



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

Norwell Advisory Board Meeting Minutes December 6, 2022

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

AGENDA

Motion by Ms. Hibbard to approve the agenda as printed. Seconded by Mr. Perniola and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

ADMINISTRATIVE MATTERS

Minutes – None

Bills – None

Reserve Fund Transfer Requests – None

2023 SPECIAL TOWN MEETING ARTICLE REVIEW

Director of Planning Ilana Quirk present to discuss the following two articles.

Add Associate Planning Board member - Planning Board

This article would amend the Zoning and general bylaws to allow the Planning Board to appoint an alternate member to attend meetings and vote in public hearings for special permits if their vote was needed to establish a quorum. Planner Quirk noted that a supermajority (four-fifths) vote is required on special permit public hearings, which can present issues given that the Planning Board is currently comprised of five members. State law allows five-member planning boards to appoint one associate member, but this requires amendments to the zoning and general bylaws. The PB views this as a housekeeping article that would prevent delays to applicants due to a lack of quorum. The associate member would attend all public hearings but, like a regular member, would be allowed to miss one meeting and still vote provided they reviewed a recording or approved minutes of the missed hearing, and signed a Mullin affidavit attesting that they did so.

Ms. Hibbard asked for more detail as to how the associate member would be appointed. Under the article, the Planning Board would vote to appoint the associate at a posted meeting, which is one of the allowable procedures set forth in the statute. The article would allow for the associate to gauge their own interest in potentially running to become a full member. The associate would be expected to attend meetings at which there is a special permit hearing, but could attend other meetings like any other resident. Planner Quirk noted that hearings for certain special permits are often continued over multiple meetings, and having the associate member present for these longer hearings would be of particular value in preserving the quorum.

Mr. Cleveland asked how long an associate would typically be appointed for; the appointment would typically be from 1-3 years. The charter specifies that the appointment can be no longer than three years. Ms. Hibbard asked how the appointment process worked in other towns. Planner Quirk believes such members are most often appointed as opposed to running for a seat.

Mr. Leppanen asked if the Associate would automatically take over a resigning member's seat. The other four members would carry on unless and until another member was appointed. The statute allows for such a replacement member to be appointed by unanimous vote of the Planning and Select Boards. Mr. Cleveland asked why the same process couldn't be used to appoint an associate member. Planner Quirk indicated it was up to the Town as to what process it wants to use, but the PB felt the process it proposes would be the quickest way to get the associate on board.

Mr. Cleveland expressed discomfort at the PB appointing its own associate member; Chair McSweeney stated Advisory does the same but Ms. Hibbard pointed out the appointment goes through the Nominating Committee, which has three different stakeholders. The appointment of a replacement PB member is done jointly by the Select Board and Planning Board, which she believes provides an additional layer of oversight. She understands the benefit to having an associate member but feels that the same joint process should apply to appointing one. Mr. Leppanen questioned whether an earlier draft followed the joint process; Planner Quirk stated it did, but after further discussion, the PB felt direct appointment by them would be a more expedient process. Planner Quirk also notes that the Norwell PB does not review many special permit applications, and it may in fact be difficult to find a resident willing to serve as an associate member; the proposed process would allow the PB to act quickly when a candidate does apply.

Mr. Maguire states that an excerpt from paragraph 11 of the article seems to allow the PB Chair to "do what he wants to do" in appointing an associate member. Planner Quirk replied that Chair could not act alone, and the process would be that the PB would post the proposed appointment as a meeting agenda item, conduct an interview, and then take a vote to appoint the associate.

Planner Quirk indicated to Mr. Hutchison that the PB has operated without an associate member for "a long time." Mr. Hutchison then asked what the impetus was to appoint one at the Special Town Meeting as opposed to waiting for the Annual. The PB views this as a housekeeping matter and decided to bring the article forward together with the Village Overlay District article, which has since been moved to the Annual meeting. The Board would like to have the associate member provision in place before a rush of applications and/or quorum issue occurs. Mr. Hutchison also asked Planner Quirk what kind of special permit applications she has seen before the PB; there has only been one in her year with the Town, the Stetson Woods VROD application.

Mr. D'Souza states that Associate Planning Board members are elected in Cohasset, and would like to see more specifics as to how the process works in other towns. Planner Quirk is willing to research this. Mr. Maguire questions whether there is an urgent need to discuss this article at the Special Town Meeting as opposed to the Annual. Planner Quirk reiterated the Board's concern is they don't know when or if an associate member would be needed. Mr. Maguire would prefer that the article be heard by a larger cross-section of residents at the ATM as opposed to a STM, where "there's a lot of people with agendas."

Mr. Morin is not aware of the Select Board's view of the article; at its meeting tomorrow, they will be referring the article back to the PB for a public hearing, and will likely make their

position known as to whether they want to be involved in the appointing process. Mr. Morin adds he has seen instances in which PB member absences or resignations have required special permit hearings to be restarted, often after multiple hearings. Having an associate member could potentially save applicants the expense of having to present the same information at two different hearings.

Ms. Hibbard sees the value of the PB ultimately having an associate member but remains concerned that the appointment process have sufficient oversight; involving the Select Board, as is done when appointing replacement members in the event of a resignation, seems like a small ask, as the SB regularly appoints members to other boards. Mr. Morin adds that appointing a replacement PB member is usually done in a joint meeting of the PB and SB. A similar process is done for the School Committee and Board of Assessors. Mr. Leppanen imagines that an associate PB member would likely expect to be appointed as a full member in the event of a resignation, but would like to ensure the SB and PB were okay with the appointment in such a case.

Chair McSweeney reads a note from Planning Board Vice Chair Don Mauch in favor of the article, and reads his own note to Mr. Mauch in response. The note states the article's purpose is to remedy an occasional lack of quorum for SP hearings to avoid inconveniencing applicants. Chair McSweeney indicates he understands the desirability of an associate member but shares others' concerns about the appointment process, and suggests that Ms. Quirk work with the PB to revise the article before the January 17 meeting; in this case, the warrant would indicate that a recommendation would be made on the floor unless an earlier AB meeting is called.

Ms. Hibbard asks if the PB has considered increasing its size to seven members; Ms. Quirk notes this would just make the supermajority vote higher. It would also allow the Board to have two associate members under state law. Mr. Morin opines that it would be difficult to get seven residents to run for the Planning Board.

Village Overlay District Amendment Article – Planning Board

Planner Quirk advised this article would be withdrawn. It will be submitted to the Annual Town Meeting warrant after further revision.

Supplemental Funding Request – Highway Barn/Tree & Grounds project

Assistant Highway Surveyor Shane Gokey present. The February 2020 Special Town Meeting appropriated funding and bonding for construction of the Highway Barn, but the bids that came in for the project were all higher than the \$5.5 million appropriated. This article asks for an additional \$1.6 million to complete construction; the low bidder has indicated these funds, along with some additional article money that can be repurposed, will be sufficient to complete the project.

In response to a query from Ms. Hibbard, Mr. Morin set the total project cost at \$7.1 million and indicates it can be funded under the levy. Mr. Leppanen asked about the cost of similar projects in other towns; Mr. Morin cited the cost of a similar facility in Duxbury as "\$24 million and going up." The design of the Norwell facility has been amended down to what the Town can afford, while still providing essential functionality such as meeting rooms, changing rooms, vehicle storage, and accessible bathrooms. The existing structure next to the library will be demolished, but it is uncertain what the site will be used for after that.

Mr. Cleveland asked if Highway Department needs have changed since February of 2020. Mr. Gokey believes there have been minor adjustments to the building height and office area, but the

plan otherwise remains the same. The building can be added on as needed. Mr. Leppanen asked if the general contractor has locked in the material costs; Mr. Gokey indicated they have to wait until after the vote to order materials. Mr. Morin noted that the latest bids were received last Friday, and should reflect an accurate picture of the costs.

Mr. Hutchison asked if there are any additional big funding requests coming from Highways; Mr. Morin anticipates just the usual capital requests to replace vehicles equipment, which the Town tries to spread out over several years. Mr. Leppanen asks what would occur in the event of cost delays or overruns; Mr. Morin notes that the contract locks the contractor in on costs and imposes penalties if certain milestones are not met.

Mr. Hutchison asked how much of the original \$5.5 million has been expended; Mr. Morin believes about \$400K for design and some site prep. Mr. Leppanen asked Mr. Morin how confident he is that no additional funds will be needed; he is very confident based on Friday's bids. Mr. Leppanen asked about the possibility of change orders; these would require a meaningful change in circumstances to be approved, and the Town would seek to limit the percentage of cost change. The Town is vigilant against low bidders seeking increases after start of work and takes the view that "their bid is their word."

Mr. Hutchison asked what the original \$5.5 million figure was based on; it was largely based on a 2018 study which looked at Town Hall renovations and construction of a new highway barn. The cost of steel, in particular, has since increased significantly. Ms. Hibbard asked whether the \$7.1 million figure is all-inclusive; Mr. Gokey states it covers "everything within the scope of work." The \$400K in available article money puts the contingency funds at a little over 8%, which is standard for the industry.

Motion by Mr. Perniola to recommend the \$1.6 million Highway Barn supplemental funding article. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

Traffic Mitigation Study Funding – Highway Department

This article seeks \$150K to fund a study to mitigate traffic impacts of Hanover Crossing, which is located just over the town line. In 2019, the Town negotiated \$300K in funding for such studies to be paid for by the developer, and the Traffic Mitigation Committee would like to retain an engineering consultant to formulate a mitigation plan as soon as possible.

Chair McSweeney reiterated that the funding for this study has been provided by the developer and is not being requested from Town funds; the remaining funds will be held in reserve. There is no restriction on these funds requiring that they be spent on this study or mitigation in this area.

Ms. Hibbard asks if \$150K is the standard cost of a traffic mitigation study; Mr. Morin notes there is a traffic engineer on the Traffic Mitigation Committee who helped set this figure; any funds not spent will flow back to Free Cash.

Mr. Maguire asks if the Traffic Committee or other Town officials have reviewed Hanover's traffic study; they have, and it was noted that study focused on Hanover. Mr. D'Souza asks what the Town will get for its \$150K; it will get an evaluation of various traffic mitigation techniques that could be applied to address the additional traffic generated by Hanover Crossing; this could include

the addition of lights or redesign of intersections in the South Street area. Mr. Perniola asks if Hanover Crossing would be required to provide funding to implement any solutions identified in the study; this cost would be on the Town and not the developer.

Motion by Mr. Perniola to recommend the Hanover Crossing Traffic Mitigation Study Funding article for \$150,000. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

Purchase & Sale – 93 Longwater Circle (new Town Hall)

This article requests \$4.4 million to purchase a 20,600 sq ft office building at 93 Longwater Circle to be used as the new Town Hall. Mr. Morin noted there have been four studies to date that have considered various options for a new or renovated Town Hall, including a Town Hall/Library building, relocating Town offices to the Sparrell Building, and renovating the existing town office building. Renovation costs, originally estimated at \$4.5–\$5 million in a 2019 evaluation, have ballooned to slightly over \$14.5 million based on conditions in the building and increased construction/material costs. Minimal renovations to make the building accessible, which would include installation of an elevator and needed HVAC/electrical updates, would come to \$4.6 million.

Once the actual cost of renovation was revealed, it was suggested by SB Chair Bruce Graham and others that the Town explore other options in town, and a request for proposals was issued, which yielded the opportunity to purchase 93 Longwater for \$4.5 million or a lease option for \$350,000 with annual dollar per square foot increases over five years, at which point the lease could be renewed with an additional increase. Mr. Morin notes that the principal and interest costs to purchase would be less than the proposed rental cost, and they have negotiated the purchase price down to \$4.4 million, or \$214 per square foot, with the seller assuming any costs to meet Chapter 21E (hazardous material release) and Title V requirements.

The property has been visited numerous times by town officials including the Building Inspector, Health Agent, Facilities Director, wiring and plumbing inspectors, the Town's IT consultant, and Police and Fire, with a consensus that the building is in good condition for purchase. Mr. Morin acknowledged that the restrictions of the public bidding process likely means the Town is paying more for commercial office space than a private purchaser, but he is confident that the purchase can be done, in a variety of ways, all under levy and without depleting the Town's cash reserves or assuming overly burdensome debt. It is far superior, in terms of cost, to the alternatives of renovation or new construction to the point of being a financial "coup" for the Town. Mr. Leppanen adds that the proposed cost is less than that for the Highway Barn.

Mr. Perniola asks if School Department personnel currently utilizing the Sparrell Building could be relocated to 93 Longwater. Mr. Morin is not sure the new building could accommodate all of the School Department and Town offices, but there is additional space in 93 Longwater after all Town offices are accounted for. Mr. Leppanen asks what would happen to the current Town office building and inquires if the property/land were sold. Mr. Morin believes a sale is an option but notes this would not be essential to the financing of 93 Longwater. To level the existing town hall and create a vacant lot would cost around \$1 million. Alternatively, the building could be repurposed as recreational space using CPC funds. Any private purchaser would likely seek to put housing on the lot; this would require easements so the Town could retain access to septic infrastructure adjacent to the building, as well as the sports fields in back.

Ms. Hibbard, who looks at acquisition prices as part of her job, notes there are other commercial properties on sale in Town for lower and higher costs per square foot, which suggests that the cost for this building is reasonable. She sympathizes with residents who have stated they want a Town Hall near the center of town but suggests the cost benefits are worth it. Mr. Morin agrees that 93 Longwater isn't centrally located in town, but it is located in a center of activity that is readily accessible.

Mr. Leppanen asks if the financing details have been worked out; Mr. Morin is working with Assistant Town Administrator Darleen Sullivan and Town Accountant Christine McCarthy to finalize the details, including how much to finance and what ARPA/CARES Act funding might be usable. CPC funds cannot be used for the transaction.

Mr. Cleveland asks if this purchase affects proposals for the St. Helens property and Senior Center/COA building. Given that the 93 Longwater purchase is proposed to be done under levy, the transaction would have no effect on St. Helens, which is proposed to be funded largely through CPC money, or Senior Center/COA or possible new school buildings, which would be funded through debt exclusion. Mr. Hutchison asks who keeps track of these proposed large projects; the Town Administrator's office monitors through a 10 year capital plan that is also examined by the Capital Budget Committee.

Mr. Hutchison asks if there is a way to approach these projects as part of a plan to protect the way the town looks instead of filling needs as they arise; he would prefer that a Town Hall ultimately be part of a COA/Community Center building and that the Town consider such projects over a longer timeframe. Mr. Morin notes that Hingham combined most of their Town offices, including Police and COA, onto one property, and their COA and police are now seeking their own buildings.

Mr. Hutchison also notes that 93 Longwater is located near a charter school in the park, which causes traffic backups at certain times of day, and asks if a traffic study may be needed. Mr. Morin is aware of the issue and has met with the owners of the adjacent properties, but notes that the Town Hall does not generate significant vehicle traffic during the day. He has also heard that the charter school is looking for a new location.

Ms. Hibbard notes that as the building is located in a commercial area, its value is likely to appreciate, and the proceeds of a future sale could pay for a new Town Hall elsewhere; Mr. Morin concurs. Mr. Maguire was Chair of the Industrial Development Commission which worked with the developer of Longwater Drive, and is confident the properties there will continue to appreciate in value and the Town will get more than its money back if it decides to sell. Mr. Leppanen thinks the purchase could be a bridge to a long-term solution or the solution itself, and would like the Town to think about which option it ultimately prefers; Mr. Morin agrees this is the next step.

Mr. Perniola asks if there would be any impediments to a future sale; if the Town buys the building with cash as planned, there would be none. Mr. Leppanen asks how much in property tax revenue would be lost if 93 Longwater was occupied by municipal offices; about \$80K. Mr. Leppanen also asks what happens if the purchase doesn't happen, and what the downside would be. The Town offices would remain where they are without any alternative solution in sight. Mr. Morin states "it's hard to keep people working here," and employees worry about indoor air quality and possible mold/asbestos. The building's condition and appearance can be offputting to residents,

and it cannot accommodate large municipal meetings. Ms. Hibbard believes the current Town Hall does not reflect how well the town is run and can make a poor impression on visitors.

Mr. LaCara asks if the Town has considered bonding for the purchase, and saving the cash for potential repairs. Mr. Morin thinks the existing Capital Stabilization fund is sufficient for any potential repairs and would prefer to reserve bonding capacity for larger projects.

Mr. Perniola suggests that the presentation at Town Meeting emphasize how the loss of tax revenues will be offset by lower operating costs as well as the potential to house certain school offices, reducing the pressure on the Sparrell Building. Mr. Morin agrees there could be some benefit just to having some school offices in the same building, but the School Committee would have to agree to it.

Ms. Hibbard asks how the Town would share landscaping and snow removal with the owner of 91 Longwater. Mr. Morin notes that the Town can handle these tasks cheaper than 91 Longwater's contractor's can, so a cost-sharing arrangement would likely save both parties money.

Chair McSweeney believes the purchase to be "the best move right now" that would leave the door open to a future move if the town desired. It is not centrally located in town but is close to many residents on the western end of town. Mr. Leppanen supports it as an interim solution that will help pay for the next step.

Mr. Hutchison asks about the future of the current Town Hall building and property if vacated; this would be determined by future Select Boards and administrators as there would be associated costs. He also asks about the timeframe for moving if the article is approved; Mr. Morin anticipates fall of this year.

Motion made to recommend the 93 Longwater purchase article for \$4.5 million. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

Unpaid Bills

This article will authorize payment of \$3823.05 in bills incurred the prior Fiscal Year

Motion by Mr. Perniola to recommend the Unpaid Bills article for \$3823.05. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

Reserve Salary for Union Contracts

The 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.

Motion by Mr. Perniola to recommend the Reserve Salary article for \$200,000. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

Transportation Network Companies (TNC) Balance

A Town Meeting vote is needed to allocate the \$7684.50 accumulated in the “Transportation Network Companies” Fund established by state legislation to offset the impact of ride shares on communities; the funds will be used for road and sidewalk maintenance.

Motion by Mr. Perniola to recommend the TNC Balance article for \$7684.50. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D’Souza aye.

Reserve Fund Replenishment

This article will authorize the transfer of \$195,000 into the Reserve Fund to offset the purchase of the backup fire truck discussed by the Board at the October 18 meeting.

Motion by Mr. Perniola to recommend the Reserve Fund Replenishment article for \$195,000. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D’Souza aye.

Remove Police from Civil Service

If this article is passed, Police Department positions would no longer be subject to civil service hiring and disciplinary rules. This has been agreed to in collective bargaining with the Police Union. 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.

Chair McSweeney spoke to an official in a neighboring town that administers their own promotional exams; this costs them about \$7500 annually, and the scores are good for three years.

Motion by Mr. Perniola to recommend the Police Civil Service Removal article. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D’Souza aye.

MISCELLANEOUS

Mr. Hutchison notes Mr. Morin’s retirement at the end of the month and asks what he views is the three to five most pressing needs/wants over the next 5 to 20 years. Mr. Morin expects there will be a want/need for a new high school, which was originally built in 1974; the Town also needs to look at its water infrastructure, including piping and treatment plants, and keep maintaining the roads. The Town needs to have a specific plan and costs in order to decide if it wants a community center; a decision to build or not build one are both valid choices if properly informed.

The Board has posted it will attend the CPC meeting on Thursday, at which the St. Helen’s purchase proposal will be discussed. Chair McSweeney recommends that any members who cannot attend watch the video.

This meeting will be Mr. Morin’s last before his retirement. He will continue on assisting the Town as a consultant at least through the Annual Town Meeting or the move to 93 Longwater, if approved. The Board thanked Mr. Morin for his assistance and service to the Town.

FUTURE MEETINGS

January 17, 2023 – Town Hall, Osborne Room, 7 pm

ADJOURNMENT

There being no further business, a motion was made by Mr. McSweeney to adjourn at 9:05 PM. Seconded by Mr. Cleveland and unanimously voted by roll call: LaCara aye, Leppanen aye, Perniola aye, McSweeney aye, Hibbard aye, Cleveland aye, Hutchison aye, Maguire aye, D'Souza aye.

I hereby certify that the above minutes were presented and approved by a majority vote of the Norwell Advisory Board on _____.

Jesse McSweeney, Chair