She reiterated that the total purchase would be 124 acres of land. The plan of the board has always been and continues to be to preserve the land and the vistas (about 10.65 acres) on Main Street with both conservation and agricultural restrictions, but at some point the Town will need to decide what to do with the rest of the land. Residents will vote at future Town Meetings on any proposed plans for use on "every square inch" of this purchase. Discussion ensued about putting the land into conservation with regard to the 10.65 acres of fields on Main St. Questions were asked and answered about the proposed "planning" committee for the land.

Brendan Recuperio, CPC Chair, reviewed the revised numbers in the BOS application; the total ask to the CPC is \$3.88M, down from \$3.95M. Mr. McBride suggested changing the proposal name from the Whiting Fields, which are only 10.65 acres, to the Carleton property, which includes all of the 124 acres owned by the family.

Motion; made by Ellen Allen, seconded by Peter Smellie, to revise the application budget to an amount equal to the purchase price of \$3.810M plus \$50K for the conservation restriction, \$10K for stone walls rehab and \$10K for committee expenses as listed, with input as needed from Town Administrator Peter Morin and Town Counsel Bob Galvin. Unanimously voted.

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Discussion ensued about a fields restriction (the fields are now zoned agricultural). The board agreed that this can be done at some future point in time. A conservation restriction plus an agricultural restriction needs to be carefully considered at this point. The board reiterated that no one has ever discussed changing the 10.65 acres called the Whiting Fields to anything other than what they are now and have been for many years.

Conservation Commission Chair Marynel Wahl was asked by Mr. McBride who is raising Con Com's concerns on this issue and why these questions have been asked. Ms. Wahl explained that Con Com has heard talk about putting Affordable Housing on this land, i.e. the fields. BOS Chair Jason Brown again reiterated that it is the goal of the BOS to charge the new committee with preserving the fields as open land in perpetuity. BOS members asked how many people in the room thought that the BOS wanted to put apartment buildings on these fields. Several members of the audience raised their hands.

Town Counsel was present to answer questions and give his opinion. He stated that the Town must put the appropriate wording in the charge to the committee to assure that the fields remain intact in perpetuity. The restriction should give the Town the ability to access the land as well as preserve it. He would like to suggest the least restrictive option that works, and have the new committee charged with creating a plan for everything other than the Main Street fields. He again cautioned both the BOS and CPC not to restrict the land inappropriately. Per Town Counsel, "don't restrict the Town Meeting vote in a way that hamstring the Town."

Ms. Allen asked Town Counsel about committee composition. He replied that the BOS can appoint a committee and make recommendations, but should not include the committee composition language in the Town Meeting Article. He stated that one of the central functions of the BOS is to create specific committees. A committee may be established prior to Town Meeting, and approval of the committee at Town Meeting is not required. It would be more efficient to create a BOS appointed committee, and perhaps ask for financial support after the CPC approves the application.

Ms. Allen directed the board to review a draft committee composition: a 7 to 9 member board with representatives from various Town boards/departments and 3 At-Large members. The BOS would appoint all committee members. Mr. McBride would like to see every interest of the CPA Act represented on the committee. Ms. Demong also expanded the charge to the committee to talk to all of the boards who would have a vested interest in using this land. Ms. Allen gave examples of potential candidates for this committee who would have a background in multiple CPA purposes- residents and board members such as Mr. McBride who have served for many years on multiple committees in the Town.

Questions from residents were asked and answered. Voicing opinions and questions were residents Penny Wilson, Rick Merritt, Harry Merrit, Bob Woodhill, Dave Osborne and Don Mauch. Comments

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ranged from concerns about conserving the fields and/or the entire property to amending the Town Meeting Article to restrict the property as a condition of the purchase. Mr. Woodhill stated that the prudent course of action would be to purchase the property and take a year or so to get the purpose and wording of the restriction exactly right. Town Counsel again stated that the charge of the committee would include that the 10.65 acres of the Whiting Fields be put into preservation. The commitment of the BOS is to preserve these acres. Mr. McBride reminded all that he was a member of the Town's first CPC fifteen years ago, and that its original goals included the purchase of these fields. At that time, the Carleton family said that they were not open to a purchase of their land by the Town. The board again stated that there is NOTHING else on the minds of the Selectmen other than to preserve this land. No one ever dreamed that the entire Carleton property would eventually be affordable, and it makes no sense to think the board would want to do anything different. Town Counsel again stated, "there would be significant legal difficulties with changing a property restriction once it is in place, which argues for no restrictions as a condition of the purchase. Don't do anything before the purpose of the land is determined."

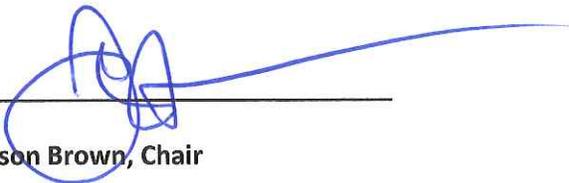
In response to comments from Mr. Osborne about not trusting the BOS, Mr. Brown reminded all that the Board of Selectmen will write into the charge to the committee that the front 10.65 acres would stay in preservation. Any other suggestion would be thrown out.

Mr. Brown went on to say, "...as a matter of trust, we (the BOS) are the elected board, and if you don't like us, you can vote us out of office. But right now, these are our positions serving the Town, and the commitment heard (by me) from this board is to preserve the front 10.65 acres."

Town Counsel offered further direction with regard to forming a committee and crafting its charge before Town Meeting.

Ms. Demong will work with Town Counsel to redraft the Article.

Motion; made by Alison Demong, seconded by Peter Smellie, to adjourn at 9:54pm. Unanimously voted



Jason Brown, Chair