



TOWN OF NORWELL
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TOWN OF NORWELL
TOWN CLERK

2021 APR -6 P 12: 25

**Norwell Advisory Board Meeting Minutes
March 9, 2021**

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The Advisory Board was called to order by Chair Peter Smellie at 7:00 P.M. Also present were Town Administrator Peter Morin, Town Accountant Donna Mangan, and Board Members Mark Cleveland, Bob Perniola, Susan Darnell, Rick Goulding, Jesse McSweeney, Andrew Reardon, and Julie Sim. Unable to attend was Kate Steele.

ADMINISTRATIVE MATTERS

Minutes

The minutes of the March 2 meeting were distributed and reviewed. The road safety equipment article motion was amended to include the dollar amount of funding.

Motion made to amend the minutes of the March 2, 2021 meeting with respect to the Road Safety Equipment article and accept the minutes as amended. Seconded and passed 8-0-0 by roll call.

Bills – None

Reserve Fund Transfer Requests

The Board approved a \$15,500 reserve fund transfer request to lease a backhoe at \$3100 per month for five amounts. These fees will count against the purchase cost of the new backhoe referenced in the capital spending requests. Mr. Morin added that the old backhoe was at the end of its service life, and a working backhoe was needed to dig graves among other tasks.

Motion made to transfer \$15,500 from the Reserve Fund to the Highways line for leasing of a backhoe. Seconded and passed 7-0-1 by roll call, Member Reardon having abstained.

Correspondence/Notices – None

Action Items / Discussions – None

FY 2022 BUDGET OVERVIEW

Town Administrator Peter Morin gave a brief overview of the following budgetary requests.

Water Department

The Department requested a postponement.

Town Library

Judy McConnarty present. The new library is nearing completion, with move-in set to begin on April 12. The Town has been certified in the 2021 State Aid to Libraries cycle as having met the funding requirements for continued state aid. The FY 22 budget includes an increase to the Salary line due to the addition of a full-time Young Adult/Tech Librarian which had been approved last

year but not funded, and additional custodial hours for the new building. The “extra hours circulation assistant” line funds coverage when the circulation assistant is out; the “general expenses” line is slightly decreased, as she has worked to trim expenses. Utility costs in the new building are somewhat of an estimate, as it is a larger space but would be more energy-efficient.

Personnel Board items related to the Library include an adjustment in the Sunday hours stipend to reflect current salaries and grade change for circulation assistants from 5 to 6 plus a change in title to “library associate” to reflect additional responsibilities. Ms. McConnarty thinks Sundays will be an especially busy day once the new building opens.

Ms. Sim asked whether residents would be allowed to enter the library when it opens, noting that people have commented to her that they would like to be able to browse, even if occupancy were limited. Ms. McConnarty believes they will start with curbside pickup and then work on a phased reopening. In-person browsing is not possible at the temporary site due to limited air circulation.

Mr. Goulding asked how they had formulated the utility cost estimate; Ms. McConnarty worked with project engineers to make the estimate, but it was still an educated guess. The engineers are aiming for LEED certification for the new building.

Mr. McSweeney asked whether the new library would look empty when the current collection is moved in; Ms. McConnarty noted the rooms are designed for not just book storage, but also meeting space and places for reading and study.

Mr. Morin indicated that he did not agree to the proposed increases in personnel until he saw the new space, and now thinks the additions important to ensure that all spaces in the building, including group and maker spaces, are utilized to maximize the benefit of the new building.

Motion made to recommend the FY 22 Library budget in the amount of \$741,528. Seconded and passed 8-0-0 by roll call.

Board of Assessors

The Board requested a postponement. Mr. Morin is working with the new department head with respect to staffing.

Historical Commission

A level-funded \$4000 budget is recommended. Mr. McSweeney asked why \$4000 was allocated each year given the Commission has historically spent much less than that each year. This amount allows the Commission to hire a consultant or print additional pamphlets if needed. Select Board Chair Ellen Allen also advised the that Commission was considering hiring help with respect to revision of the demolition control bylaw.

Motion made to recommend the FY 22 Historical Commission budget in the amount of \$4000. Seconded and passed 8-0-0 by roll call.

PBMC

Mr. Smellie noted that a “zero dollar” budget had been presented which did not require an approval vote.

Capital Budget Committee

No budget received by the Board.

DRAFT WARRANT ARTICLES - MAY 2021 TOWN MEETING

CHT Transfer Reconsideration

Ms. Darnell indicated she had discussed the Community Housing Transfer request further with CPC and CHT, and asked for a vote to reconsider the article at a future meeting.

Motion made to reconsider the Community Housing Trust CPC funds transfer article. Seconded and passed 5-3-0 by roll call: Reardon aye, Perniola no, McSweeney no, Cleveland aye, Sim aye, Smellie no, Goulding aye, Darnell aye.

Mr. Smellie noted that under Robert's Rules, items voted for reconsideration are typically taken up the same night as the reconsideration vote; however, Mr. Morin pointed out that when the Board reconsidered a previous year's vote concerning the Highway Barn project, it did so at a later meeting. Ms. Allen added that CHT was already scheduled to meet with the Advisory Board on March 25, and suggested that the matter be tabled to then.

Motion made to table reconsideration of the Community Housing Trust CPC funds transfer article to March 25. Seconded and passed 7-1-0 by roll call: Reardon aye, Perniola no, McSweeney aye, Cleveland aye, Sim aye, Smellie aye, Goulding aye, Darnell aye.

Street Acceptance - Cowings Cove and Hollyberry Trail

Town Planner Ken Kirkland present. Mr. Morin advised that these articles could not be voted tonight, as the Planning Board and Select Board needed to vote first.

Mr. Kirkland indicated that the paperwork for both requests was in the final assembly process. The roads had been constructed to the DOT standards in effect at the time, and there were no outstanding engineering issues. Highway Commissioner Glenn Ferguson commented that Mr. Kirkland and the PB had done a good job protecting town interests by ensuring that detention basin maintenance would be a Homeowner Association (HOA), not town, responsibility even after acceptance as a town road. Hollyberry Trail, given its age, may need paving soon; however, he leaves the question of street acceptance up to the residents and relies on the PB's review process.

Mr. Kirkland explained that both roads, each less than 1/3 mile long, were permitted at about the same time, but Hollyberry's stormwater treatment system was located at the front of the development, with pipes passing beneath the road. The HOA applied for street acceptance in 2006, but the PB at the time balked at the cost of maintaining the pipes. These concerns were eventually addressed, through trust amendment, after delays due to residents moving out and the death of the attorney for the HOA.

Mr. Ferguson cautioned that currently he did not have the capacity to maintain the catch basins on these and other new roads to meet the MS4 requirements. Chair Brendan Sullivan of the Planning Board noted that the PB frequently encountered this issue, in which a developer designs a complicated catch basin system to meet stormwater requirements and the Board cautions the developer that this will create issues with eventual street acceptances. The developer typically has no issue with this prospect because they are not responsible for maintaining the basins once the HOA is up and running. Mr. Kirkland noted that he told PB members to assume that every street in every development proposed to them is eventually going to go for acceptance as a town road.

Mr. Perniola asked whether HOAs generally mitigate issues raised by the Town; Mr. Kirkland noted there was a vetting process involving engineering reviews, the submission of as-built plans, and questioning by the Planning Board. In response to a query from Mr. Cleveland, Mr. Kirkland believed that the Town should accept roads when they have successfully gone through this process, noting that roads that don't meet the required designed standards won't pass the review, and there would be limited incentives to construct and maintain roads to standard if there was no prospect of acceptance. Mr. Ferguson added that the Town is presently very cautious around street acceptances, and he would find a way to maintain the catch basins. Mr. Kirkland pointed out that these basins are what DEP is requiring of all new roads and developments.

All parties discussed the need for a mechanism to evaluate the costs and benefits of street acceptances, with Mr. Cleveland suggesting pausing accepting new town roads while one is set up. However, Mr. McSweeney noted that residents of a particular street have a right to petition the town for acceptance, particularly when they were paying a hefty HOA fee on top of high town taxes. After some further discussion, the matter was tabled pending recommendations from the Planning Board and Select Board.

Estate Lot Bylaw

Mr. Kirkland advised that the proposed amendment would allow for construction of single-family homes, by special permit from the PB, on lots with a minimum 50 ft of frontage. The matter was tabled pending recommendations from the Planning Board and Select Board.

Stormwater Bylaw Amendments

Mr. Kirkland noted that this article had been passed at Town Meeting last year, but had been rejected by the Attorney General's office because the initial March 25 PB hearing, in the early days of the pandemic, was opened and then immediately continued. The article transferring the stormwater regulations to the general bylaws was approved last year by the AG's office, and this article will remove the new redundant regulations from the Zoning bylaws. The Planning Board voted to recommend the article; the matter was tabled to March 16 to allow additional time for review.

Floodplain Bylaw Amendments

Mr. Kirkland advised that this article was also passed at Town Meeting last year, but FEMA subsequently rescinded and reissued the update with extra language and definitions that must be incorporated into the bylaw. The bylaw must be updated by July 6 to ensure the Town's continued participation in the National Flood Insurance Program. The Planning Board voted to recommend the article; the matter was tabled to March 16 to allow additional time for review.

Stony Brook Cottage Demolition

Conservation Agent Will Saunders present. This article requests \$61,000 in funds to demolish a previously donated rental cottage on Stony Brook Lane. The cottage is structurally unsound, and its asbestos siding presents a safety hazard. The demolition work aside from the asbestos remediation can be done by Trees & Grounds. A small bench and raptor stand will be constructed once the cottage has been removed.

Mr. Morin noted that the article had been recommended last year but pulled due to the state of emergency; it will ultimately result in a good recreational opportunity.

Motion made to approve the Stony Brook Cottage demolition article for \$61,000. Seconded and passed 8-0-0 by roll call.

Jacobs Pond Weed Removal

Mr. Saunders noted that Jacobs Pond requires periodic treatments, currently provided by Solitude Lake Management, to prevent it from being overgrown with weeds. These treatments typically are scheduled every other year, and are not harmful to fish or other wildlife. This article requests \$20,000 to pay for the standard biannual treatment next spring plus additional funds in case a second treatment is needed.

Motion made to approve the Jacobs Pond Weed Removal article for \$20,000. Seconded and passed 8-0-0 by roll call.

Capital Improvement Plan Article

Mr. Morin advised that the Capital Budget Committee recently met remotely and finalized a recommendation of \$906,500 in Article 3 capital spending, including the following:

Fire

Radio/antenna improvements	\$273,000; these funds will only be used if grant funding through SSRECC is denied or not granted in full
Pine Street station repairs	\$30,000

School

Cole HVAC repairs	
Vinal fire panel replacement at Vinal	
High School bleacher repairs	
Sparrell Doors lead abatement	\$50,000
Sparrell exterior lead abatement	\$40,000
Kitchen equipment	\$30,000
Pickup truck replacement	\$40,000
Sparrell generator replacement	\$50,000

Mr. Morin noted that paving the Cole School parking lot had been funded through the street improvements bonding article; purchase of security cameras has been funded in funding for tech upgrades approved last year. The Town is pursuing a state grant for a new Town Hall generator.

Highway

Backhoe	\$98,000 (plus \$15,500 in leasing fees)
Accessories for catch basin truck	\$157,000, to be encumbered to next year
ATV with line sweeper	\$55,000

Mr. Morin advised that purchases of a pickup truck, brush mowing deck, and a Bobcat had been removed. Mr. Ferguson added that the catch basin truck could be reconfigured to work as a sand/salt spreader and debris sweeper. He is trying to cut down to five big trucks from six by retrofitting vehicles for multiple tasks.

Motion made to recommend the Capital Improvement Plan article for \$1,050,000. Seconded and passed 7-0-1 by roll call, Member Reardon having abstained.

Citizen Petition Articles

CPA Repeal

The article proposes a repeal of the CPA surtax. Petitioner Don Mauch advised the Board by e-mail that he would not be present for the discussion, as the article spoke for itself. Mr. McSweeney noted that the article had been pulled last year; Mr. Cleveland noted that the Board had no language to review.

Motion made to NOT recommend the CPA repeal article. Seconded and passed 8-0-0 by roll call

CPA Reduction

The article proposes a reduction in the CPA surtax from 3% to 1.5%. Petitioner Don Mauch advised the Board by e-mail that he would not be present for the discussion, as the article spoke for itself. Ms. Darnell questioned whether such a reduction would disqualify the Town for matching state funds. Mr. Smellie noted that the match had been tapering down from the original 100% match; Ms. Allen indicated this was due to the increase in the number of participating towns.

Mr. Smellie questioned whether, given a recent increase in deed fees, the Town would receive close to its existing state match if the surtax were reduced to 2%. However, Mr. Reardon opposed any reduction, as CPC funding had been used on numerous projects that benefited the entire fund. Ms. Allen pointed out that reducing the surtax to 1.5% only reduces the surtax, not resident taxes; in most cases the savings would be relatively small. Ms. Mangan advised that there was a favorable funding outlook for the state match, with state receipts forecast to increase about \$200,000 to \$1.5 million.

Motion made to NOT approve the CPA surcharge reduction article. Seconded and passed 5-3-0 by roll call: Reardon aye, Perniola no, McSweeney no, Cleveland aye, Sim aye, Smellie no, Goulding aye, Darnell aye.

Non-binding Referendum

This article proposes a Town Meeting resolution in favor of a non-binding referendum regarding the CPA as a way to show support or lack thereof. Mr. Cleveland was sympathetic to the idea of gauging public support, but he was not aware of any widespread opposition to the CPA.

Selectman Allen stated that the procedure for putting a referendum on the ballot has nothing to do with a Town Meeting vote, and the only ways to actually do so was (1) by Select Board vote or (2) by a citizen gathering the required number of resident signatures. She further stated that the Select Board had set a policy to not submit any referendum questions, as doing so would be perceived as the Board taking a specific stance on an issue. The matter was tabled to allow Mr. Morin to consult with Town Counsel.

MISCELLANEOUS

Articles regarding personnel reclassifications and general bylaw amendments are on the March 16 agenda.

FUTURE MEETINGS

3/16/21, 3/18/21, 3/23/21, 3/25/21, 3/30/21, 4/1/21

ADJOURNMENT

There being no further business, a motion was made to adjourn at 9:12 P.M. Seconded and passed 8-0-0 by roll call.

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Peter Smellie, Chair

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