

**Norwell Board of Selectmen  
Open Meeting Minutes  
August 9, 2017**

TOWN OF NORWELL  
TOWN CLERK  
2017 NOV 16 PM 3:15

**Present:** Jason Brown, Ellen Allen, Alison Demong, Gregg McBride, Peter Smellie, Peter Morin

**Guests:** Bylaw Review Committee: Sally Turner and Lois Barbour, members

The meeting was called to order by Chair Jason Brown. Mr. Brown announced that the board will address traffic issues in Town at their meeting on Sept. 6<sup>th</sup>. He invited all interested residents to attend this meeting to voice concerns.

The board reminded all to please take personal responsibility for driving safely and the Town will try to address the problem traffic spots.

Alison Demong updated all on the tick education program status. The Town no longer has a contract with URI as Plymouth County has hired an entomologist to take over providing information and assistance to county towns.

**Bylaw Review Committee Update**

Sally Turner, Lois Barbour and Ken Kirkland, the new Town planner, were present to update the board on the codification project and talk about the updated committee mission statement. Ms. Turner read the new statement aloud, adding that it had been written with the assistance of Mr. Morin. Wording was added to include general bylaws and rules and regulations (rules and regs). All will review the statement and comment.

Ms. Barbour handed out copies of the project information to the board and Mr. Morin and gave a status update. The manuscript was submitted to the committee for review, along with the editorial and legal analysis. There are clarification steps to finish before work can proceed. The BOS section must be completed by Sept. 8<sup>th</sup> (the end of the 90-day contract period). The packet to be reviewed will need the assistance of Town Counsel as well as review by the BOS and other boards and departments. This part of the project is about reorganizing and renumbering into a different format, but will need to be readopted. Nothing substantive will be changed without a vote of approval at Town Meeting. Ms. Turner expanded on the types of changes to be included.

Mr. Morin will review the BOS section first and then send it to Peter Smellie for review. If all goes well this project might make the Spring Town Meeting.

Timeline: Ms. Turner gave a summary of dates and goals. This committee would like to encourage other Town boards and committees to contribute any changes that they feel should be made to their rules and regs.

General Code offers an option for the Town to purchase a maintenance plan for bylaws updates after each Town Meeting. There would be an annual fee, cost to be determined. A request could be included for next year's budget. The board thanked the committee for their hard work.

**Ken Kirkland – New Town Planner**

Mr. Morin introduced the new Town Planner to all and welcomed him to Norwell.

**7:35pm Ron Mott – Harbormaster – Mooring Rules and Regs Discussion**

Mr. Mott reviewed his proposed changes to this section of the bylaws, rules and regs with the board.

Per Mr. Brown, these proposed changes need to go to Town Counsel for review. Ms. Allen asked about inclusion on the Warrant for the Spring Town Meeting. TBD.



### **Review of Summerfest**

Kristen Jervey and Ann Marie Costello were present to recap this year's event. The tentative plan is for Summerfest 2019. There has been positive feedback so far, with small exceptions from two of the merchants in Town Center. This two-year cycle seems to work well. All thought it was a great community event, and the board offered suggestions for future event planning with regard to road closure and parking. Ms. Jervey and Ms. Costello gave a short overview of the next event. Mr. Brown stated that the event seems popular with residents.

### **Proposed Cemetery Remediation Plan**

Mr. Brown invited Cemetery Committee Chair Wendy Bawabe to give a summary of this plan, with additional information from Mr. Morin. The Planning Board has received a proposal for a business development at 370 Washington St., which includes the removal of trees between the borders of the Washington St. Cemetery and this property. The plan is to remove the trees which would interfere with the construction of the new building on the lot and plant new trees under the supervision of a landscape architect. This project would ensure that none of the graves are disturbed and a suitable buffer is provided with care and courtesy for the adjacent cemetery. The Memorandum of Agreement is written to provide a good faith plan for this project. The trees in question are very old and quite large, so the plan will need to provide substantial replacement trees to address this sensitive issue.

Carlo Agostino, owner of Natale's, was present with his lawyer Mr. Kelleher. Mr. Agostino stated that he would like to relocate to this property. The current "eyesore" building will be removed. His building plan was approved by the ZBA, but the Highway Surveyor noted that these huge tree roots would be irreparably damaged (the trees are Norway spruce). Mr. Agostino would like to walk the property with Town officials and replace trees. He certainly doesn't want to damage the cemetery in any way, but needs to remove trees which could potentially damage his new building. Discussion ensued with suggested remedies. The landscape architect will draw up a plan when he returns to work on August 24<sup>th</sup>. Mr. Natale would pay for tree removal and replacement (up to \$12K). Mr. McBride thanked him for bringing his business to the Town. The suggestion is to change the MOA language from a specific number of replacement trees to the landscape architect's recommendation, with the Town's right of approval.

*Motion; made by Alison Demong, seconded by Peter Smellie, to authorize Jason Brown to sign the MOA with amended changes as discussed on behalf of the board. Unanimously voted*

*Motion; made by Alison Demong, seconded by Peter Smellie, to approve the MOA between Carlo Agostino and the Town with the changes as discussed. Unanimously voted*

Note: The board added that the applicant should instruct workers to please be mindful of the tree roots.

### **Central Fire Station Repairs**

Chief Reardon is present to discuss the proposed repairs. Mr. Morin identified some issues that are emergent in nature at this building, and directed the board to review the diagrams in the booklet that highlight the roof and additional building issues that need fixing ASAP. Chief Reardon noted that they were identified in the long term capital plan, but not scheduled until FY19 and FY20.

The station roof is the most important fix as the entire structure/dormers are in desperate condition, which raises safety issues. The total cost is \$162K at the prevailing wage to remedy these situations.

As Mr. Morin would like to get this done quickly, he will ask the state for permission to use emergency procurement procedures. This would allow the Town to waive the advertising and RFQ notices and obtain three quotes instead of going through the bid process. This is a public safety facility that needs to be both safe and healthy. The funding source would be through a Reserve Fund transfer; the Reserve Fund would be replenished with a free cash transfer at the



next Town Meeting (Fall Town Meeting). Any upcoming capital request by the Fire Department would be reduced by this amount.

The board opined that this really needs to be done ASAP. This request was first made in 2014/2015. This is a lesson in capital planning – the work should have been done earlier. All agreed that the Town needs to be mindful of its investments in these buildings and not let them become emergency situations like this one. Per Mr. Brown, this is a classic example of want vs. need, and there are 35 more projects exactly like this which are not exciting but necessary.

Chief Reardon updated the board on a bad fire on High St., stating that the building was heavily damaged, but people and animals are all safe. State police are investigating the cause.

*Motion: made by Alison Demong, seconded by Peter Smellie, to endorse the proposed request for a waiver of procurement requirements with the Division of Capital Asset Management and reserve fund request for a transfer. Unanimously voted*

#### **Fire Department proposed contract**

Mr. Morin explained the changes in the proposed contract to the board. This is a 3-year agreement with salary increases of 2% per year, with one step increase of 4% to all members on 7/1/18. Mr. Morin summarized other contract changes, adding that the step increases are offset by changes in tuition reimbursement. He added that he appreciates the willingness of the firefighters to address the health insurance percentage increases.

*Motion; made by Alison Demong, seconded by Peter Smellie, to approve the agreement with the Town and the Norwell Firefighters Union Local 2700, effective 7/1/16 to 6/30/19. Unanimously voted*

#### **Town technology policy approval**

*Motion; made by Alison Demong, seconded by Peter Smellie, to approve the Town's new technology policy. Unanimously voted*

#### **BOS Goals**

The board reviewed the FY 2016 goals, updating and editing each section as needed. Ellen McKenna will type up a first draft of the proposed FY18 goals for review at the next meeting.

#### **Adjourn to Executive Session**

*Motion; made by Alison Demong, seconded by Peter Smellie, to adjourn to Executive Session, not returning to Open Session at 9:43pm, for the purpose of discussing pending litigation. Mr. Brown also noted that to discuss these topics in Open Session would be detrimental to the Town's interests. Unanimously voted*

*Mr. Brown polled the board, Demong voting yes, McBride voting yes, Allen voting yes, Smellie voting yes, Brown voting yes.*

#### **Future meetings; August 23<sup>rd</sup>:**

Library funding strategy, STM date, election date

BOS goals

Peter Morin's review

Exec. Session 8/23

