

**Town of Norwell  
Select Board  
Open Meeting Minutes  
6/8/22**

TOWN OF NORWELL  
TOWN CLERK

2022 JUN 23 AM 11: 01

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**Present:** Ellen Allen, Bruce Graham, Andy Reardon -in person  
Jason Brown, Pete Smellie – via Zoom access

(All votes will be roll call votes for this meeting.)

*Motion; made by Ellen Allen, seconded by Andy Reardon, to exit Executive Session and adjourn to Open Session at 7:00pm.*

*Allen voting yes, Brown voting yes, Graham voting yes, Reardon voting yes, Smellie voting yes.*

Mr. Graham called the Open Session to order.

*Motion; made by Ellen Allen, Andy Reardon, to approve the agenda as presented.*

*Unanimously voted by roll call vote.*

**Approval of Meeting Minutes**

*Motion; made by Ellen Allen, seconded by Andy Reardon, to approve the 5-25-22 Open Meeting minutes. Unanimously voted by roll call vote.*

The 5-25-22 Executive Session minutes will be reviewed and voted at the next meeting.

**Town Administrator's Report**

The Norwell Fire Department is celebrating Firefighter Day on Sunday morning with an Open House. All are invited to attend.

The Council on Aging won a national award for the second year in a row for their "12 Days of Christmas" program. Kudos to Director Susan Curtin and her team.

**School Security Update – Police Chief Lee**

Mr. Graham gave a preamble to this topic and introduced Police Chief Ed Lee, School Resource Officer (SRO) Rick Phelps and Sgt. Brian Resnick, who handles the active shooter training for the Town.

**Chief Lee** stated that the tragic events in Uvalde, TX are unfortunately a reality in our country. The purpose of this discussion is to inform the public of the police department's preparedness. He received several calls about this issue after the Texas event. The department is certainly prepared to address any direct threat. Norwell has the latest training and techniques. The surrounding SSRECC police chiefs have decided to combine both training and resources in the event of a school shooting. The police department has an excellent relationship with the schools and has conducted great training sessions with faculty and students. Department training sessions have included prevention, threat evaluation and early intervention systems. Health professionals have also participated in these training sessions.

The key is for building occupants to identify potential threats before anything happens by using the program in place. Questions were asked about enhancing the safety options with video cameras. Per Chief Lee, video would be cost prohibitive. Hopefully the procedure "phone before the first shot" would be followed. The department is working with the schools for more compliance checks on a regular basis so that no laxity occurs.



**Sgt. Brian Resnick** updated the board on the broad spectrum. The keys are prevention and general awareness. Response protocols include; troops, training of critical skills, facilities review and familiarity/good partnership with schools, equipment (first line inventory is being updated), medical gear in top condition, partnership relations with other departments and surrounding communities.

In response to Mr. Graham's question about bringing in the fire department for an assessment and drills, Sgt. Resnick replied that the police department conducts training with the fire department at home base and at the schools.

Chief Lee added that people in the Town are uncomfortable with two or more officers in the schools. The officers are trying to break down the barriers to this attitude for better safety. The communication lines need to stay open to build trust with the students.

"We're here to keep you safe. We will notify you if there is a real reason for the presence. Until then let us keep you safe."

A key to identifying active shooters is the ability to build trust with the students.

**SRO Rick Phelps** has been at the schools for 6 years. Some of the newer officers are not as comfortable with the school environment, but he is working on it. This should be a positive thing. "We want the kids to get used to police in the building and know that they are there for safety, not as a threat." He and the officers do a check each day on the doors and buildings but are not able to do all the buildings every day. There are also some problems with the older doors (the Principals have been alerted). The COVID pandemic presented some challenges, but things are getting better. More teacher and fire department training activity (to be held this summer) is very helpful.

Mr. Brown asked Officer Phelps to talk about getting to know the student population and the ability to identify a threat as part of a prevention program.

Officer Phelps arrives at the Middle School at 7am most days. He gets to know as many kids as he can. They all know him! He knows the high school kids better, adding that the older middle school and high school kids will approach him. He uses social media to preach to the kids about awareness; "see something say something." He also knows that the athletes and parents will be forthcoming to communicate issues. It is more important that kids know and trust him than him knowing all the kids. The higher grades are where most of the information is obtained. The police want to make a difference!

In answer to the question "do you communicate with guidance and mental health staff", Officer Phelps noted that he reads all the police reports for any information in the Town. If any are very serious, he contacts the appropriate people. If the information is not at that level, he contacts the guidance department for a 'heads up' to be aware so they can get ahead of it, especially if a student's behavior changes. He is also on the phone with the Principals if needed.

In answer to a board question about handling mental health issues that are not in the schools, Chief Lee noted that both detectives are aware and share information with other agencies all over the south shore and the state. There is an obligation to notify as needed.

The board continued with "what if" questions addressing first responders' needs; counselors are utilized, training is available and hopefully lined up ahead of time. The Metro Law Enforcement Council has working relationships with agencies in place to activate as needed.

Per Sgt. Resnick, trauma is a very real thing. He gave examples of real-life events where the counseling was very useful. Personnel are required to go to counseling, which has a proven track record of good outcomes. Talking it out really works.



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Mr. Reardon asked if communications are adequate and meeting the needs of the department. Per Chief Lee, the 5 community group is a good asset. He is working to implement and expand the alert/response system, which SSCRECC has the ability to implement. A lot of personnel self-deploy, for example – events such as the Boston Marathon bombing. Chief Lee is very comfortable with the communications level that the Town has now. Mr. Morin added amplifiers to the school buildings two or three years ago, so the ability to contact first responders and personnel is much better. The chief is comfortable that the supporting agencies will handle their regular and any extra responsibilities. The local police do a phenomenal job but can't do the job all by themselves. The Town needs its citizens to cooperate and help. It's a working partnership! The board complimented the department and the SRO. Kudos for the positive interaction with the schools.

#### **Community Preservation Committee (CPC) applicant – Susan Powell**

Ms. Powell gave a summary of her background and reasons for applying to serve on the CPC.

*Motion; made by Ellen Allen, seconded by Andy Reardon, to appoint Susan Powell to the Community Preservation Committee for a term expiring 6/30/25. Unanimously voted by roll call vote.*

#### **Committee Reappointments**

Ms. Allen read the list of appointees, asking board members to “hold” if any had questions as the names were read. There were no questions or holds from the board.

*Motion; made by Ellen Allen, seconded by Andy Reardon, to reappoint each board, committee and department member for the terms listed on the attached sheet.*

*Unanimously voted by roll call vote.*

The list of reappointments is attached to these minutes.

#### **Resignation of Susan Curtin from the Commission on Disabilities**

*Motion; made by Ellen Allen, seconded by Andy Reardon, to accept with regret the resignation of COA Director Susan Curtin from the Commission on Disabilities.*

*Unanimously voted by roll call vote.*

The board thanked Ms. Curtin for her years of service on this board.

#### **Approval of SEIU collective bargaining agreement**

*Motion, made by Ellen Allen, seconded by Andy Reardon, to approve the SEIU memorandum of agreement, as presented and discussed with edits as noted.*

*Unanimously voted by roll call vote.*

Mr. Morin gave the high points of the agreement changes as indicated to the board in the executive session. This is a fair and sustainable contract that will better attract and retain good employees. Ms. Allen made note of a few edits which will be included in the final version of this agreement; personal leaves of absence should be changed to approval by the Town Administrator instead of the Select Board, and no 48 hours prior notice and meeting approval is needed.

Mr. Morin added that the union deserves recognition. They were amenable to a wage freeze during COVID, not contentious and maintained a good working relationship.

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**Select Board Reports: Comment re: state ethics board complaint – Ellen Allen**  
Ellen Allen read her prepared statement about the second state ethics complaint filed against her. The statement is printed in its entirety below:

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**Comments on Second State Ethics Accusation**

“I have a statement to make about a Second State Ethics Accusation filed against me.

As you will recall, at our meeting on November 17<sup>th</sup> of last year, Brian Carroll made a statement alleging “corruption and self dealing,” and “gross violations of state ethics law” by me because I had supposedly “hatched a scheme” to steer business to the son of my neighbor. He also filed this accusation with the State Ethics Commission and published it on Norwell Social. At that meeting I stated it was pure fiction (which it is), but otherwise did not respond until the State Ethics Commission made its finding that they had “**not found reasonable cause**” and they “**took no action against me.**” I had this posted on the town website as requested by Mr. Carroll.

As we all know— this had nothing to do with concerns of ethical violations by a member of this Board. And as we also know, this same fabricated allegation has continued to be stated as if it were fact by Brian Carroll and Tim Wall at many of our meetings even after the Commission’s first finding to the contrary.

On April 27<sup>th</sup> of this year I was notified by the State Ethics Commission that a similar accusation had been filed, this time as a SWORN statement. They explained that because it was a SWORN statement, they were required by statute to open a formal investigation. They are not permitted to tell me who filed the accusation and no one has announced publicly that they did so. My guess—and perhaps yours—is that it was either Mr. Carroll, Mr. Wall or their proxy. The accusation was specifically:

*“That Ellen Allen violated section 23(b)(3) between 2017 and 2021 by, as a public employee, acting in a manner that would cause a reasonable person to conclude that she could be improperly influenced by Wyle Brown in the performance of her official duties as a Norwell Select Board member, or she is likely as such to act or fail to act due to Brown’s undue influence.”*

Per their rules, they did not provide me any other information from the filing. A short time later, I received the following reply:

*“Dear Ms. Allen:*

*This letter is to notify you that on May 31, 2022, the State Ethics Commission voted to terminate the above Preliminary Inquiry. No action is being taken against you. Please feel free to contact me if you have any questions.*

*Sincerely,*

*/s/ Monica Brookman*

*Monica Brookman*

*Chief, Enforcement Division”*

Note how cautiously and lawyerly this second filing was worded, stating only that a “reasonable” person would conclude that I “could” be improperly influenced. Not even this low bar was



found credible by the Commission. If that doesn't establish the allegations as utterly without merit, what could?

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And note further that these two bad faith filings have been an abuse of the Commission's purpose and have wasted taxpayer dollars.

It's of course nice to be exonerated...twice...but I have serious concerns about the fallout from all of this. Mr. Carroll and Mr. Wall have repeatedly attacked the integrity and competence of not only me, but also my fellow Select Board members Bruce Graham and Andy Reardon, Town Administrator Peter Morin and Town Counsel Robert Galvin. In my opinion, they have introduced bullying to Norwell town government. They have worked to create distrust of our town officials. They have literally caused people to resign from town boards and decide not to run for office or apply for town committees. They have damaged the decorum for which Norwell's Town Meetings had long been known.

Their actions may have long lasting negative impacts on our Town. I believe this Board should endeavor to reverse this downward spiral. We do not want this to be Norwell's "new normal." And silence suggests, at a minimum, that this behavior is acceptable.

Furthermore, I hope all future discussion by our Board and the public, whether directly or indirectly related to the disposition of the Wildcat property, will be limited to the only legitimate and relevant issue, namely whether the Select Board should transfer to conservation the roughly 6 acres of town land behind Mr. Carroll's home. Currently we simply do not agree on this.

Thank you for listening. I would now like to ask each of my fellow Select Board members to ask any questions, state any concerns or make any other comments about these matters. And please share any ideas you have for repairing the damage to our community."

Mr. Graham invited the board to comment.

Mr. Reardon is glad for Ms. Allen that the issues have been resolved. He hopes that meetings will confine conversations to relevant issues and move beyond the unpleasantness of the prior two years, sticking to facts to the best of our ability. He expressed concern that people are discouraged from participating. "Most people are just trying to do their best."

Mr. Brown stated that he was unaware of the second filing and is very happy that Ms. Allen was exonerated. He doesn't like the lack of civil discourse and the personal accusations. The Town has been marked by unfortunate banter over issues where residents disagree over a course of action. Stick to the issue at hand. This personal level "debate" must cease.

Mr. Smellie was also not aware of the second accusation. He would like to get back to more productive topics for the Town but doesn't yet know how to turn the tide. Everyone should stick to the facts and civil discourse. He opined that there was progress with this year's Town Meeting.

Mr. Graham was aware of and expressed his surprise at this second allegation. He added his own interpretation of Ms. Allen's alleged actions, referencing his statement made at a prior board meeting emphatically stating that no unethical behavior took place. He thought the air had been cleared. He is delighted that the ruling came out again in her favor. He expressed disappointment that people are so disagreeable when they don't get what they want. Where is the civil discourse?

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**Future Meetings** - the next meeting will be held on June 22<sup>nd</sup>. Ms. Allen and Mr. Brown are not able to attend.

**Adjournment 8:17**

*Motion; made by Jason Brown, seconded by Pete Smellie, to adjourn the meeting at 8:20pm. Unanimously voted*



Bruce W. Graham, Chair

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