



TOWN OF NORWELL
Norwell Town Offices, Room 112
345 Main Street
Norwell, Massachusetts 02061
(781) 659-8000

Norwell Advisory Board Meeting Minutes November 29, 2022

The Advisory Board was called to order by Chair Jesse McSweeney at 7:00 PM. Also present were Town Administrator Peter Morin, Finance Director Darleen Sullivan, Police Chief Ed Lee, and Board Members Mark Cleveland, Bob Perniola, Elizabeth Hibbard, Peter Leppanen, Ed Maguire, John LaCara, and Dane Hutchison. Dane Hutchison arrived at 7:20 PM. Brian D'Souza was unable to attend.

AGENDA

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

ADMINISTRATIVE MATTERS

Minutes

The minutes of the October 18 meeting were distributed and reviewed.

Motion by Mr. Cleveland to accept the Minutes of the October 18, 2022 meeting as submitted. Seconded by Mr. Leppanen and approved 6-0-1, Mr. LaCara having abstained.

Bills

None

Reserve Fund Transfer Requests

None; Mr. Morin anticipates one will be coming in January for the purchase of a fire truck.

2023 SPECIAL TOWN MEETING ARTICLE REVIEW

Mr. Morin stated that the warrant for the Special Town Meeting will be submitted by December 14. If the Advisory Board's recommendations are not done by then, the warrant will note that a recommendation will be made at the meeting.

Unpaid Bills

This article will authorize payment of the following bills incurred the prior Fiscal Year:

Wage Works	Town Employee FSA	\$217.44
Historical Commission	Meeting Minutes	\$100.00
Direct Energy		\$2548.23
Annual Town Meeting Closed Captioning		\$988.00
Total		\$3854.67

Mr. Morin confirmed to Mr. McSweeney that closed captioning expenses would be part of the Town Meeting budget going forward; this particular bill came in late.

Reserve Salary for Union Contracts

This article requests an additional \$200K to supplement the \$90K appropriated by Article 5 at the Annual Town Meeting to meet negotiated union and personal contract obligations. Mr. Morin noted that the additional funding was larger than usual because five collective bargaining agreements had been negotiated this year. Mr. McSweeney suggested that the negotiations be staggered in the future; Mr. Morin indicated that this was the usual practice, but the pandemic had created a backlog.

Purchase of Backup Fire Truck

This article allocates funds to purchase the backup fire truck discussed by the Board at the previous meeting. Mr. Morin would prefer to fund this purchase through a reserve fund transfer. If this is possible, the article will replenish the reserve fund for the cost of the truck.

Transportation Network Companies (TNC) Balance

The Town receives a payment from a “Transportation Network Companies” Fund established by state legislation to offset the impact of ride shares on communities. A Town Meeting vote is needed to allocate the \$7684 accumulated in the fund, which is to be used for road and sidewalk maintenance (the funds must be used to meet transportation needs). The Legislature is looking to change the law so that Town Meeting votes will not be required going forward.

Remove Police from Civil Service

If this article is passed, the Police Department positions would no longer be subject to civil service hiring and disciplinary rules. This has been a longstanding goal of Town administration and the Select Board, and had been agreed to in collective bargaining with the Police Union, which is currently the only union remaining under civil service classification.

Mr. Morin characterized the civil service hiring and disciplinary regulations as restrictive and “dilatory,” with disciplinary appeals in particular dragging on for years. The Town and the Union have a good working relationship and have agreed to implement expedited hiring/disciplinary procedures that will preserve employee due process. Removal of the Department from the civil service will take about two years, during which the Town and union will formulate the new procedures.

Mr. Cleveland asked for more information about what civil service classification meant. Originally designed as an anti-patronage measure, civil service is a statutory process by which certain government employees are hired, promoted, and disciplined; it is subject to statutory preferences, such as for residents of a municipality, hiring lists, and delays. Mr. Perniola asked whether there was any financial benefit to being part of the civil service; there is none. Mr. LaCara asked whether higher education would be incentivized in the new procedures. Mr. Morin noted that the Town had already adopted the Quinn Bill, which incentivizes further education and training.

Mr. Maguire asked how the Department would replace the civil service test; they are considering use of a proprietary test or regional testing. Mr. Maguire expressed concern at potentially limiting the applicant pool, and suggested that the Department favor a regional test. Mr. Morin noted that any test adopted would be open to anyone. Chief Lee added that the proprietary testing was designed with the objective of providing better candidates; any testing implemented would not cost the Town anything, as the applicant pays the cost. Mr. Morin added that passage of the article

would expedite lateral transfers, which are cheaper than new hires, into the Department by removing signoff requirements.

Ms. Hibbard noted that the Civil Service procedures afforded the Town legal protection, and asked how they intended to ensure the new process was safe from court challenges. Chief Lee indicated that the accreditation process would include a procedural review and plans for recruiting, discipline, and retention. Ms. Hibbard asked about the cost both to establish the new procedures and administer a proprietary exam. Mr. Morin will be working with KP Law and union representatives on the new procedures; the cost to administer the exam will not be onerous.

Chair McSweeney asked if there were any potential benefits to staying within the Civil Service; Mr. Morin indicated it was a long-standing process that affords the Town legal protection and, if properly funded, is impartial. Chair McSweeney also asked Chief Lee about his approach to patronage issues; he has dealt with such matters previously and would consult with Human Resources, Town Counsel, and the Ethics Commission as needed.

MISCELLANEOUS

New member John LaCara was welcomed and introduced himself. He has lived in town 14 years and used to work in town.

Chair McSweeney, Mr. Morin, and Ms. Sullivan met with Superintendents Keegan and Hickey, received their budget calendars, and stressed to both the need for them to submit their budget documentation at least a week in advance.

Prior to the Special Town Meeting, the Board will discuss the 93 Longwater, Highway Barn, Engineering/Traffic study, St. Helen's purchase, associate Planning Board member, and ADU bylaw revisions. Mr. Morin thinks the Board may have to make its recommendation for St. Helen's on the floor depending on when the CPC vote and other information becomes available. After a brief scheduling discussion, all agreed to hold additional meetings on December 6 and January 17. The Board members were also encouraged to attend the CPC meeting on December 8.

All present discussed procedures for the St. Helen's discussion, at which there are likely to be residents wanting to speak. Mr. Morin noted that since it was not a public permitting hearing, the Chair had discretion as to who to allow to speak, or the Board could enact its own policy. Ms. Hibbard wants to ensure the Board's procedures are clear, and that this Board makes people feel heard. Chair McSweeney thanked Ms. Hibbard for raising the question; his initial thought is to simply let anyone speak who wants to. Mr. Cleveland agreed in general, but suggested that speakers be asked to present new information in order to avoid repetitive comments.

Mr. Morin will get guidance from Town Counsel as to a policy on social media posts. Ms. Hibbard would like there to be some way to counteract the sometimes incorrect information that gets posted, Mr. Hutchison is concerned that posting on social media would negate the Board's appearance of objectivity, but Mr. Maguire offered that talking to residents helps him make judgments. After some further discussion about various Facebook pages and mechanisms for "official statements," Mr. McSweeney indicated the topic would be added to a future meeting's agenda.

Vice Chair Hibbard would like to ensure all members are up to date on ethics training; Mr. Morin will check with the Town Clerk, who maintains these records.

Chair McSweeney asked the Board members to think about their preferred liaison assignments.

FUTURE MEETINGS

December 6, 2022

January 17, 2023

ADJOURNMENT

There being no further business, a motion was made by Ms. Hibbard to adjourn at 8:34 PM.

Seconded by Mr. Perniola and unanimously voted.

Jesse McSweeney, Chair