

**Town of Norwell
Select Board
Open Meeting
8/23/23**

Present: Jason Brown, Bruce Graham, Brian Greenberg, Andy Reardon, Pete Smellie, Darleen Sullivan, Kim Roy

The Chair called the meeting to order at 7:07pm. All rose to recite the Pledge of Allegiance.

Approval of Minutes

Motion; made by Bruce Graham, seconded by Andy Reardon, to approve the 8/9/23 Executive and Open meeting minutes. Unanimously voted

Select Board Reports

Mr. Graham commented on Brian Carroll's misstatements made at the 8/9/23 Select Board meeting. He noted that the plaintiffs lost their case and filed an appeal with the appellate court. Subsequently, the MA Supreme Judicial Court selected this case to hear the appeal.

Town Administrator's Report

Ms. Sullivan reported that the new Town Hall RFP response deadline was extended to 9/6/23. She is also working on Townwide GIS for all employees.

Citizen Comments – None

Community Preservation Committee (CPC) – Applicant for At Large seat

Marynel Wahl applied to serve on this committee. Although she would be a second Con Com member serving on the CPC, Mr. Graham opined that her appointment wouldn't create a "weighted average". Ms. Wahl has a strong interest in developing a framework for CPC financial planning.

Motion; made by Bruce Graham, seconded by Andy Reardon , to appoint Marynel Wahl to the CPC as an At Large member for a term expiring 6/30/26. Unanimously voted

Commission on Disabilities (COD), Recycling Committee - Applicant for At Large Seats

Amy Montgomery, 761 Main Street, gave a summary of her background and reasons for applying to these two committees. She has firsthand knowledge of the challenges in dealing with disabilities as she is 100% disabled (as determined by SSA).

She also noted that she was on the Town's original Recycling Committee many years ago and would like to reapply.

Motion; made by Bruce Graham, seconded by Andy Reardon , to appoint Amy Montgomery to the Commission on Disabilities as an At Large member for a term expiring 6/30/26. Unanimously voted

Motion; made by Bruce Graham, seconded by Andy Reardon , to appoint Amy Montgomery to the Recycling Committee as an At Large member for a term expiring 6/30/26. Unanimously voted

Note: The appointing authority for the Recycling Committee is the Board of Health. Chair Peter Dillon will contact Ms. Montgomery to set up a meeting to have her officially appointed to the Recycling Committee by the BOH.

Vote to Approve Issuance and loan details: Massachusetts Clean Water Trust

Clerk Brian Greenberg read the vote of the Select Board into the meeting minutes:

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Norwell, Massachusetts, certify that at a meeting of the board held August 23, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$2,900,000 (the “Bonds”) pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed May 9, 2022 (Article 8), for planning or construction of drinking water infrastructure (the “Project”);
 - (2) that the terms of the Financing Agreement (or Agreements) (the “Financing Agreement (or Agreement)”) and the Project Regulatory Agreement (or Agreements) each relating to the Notes and the Bonds are hereby approved;
 - (3) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the “Notes”) from time to time in an aggregate principal amount not to exceed \$2,900,000;
 - (4) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the “Trust”) at a price determined pursuant to the Financing Agreement (or Agreements);
 - (5) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (6) that any certificates or documents relating to each Bond and Note (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures;
 - (7) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
 - (8) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement (or Agreements) and the Project Regulatory Agreement (or Agreements) relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) 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 decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L c.30A, §§18-25, as amended. I further certify that the vote has not been amended,

supplemented or revoked and remains in effect on this date.

Dated: August 23, 2023

Clerk of the Select Board

The vote allowed the board to execute the documents.

Motion; made by Brian Greenberg, seconded by Andy Reardon, to authorize the Clerk to sign the vote. Unanimously voted

Planning Board, CHT, CPC discussion about Affordable Housing in the Town

Ilana Quirk reviewed the most recent Subsidized Housing Inventory (SHI) report for the Town, explaining the component parts. DHCD has incorporated the 2020 census numbers into the report, so the Town no longer meets the 10% requirement. Ms. Quirk outline the ways to add units to the SHI. The attached memo from Ms. Quirk offers insights into AH eligibility.

Mr. Graham noted that workers providing essential community services cannot afford to live in the Town unless there are AH units available. Mr. Brown commented on the discouraging complexity of the calculation for AH and SHI eligibility.

Mr. Reardon asked Ms. Quirk to comment on senior housing challenges. In response to Ms. Quirk's reference to a common lottery element when allocating AH, the board discussed frustrations with state compliance when trying to accommodate Norwell residents. One goal of the Accessory Dwelling Unit (ADU) bylaw is to find ways for these units to count towards the SHI. All agreed that AH actual affordability is not really "affordable". Builders won't build unless the project makes financial sense. More discussion ensued about options to increase the AH count in the Town, with most board members in agreement that smaller projects would be more popular with residents than the last few proposed large projects. All noted that there is pushback from residents about changing the rural character of the Town by allocating more land to support these projects. The way the law is written and the artificial 10% minimum SHI count are difficult without enough land to support this. The only two options are 1) small developments that don't help much and 2) large developments in inappropriate neighborhoods.

AH is both a regional and individual town issue. For example, Hanover has the land, Norwell does not, so the Town is stuck trying to comply without the geography. Mr. Greenberg added that most residents are nervous about jeopardizing their most significant asset - their home. He opined that small projects strung together could work towards the yearly requirement.

The board continued to discuss this issue at length, highlighting the following:

- The CHAPA model looks like an average Norwell home but is 4 AH units. Two 4,000 sq.ft. homes could house eight units.
- Where will seniors go who divest their large properties and wish to remain in Town. Discussion ensued about senior housing availability.
- The state has set goals that the Town can't meet.
- The more that small parcels that are used, the less that land will be available to large developers.
- The board should be mindful that nonprofits take land out of taxable status.
- Discussion ensued about project components that should be considered when talking to developers so that the Town resources can handle the new build.
- Consider who will be able to live in Town; firefighters, teachers, police and other essential workers.

- Ms. Quirk noted that some small projects might be coming to fruition. Safe harbor would allow more robust negotiation with developers for future projects.

Select Board Focus Areas/Goals

The board, Ms. Sullivan and Ms. Roy reviewed and discussed the draft focus areas/goals. Ellen will rework the draft for review at the next meeting.

KP Law: SSRECC representation: determination and vote

The board reviewed SSRECC's request for KP Law's help as labor counsel and took the following vote:

Motion; made by Brian Greenberg, seconded by Bruce Graham: to authorize the Board Chair to sign on the Board's behalf the attached determination required by the Rules of Professional Conduct.

Unanimously voted

Motion; made by Brian Greenberg, seconded by Pete Smellie: to authorize the Town Administrator to sign on the Board's behalf the attached determination required by the Rules of Professional Conduct.

Unanimously voted

Future Meetings: September 6th, September 20th, October 4th

Adjournment

Motion; made by Brian Greenberg, seconded by Andy Reardon, to adjourn at 8:52pm. Unanimously voted

Peter W. Smellie, Chair