



TOWN OF NORWELL
Norwell Town Offices, Room 112
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Norwell, Massachusetts 02061
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2022 MAY 23 PM 2:21

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**Norwell Advisory Board Meeting Minutes
March 31, 2022**

The Advisory Board was called to order by Chair Jesse McSweeney at 7:00 P.M. Also present were Town Administrator Peter Morin, Finance Director Darleen Sullivan, and Board Members Mark Cleveland, Bob Perniola, Elizabeth Hibbard, Peter Leppanen, Ned Maguire, and Dane Hutchison. Unable to attend were Susan Darnell and Brian D'Souza.

AGENDA

Motion by Ms. Hibbard to approve the agenda as printed. Seconded by Mr. Cleveland and unanimously voted.

ADMINISTRATIVE MATTERS

Minutes – None

Bills – None

Reserve Fund Transfer Requests – None

Correspondence/Notices – None

Action Items / Discussions – None

FY 2023 BUDGET DISCUSSION

Article 2 - Town Budget

Mr. McSweeney read the Departmental budget and debt totals into the record prior to the Board's votes on the Town Budget.

Ms. Hibbard asked about the Norfolk County Agricultural line in the Regional School budget; Mr. Morin advised there were two Eighth Grade students who were applying to go there. Norfolk is the closest of the three public agricultural schools in the state, and the Department is putting the funds aside in anticipation of both students being accepted. The Town has a legal obligation to pay the tuition assessment for resident students who opt to attend. The alternative to a budget line is paying through a Reserve Fund transfer; Mr. Morin prefers to budget, as it is a known expense and the funds are available.

Mr. McSweeney noted that the Group Insurance premium appears to have decreased by about \$60K and asked why. This partly reflects a change to Massachusetts Interlocal Insurance (MIIA), a larger purchasing group, one-month "premium holidays" provided by MIIA the last two years, and the Town working a cushion into the Group Insurance budget to smooth out increases.

Mr. McSweeney asked about a difference in department-requested versus Mr. Morin's recommended health insurance opt-out stipends. Mr. Morin's recommendation is based on his personal experience; additional funds are available if his lower estimate is off.

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Mr. Leppanen asked about funding for the Police Lieutenant position; Mr. Morin indicated this year they are funding the promotion of an existing Administrative Sergeant to Lieutenant, as opposed to adding the Lieutenant position to the budget as subsequently requested by Chief Lee. They will revisit this request next year.

Ms. Hibbard asked for Mr. Morin's rationale for recommending a \$130,000 transfer out to the OPEB Trust Fund but no Capital Stabilization Fund transfer this year. The OPEB transfer is based on an actuarial schedule; this is one of three funding sources for the Fund, the other two being meals tax revenues and other funding articles. The Town is more proactive than others in funding this expense. Once the pension is fully funded in about six years, the Town can devote additional resources to fully funding the OPEB Trust. Mr. Morin believes that no Stabilization Fund transfer is warranted this year beyond that requested in Article 8, as the Town has recently been retiring debt faster than it has been incurring new debt.

Motion by Mr. Perniola to recommend the FY 23 Town budget in the amount of \$62,112,483. Seconded by Mr. Cleveland and unanimously voted.

2022 ANNUAL TOWN MEETING ARTICLE DISCUSSION

Article 18 - Circuit Breaker Tax Relief

Board of Assessors Chair Mary Horowitz present. The article would authorize the town to use the state "circuit breaker" tax relief criteria to make residents eligible for property tax relief; the estimated \$280K impact to revenues would be paid for by overlay surplus funds. The article was discussed at the March 29 meeting and then tabled to allow the BOA to consider a proposed revision and advise as to what constitutes "significant assets" for purposes of the article.

Mr. Leppanen noted that the State did not impose a means test on its circuit breaker and defined eligibility solely according to income. The article language seems to deny relief to residents with "significant assets," but the term is not defined. His particular concern is that a resident with even a modest pension or retirement account(s) will be disqualified, and he would prefer to remove this additional criteria altogether.

Ms. Horowitz advised that the consensus from the Assessor's meeting last night was that putting in language regarding "excessive assets" protects the Assessor's Office and the Town in cases where a resident has a modest income but significant other assets that show them to not be in financial need. Mr. Leppanen has no issue if they are using the state definition of "excessive assets" but the article doesn't specify such.

Ms. Horowitz noted that the article, in addition to being passed at Town Meeting, also has to be approved by the State Legislature, so they are using the precise language that other towns have used and that has met with state approval repeatedly. The BOA is hesitant to tweak the definition of "excessive assets" because it may subject the article to additional scrutiny. They talked about basing a formula, if needed, on the income to assets ratio used for other state exemptions, adjusting the actual asset figure upwards so it is proportional with the income limit specified by the circuit breaker; however, the language is primarily in the article for the Town's protection.

Mr. Hutchison questions whether the ability to deny the exemption to the relatively few residents who may have modest income but significant assets is worth the resources expended to identify such residents and the perception that may arise from such efforts. BOA will primarily rely on the signed statement of residents that they qualify for the circuit breaker, but wants to reserve the right to look further if, for example, they receive additional information from neighbors. Mr. Hutchison would prefer that the Town refer such residents to the State, so the onus for verification remains with the State. Ms. Horowitz agrees that the office lacks the staff to perform significant means testing.

Mr. Morin understands Board member concerns but believes the Legislature would add the “excessive assets” language back in if it were removed, as they prefer such language to be uniform with other communities. He is also confident the Assessors Office will not over-scrutinize residents applying for the exemption based on random tips, and will keep in mind the small dollar amount of the exemption. Mr. Leppanen still doesn’t like the vagueness of “excessive assets” but is willing to keep it if it helps the article pass muster with the Legislature, and the Assessors Office is not overaggressive in its screening.

Mr. Cleveland asks if it would be simpler to simply delete the sentence referencing “excessive assets.” Ms. Horowitz reiterates that the BOA needs that language to be able to deny an application in the rare instance that the circumstances warrant it. Ms. Hibbard suggests the language may provide some liability protection for the state that the Legislature would prefer to see. Principal Assessor Meredith Rafiki cites an example where her office discovered that a resident was claiming residency in both Norwell and Scituate, and illegally applied for an exemption in both towns. This language permits them to deny the exemption in cases where fraud is discovered.

Mr. Cleveland asks about BOA’s amendment to Article 3; this was put in at Mr. Morin’s request and allows BOA to adjust the total exemptions granted in cases where the total amount exempted cannot be covered by overlay surplus and free cash. Mr. Morin notes the language indicates that the preference of the Assessors is to provide the same relief as the circuit breaker, but if the Town lacks the funds to do so, it has the discretion to adjust the relief amount downward. Ms. Hibbard asks if this provision might be questioned at the state level and if additional language should be added as insurance against such rejection. Mr. Morin agrees this could happen either by the Legislature or the Attorney General’s Office but notes there will likely be a Special Town Meeting in the fall and suggests that any needed corrections could be made then.

Motion by Mr. Perniola to recommend Article 18, Circuit Breaker tax exemption, as amended. Seconded by Mr. Cleveland and unanimously voted.

Fire Department Statute Change

The proposed article would impose certain fire protection requirements for motels in town. Fire Chief Kean does not believe the article to be enforceable based on his conversations with the state, and has withdrawn it.

Circuit Street Easement

The proposed article would grant the Town access rights to Hitching Post Lane, a private road servicing an Open Space Residential Development under construction, and its drainage infrastructure without incurring an obligation to accept the road as a public way or maintain it as such. Mr. Morin noted this would give the Town the ability to go onto the property as needed for

emergencies. Town Counsel has reviewed the article, and the Select Board and Planning Board have already approved it.

Motion by Mr. Perniola to recommend Article 51, Circuit Street Easement. Seconded by Mr. Cleveland and unanimously voted.

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2022 SPECIAL TOWN MEETING ARTICLE APPROVAL

Mr. McSweeney noted the Board had discussed these articles in previous meetings.

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Motion by Mr. Perniola to recommend Article 1 of the Special Town Meeting, Unpaid Bills, in the amount of \$1381.00. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 2 of the Special Town Meeting, Supplemental Transfers, in the amount of \$104,000. Seconded by Mr. Cleveland and unanimously voted,

Motion by Mr. Perniola to recommend Article 3 of the Special Town Meeting, SPED Stabilization, in the amount of \$300,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 10 of the Special Town Meeting, Snow and Ice Deficit, in the amount of \$318,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 11 of the Special Town Meeting, October Storm Deficit, in the amount of \$369,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 12 of the Special Town Meeting, River Street Betterment, in the amount of \$374,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 13 of the Special Town Meeting, Circuit Street Betterment, in the amount of \$19,553. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 16 of the Special Town Meeting, Animal Inspector Stipend, in the amount of \$1500. Seconded by Mr. Cleveland and unanimously voted.

2022 ANNUAL TOWN MEETING ARTICLE APPROVAL

Mr. McSweeney noted the Board had discussed these articles in previous meetings.

Motion by Mr. Perniola to recommend Article 1 of the Annual Town Meeting, Acceptance of Town Reports. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 5 of the Annual Town Meeting, Union and Personnel Contracts, in the amount of \$80,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 6 of the Annual Town Meeting, Personnel Plan Transfer, in the amount of \$30,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 7 of the Annual Town Meeting, Stabilization Fund Transfer, in the amount of \$250,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 8 of the Annual Town Meeting, Capital Stabilization Transfer, in the amount of \$100,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 9 of the Annual Town Meeting, SPED Stabilization to School Department, in the amount of \$395,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 10 of the Annual Town Meeting, OPEB Transfer, in the amount of \$200,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 22 of the Annual Town Meeting, MS4 Stormwater Compliance, in the amount of \$15,000. Seconded by Mr. Cleveland and unanimously voted.

Mr. Morin advised the State had confirmed \$458,000 in Chapter 90 funding to the Town; action by the Legislature may increase this funding.

Motion by Mr. Perniola to recommend Article 23 of the Annual Town Meeting, Chapter 90 Funding. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 24 of the Annual Town Meeting, Drainage Funding, in the amount of \$100,000. Seconded by Mr. Cleveland and unanimously voted.

Mr. Morin noted that Highway Commissioner Ferguson's initial request for Article 25 was \$400,000. State aid and payments from builders provide additional funding for repairs.

Motion by Mr. Perniola to recommend Article 25 of the Annual Town Meeting, Road Resurfacing, in the amount of \$200,000. Seconded by Mr. Cleveland and unanimously voted.

Ms. Hibbard suggested that it be clarified at Town Meeting that Article 26 refers to maintenance of the Town Pathway.

Motion by Mr. Perniola to recommend Article 26 of the Annual Town Meeting, Boardwalk Maintenance Study, in the amount of \$5000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 43 of the Annual Town Meeting, Highway Yard Maintenance, in the amount of \$200,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 44 of the Annual Town Meeting, Traffic Calming Measures, in the amount of \$15,000. Seconded by Mr. Cleveland and unanimously voted.

Mr. Morin noted that the Main Street Sidewalk could be completed this year if the Town receives additional grant or Chapter 90 funding; he would like to avoid additional bonding for the project if possible.

Motion by Mr. Perniola to recommend Article 20 of the Annual Town Meeting, Main Street Sidewalk Expansion to Town Center, in the amount of \$200,000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 21 of the Annual Town Meeting, Cemetery Betterment, in the amount of \$60,000. Seconded by Mr. Cleveland and unanimously voted.

The Cemetery Betterment funding article was subsequently amended from an Annual Town Meeting article to a Special Town Meeting article. Mr. Morin noted this change would have no material impact, as the funds are being distributed from the Perpetual Care Fund.

Motion by Mr. Perniola to recommend \$60,000 for Cemetery Betterment as part of the Special Town Meeting. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 13 of the Annual Town Meeting, Charter Amendment Adding Assistant Town Administrator. Seconded by Mr. Cleveland and unanimously voted.

Mr. Maguire indicated that his questions regarding Personnel Plan reclassifications had been answered to his satisfaction.

Motion by Mr. Perniola to recommend Article 54 of the Annual Town Meeting, Personnel Plan Reclassifications, as presented. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 55 of the Annual Town Meeting, Personnel Bylaw Revisions. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 56 of the Annual Town Meeting, Personnel Appendix A. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 53 of the Annual Town Meeting, Medicaid Reimbursements, for \$7000. Seconded by Mr. Cleveland and unanimously voted.

Motion by Mr. Perniola to recommend Article 52 of the Annual Town Meeting, Revolving Funds, in the amount of \$25,000 for the Stetson Ford House RF, \$80,000 for the Recycling RF, and \$5000 for the Council on Aging RF. Seconded by Mr. Cleveland and unanimously voted.

MISCELLANEOUS

Mr. Maguire notes he had been asked if any provisions to allow for remote voting at Town Meeting were forthcoming. Mr. Morin indicated this would require state law changes that were not currently contemplated, but he would not be surprised if a proposal emerged in the near future. This is already allowed in Towns with elected Town Meeting members but not in towns, such as Norwell, that have open town meetings.

All discussed logistics and potential issues with such a change and with the current “in-person” attendance requirement. Mr. Maguire noted that meetings held at night limited the attendance of seniors who could not drive at night; members suggested that this issue be raised with the Council on Aging, who may be able to provide transportation.

The Board also discussed ways to avoid excessively long meetings in the spring, including starting its reviews earlier. This might be possible with the CPA funding requests, which are approved by CPC in the fall. Mr. McSweeney would like the Board to receive the School Department’s materials earlier given the size of its budget; Mr. Morin agrees and will try to get the Board more

time to review. All discussed possible submission deadlines, a policy of not discussing materials received the day of a meeting, and how to avoid open meeting law issues with such policies.

Mr. Morin thanked the Board again for all its work and the respectful way in which it has carried it out, as well as Finance Director Darleen Sullivan, Town Accountant Christine McCarthy, and Administrator Ellen McKenna for their assistance.

FUTURE MEETINGS

April 7 and 12, 7:30; May 9 prior to Town Meeting/6:30 PM

ADJOURNMENT

There being no further business, a motion was made by Ms. Hibbard to adjourn at 8:48 PM. Seconded by Mr. Perniola and unanimously voted.

Jesse McSweeney, Chair