

**Norwell Board of Selectmen
Open Meeting Minutes
9/5/18**

TOWN OF NORWELL
TOWN CLERK
2018 OCT -4 AM 9:44

Present: Ellen Allen, Jason Brown, Gregg McBride, Alison Demong, Joe Rull, Peter Morin, and Town Counsel Bob Galvin.

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Open session; 7:02pm

The meeting was called to order by Chair Ellen Allen.

Agenda Item 4h will be discussed out of order.

Attorney Galvin gave all the updated points of the 40 River Street project transactional documents, adding that the board must sign copies of all of the documents for the loan closing next week. This will be discussed further in the later Open Session.

Discussion ensued about the project's proposed PILOT program. It was previously thought that this would not be negotiated until next spring when it would be going to Town Meeting for approval. However, Eastern Bank is requiring that the Board sign a side letter now about the proposed PILOT terms. Questions arose about the cap in the proposed PILOT. This will be discussed fully in the 7:30 portion of the meeting. It could be potentially be renegotiated before Town Meeting if a future profit stream becomes possible.

In addition, ZBA Chair Lois Barbour is looking for the Board's input on waiving or reducing the building permit fees before they must decide this at next week's ZBA meeting. The building inspector suggested that the remaining money on the Metro West budget (\$15K) be approved for the building permit fees. Attorney Galvin noted that this transaction will have a long list of documents and they will be held in escrow until the loan closing. Ms. Allen asked about a reasonable time period to review and then sign the documents. Metro West is meeting with the ZBA next Wednesday. Attorney Galvin won't release the documents until all have been approved.

Ellen M. will post the BOS for a meeting with the ZBA meeting next Tuesday, 7pm in the Osborn Room and the board will sign the loan documents then. The board's signatures are needed next week or Metro West will lose their rate lock. Any PILOT agreement must still be voted at Town meeting. If it is not approved, it will be renegotiated. The BOS will sign all copies of the documents after the meeting.

Open Session, Reconvened at 7:40pm

The meeting was called to order by Chair Ellen Allen. All rose to recite the Pledge of Allegiance.

Motion; made by Gregg McBride, seconded by Jason Brown, to approve the agenda as written. Unanimously voted

Ms. Allen reminded all that the meeting is televised and recorded.

Citizen Comments

David DeGhetto, River Street resident, summarized his truck traffic issues on River Street.

A Pine Street resident commented on the proposed development at Simon Hill and spoke against it. The BOS will be meeting in October with the Community Housing Trust about affordable housing. Residents will be notified about the meeting date.

The resident also talked about the construction on River Street affecting traffic on Pine Street. She noted that the Town's speed limits are much higher than those of surrounding towns.

BOS Reports

Mr. Rull welcomed the students back and congratulated the winning candidates in the recent election. He urged the board to put truck traffic issues back on an agenda in the near future.

Town Administrator

Mr. Morin gave all an update on traffic issues in the Town.

TOWN OF MORRIS
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Appointment of the CHT representative to the Carleton Property Committee

Motion; made by Ellen Allen, seconded by Gregg McBride, to appoint Andy Reardon to the Carleton Property Committee. Unanimously voted

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Mr. McBride will organize the first meeting of the Carleton Property Committee, and Ellen McKenna will help with the admin. procedures. Ms. Demong welcomed all to the committee and gave a brief summary of the charge to the committee. The goal is to come up with a proposal for the land in time for the May 2020 Annual Town Meeting. Ellen M. will include both the charge and timeline in the email announcement for the first meeting. All discussed options for plan designs. Ms. Demong discussed her conversation with Glenn Ferguson about the maintenance of the stone walls along Main Street. She also asked Cliff Prentiss about landscaping the triangle at Lincoln and Main Streets, which may be a conversation for the committee. There is an initial budget available to start doing some of these projects. John Haskins is interested in doing some of this work. Hopefully the committee members who have not yet toured the land will be able to do so before the first meeting.

Street Light Proposal Discussion

Mr. McBride summarized the points of the Real Term Energy proposal from the prior meeting. The initial study and inventory is part of the upfront consulting cost of 27K. Mr. Morin has reviewed this proposal with towns that opted for this updated lighting and it is considered a "no brainer." His concerns about funding include the following: there are only two potential sources of funding now, Utilities (50% of its annual budgeted amount) or a Reserve Fund transfer, which would be rather early in the fiscal year. The time loss is minimal if this part of the project waits until May Town Meeting.

There are two separate sources of financing for purchasing the lights: a Green Communities grant through the DOER, or a grant program administered by the MAPC, which offsets 30% of the purchase price. This project is a good fit for the Green Communities. Installation of these lights would greatly reduce the Town's carbon footprint and have a five year cost recovery. Mr. Morin's recommendation is to seek funding at the Special Town Meeting in May, with subsequent funding for lighting at the Annual Town Meeting or funding through a Green Communities grant. An additional factor is that the light fixtures would have to be insured, increasing that cost in the budget for FY2020. Ms. Demong asked about the timing cycle for a Green Communities grant. The application would be submitted in February for funding in time to purchase the light fixtures.

Sparrell Building Project Update

Mr. Morin updated all on the status of the feasibility study to move Town Hall to the Sparrell Building. The Town received a \$20K Community Compact grant to look at certain feasibility aspects for this project and negotiated an agreement with the School Department. Habeeb Associates was hired to perform a space needs study. They have completed the assessment, which is in the BOS packet. The project is feasible but will have challenges. The space required would take up all of the first and third floors of the Sparrell building. An Article was passed at FY18 Annual Town Meeting to work on this and the Hwy/Tree and Grounds consolidation. Mr. Morin and Glenn Ferguson met with Forte Architecture to review plans for the Highway facility with 3 alternative designs and cost estimates and to lay out the steps for the process. A lot of this preliminary work has been done to date. A cost estimate will be provided at the end of the process. Mr. Morin reminded all that if there are separate facilities for the Town and the schools, a lot of the needed work would be redundant. Questions were asked and answered about the space needs and design elements of this project. Mr. Morin added that a small group will meet with representatives of the schools within the month. Ms. Allen will follow up with the School Committee Chair.

Norwell Farms Sublicense Consent Agreement

This document is the consent to Norwell Farms sublicensing the farm land to Cross Street Flowers through 2019. Ms. Allen updated all on the meetings she has had with various Town boards and the status of Norwell Farms and their agreements with the Town. Starting in 2020, the plan is to replace the sublicense arrangement by having two separate agreements, one with a future farmer and one with Norwell Farms. The BOS would take a more "umbrella" leadership role in the future, overseeing Con Com, NHC, and the supporting documentation.

Motion; made by Gregg McBride, seconded by Alison Demong, to approve the consent form to the sublicense for Cross Street Flowers (already approved by Town Counsel). Unanimously voted.

The BOS will sign at the end of this meeting. Norwell Farms is working on a future plan for a farmer.

Norwell Grange PRA Update

Town Counsel updated all on the PRA (permanent preservation restriction agreement) status, noting that he received an email yesterday from the buyer's lawyer that his client is in agreement with the state's required edits to the PRA draft previously approved by the BOS. The updated document can be submitted to the state after the meeting next week with the NHC. The buyer may want to use Jim Kelliher to work on the building plans. As Mr. Kelliher is an NHC member, he would recuse himself from those matters. Town Counsel will send the revised PRA to the state and the BOS will sign it once the final state approval is received. Also, Town Counsel talked with the National Grange organization about the signage request for the building. The organization will make a decision and get back to Town Counsel.

40 River Street Project Update and Permit Fees Waiver Request

Ms. Allen explained that the Board had begun discussions at its 7:00 pm open session. The Board needs to sign certain documents for the bank financing to close next week, as well as deliberate about recommended building fees and the terms of a PILOT. Mr. McBride summarized the history of this property and the journey to this Affordable Housing project for 18 rental units (all affordable) being built by a nonprofit organization, Metro West. He explained that the building permit fees can only be reduced or waived by the ZBA, but that they would like the Board's input. He opined that this became a nonprofit project, which warrants a reduction in the building permit fees. There is only about \$15K in Metro West's tight budget to pay for these fees. The building inspector would like the Town to collect enough to cover the out-of-pocket cost to the Town, but noted that 85% of any additional amounts would flow to the inspectors, not the Town.

Community Housing Trust Vice Chair Liz Hibbard was present to answer questions and review the project status with the board. She noted that this project has progressed extremely quickly for an AH project, which reflects the level of support from the state. Three state agencies are together providing \$2.6M to the project. Without this, a 100% affordable project would not be possible. Her recommendation is to ask for the \$15K in the Metro West budget for the building permit fees since this is expected to cover the Town's out-of-pocket costs. Mr. Brown wants the Town's costs covered even if they exceed \$15K. Discussion ensued about the goals of this project and the fact that this is the first Town-developed Affordable Housing project.

All discussed PILOT payment options for the Town from Metro West, during which several questions were asked and answered. The current proposal includes \$9K of payments in the operating budget and an excess cash flow recapture payment to the Town capped at \$20K total. All discussed the local preference for this project and affordable rent for the complex. Ms. Hibbard noted that the rents are based on the Boston MSA, which includes the Town. A lottery for the units will be held. A local preference (inclusive of a preference for Veterans) will be followed per the approved Fair Housing Selection Plan. All units will be income restricted from 30% AMI to 100% AMI.

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Questions were asked and answered about Metro West's financial ability to pay permit fees and options for the PILOT agreement. Mr. Brown expressed skepticism about the developer's inability to pay more and asked why there would be a cap on the excess cash flow recapture. Ms. Hibbard reminded all about the amount of state regulatory oversight for this project. One of the best auditors in the state will oversee this project. Per Town Counsel, a side letter is required by the bank about the PILOT agreement that will be taken to Town Meeting for approval. Ms. Demong stated that she is supportive of the proposed PILOT.

Motion; made by Alison Demong, that the board sign the side letter of agreement for the PILOT. Further discussion ensued about the PILOT issue, the final version of which would require approval at Town Meeting. This side letter of agreement by the BOS is one of the documents needed to close on the loan. Mr. McBride reminded all that the property tax estimate provided to the residents at Town Meeting was the best estimate available at the time. The PILOT amount is lower because the project ended up being 100% affordable and is being developed by a non-profit. The CHT entered into this endeavor primarily to provide housing for the Town's senior residents, not collect taxes, as is clear in the Town Meeting motion.

Ms. Hibbard would like to continue to negotiate with Metro West, using the permit fees as a negotiating point for the PILOT fees. Ms. Allen and Mr. Brown were in favor of eliminating the cap on the excess cash flow repayment.

Ms. Demong withdrew her motion.

Ms. Allen and the board continued the discussion of PILOT options and building permit fees options. Town Counsel suggested a halt to the discussion of options as continuing would be detrimental to the Town's negotiating position, but added that the board needs to vote on the release of the PILOT side letter either tonight or next Tuesday at the ZBA meeting. Ms. Hibbard agreed to try to negotiate a PILOT agreement that would not have a cap. Therefore, no motion or vote was taken on the PILOT.


Motion; made by Mr. Brown, seconded by Alison Demong, to support having the amount of the building permit fees cover the Town's costs. 4 voted yes. Mr. Rull abstained.

Ms. Allen asked about the deadline for the PILOT and Town Counsel said that the board needs to meet next week to sign. The closing documents will initially be held in escrow until the building permit is issued. Town Counsel listed the documents for the project that will be signed and held in escrow.

Adjournment

Motion; made by Gregg McBride, seconded by Alison Demong, to adjourn at 10:07pm.

Unanimously voted


Ellen Allen, Chair