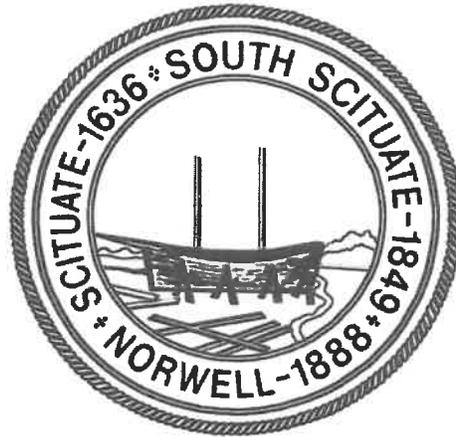


# TOWN OF NORWELL



**Transcript of Articles in the Warrant for the  
SPECIAL TOWN MEETING  
REPORT OF THE ADVISORY BOARD**

**Monday, January 23,  
2023**

**At 7:30PM**

Please bring this report to the meeting for use in the proceedings at the

**NORWELL MIDDLE SCHOOL  
Henry E. Goldman Gymnasium  
328 Main Street**

TOWN OF NORWELL

WARRANT

Special Town Meeting

Monday, January 23, 2023

At 7:30 o'clock in the evening at Norwell Middle School

Plymouth, ss.

To one of the Constables of the Town of Norwell, in said County of Plymouth, Commonwealth of Massachusetts.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norwell, who being qualified to vote in elections and Town affairs, to meet at the Norwell Middle School, 328 Main Street, in said Norwell, on Monday, the twenty-third of January, 2023 at 7:30p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, January 23, 2023, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the impaired and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Anyone requiring a Sign Language Interpreter should call the Town Clerk's office at least two weeks before the Special Town Meeting and Annual Town Meeting at 781-659-8072.

**Town of Norwell  
Report of the Advisory Board  
2023 Special Town Meeting**

To the Citizens of Norwell:

On Monday, January 23, 2023, the Town of Norwell will hold a Special Town Meeting. This Special Town Meeting will cover business matters that must be acted upon since the last Annual Town Meeting on May 9, 2022. These matters include two proposed property acquisitions, a Reserve Fund transfer to purchase a backup fire truck, a Home Rule petition to remove the Norwell Police Department from Civil Service, additional funding for the Highway Barn project and Personnel and Contract Articles and a Traffic Study and payment of prior fiscal year bills.

The purpose of a Special Town Meeting is to allow voters attending Town Meeting the opportunity to responsibly discuss, debate and determine whether to appropriate monies for various expenditures for the remainder of the current fiscal year through June 30, 2023. Your elected and appointed officials will present their recommendations to you to help with this process. The Advisory Board's role is to advise residents of its recommendations on each article contained in this Warrant. These recommendations have been determined following several months of evaluation and careful consideration of all the materials provided by Town Departments, Boards and Committees at public open meetings. Every proposed article was reviewed by the Advisory Board with a presentation from its proponents in a public meeting.

We would like to thank the residents, employees and volunteers across all Departments, Boards and Committees for their invaluable input. We wish to thank Ellen McKenna for her exceptional support to the Advisory Board. We also wish to formally thank Peter Morin, Town Administrator, Darleen Sullivan, Assistant Town Administrator and Finance Director and Christine McCarthy, Town Accountant for their professional guidance and dedicated support throughout this entire process.

It is important that your voice is heard and we look forward to seeing you at Town Meeting on January 23, 2023.

Sincerely,

**The Norwell Advisory Board**

Jesse McSweeney, Chair  
Peter Leppanen  
Mark Cleveland

Liz Hibbard, Vice Chair  
Robert Perniola  
John LaCara

Dane Hutchison, Clk.  
Brian D'Souza  
Ed Maguire

## TOWN BUDGET

### Glossary of Terms

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current year.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year and the estimated state and county government charges payable. These amounts are used by the assessors in setting the tax rate. The actual receipts and charges may vary from the estimates.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2002. This Act allows the town to collect a 3% surcharge on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated, reserved or used for any of the three purposes and for Recreation and administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example FY11 is the fiscal year ended June 30, 2011.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves reduced also by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

**Grant:** A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

**Line-Item Budget:** A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

**Overlay:** The amount set aside to allow for uncollected property taxes. An amount for overlay is added to the appropriations and other charges. The “Overlay Surplus” is the portion of each year’s overlay account no longer required to cover property tax abatements.

**Overlay Surplus:** The unused amount of the overlay for prior years, which may be transferred, by vote of the Town, to the reserve account or used for any lawful purpose.

**Property Tax Levy:** The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed “per thousand dollars” of assessed valuation.

**Reserve Fund:** Money set aside by Town Meeting to be allocated by the Advisory Board for extraordinary or unforeseen expenditures.

**Stabilization Fund:** A special reserve funded by Town Meeting for future expenditures. The Town has also established Athletic Fields Stabilization, Capital Stabilization and Special Education Stabilization funds.

*Terms associated with Proposition 2½:*

**Debt or Capital Exclusion:** The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base, but allows the Town to assess taxes for a specific period of time in excess of the limit for payment of debt service costs or for payment of capital expenditures.

**Excess Levy Capacity:** The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

**New Growth:** The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town Meeting and by ballot question.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

**Index of Articles for the 2023 Special Town Meeting**

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TOWN OF NORWELL



Commonwealth of Massachusetts

WARRANT FOR SPECIAL TOWN MEETING

Monday, January 23, 2023

At Seven Thirty O'clock in the Evening

At the Norwell Middle School, Henry E. Goldman Gymnasium, Main Street

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**ARTICLE 1:** To see if the Town will vote to appropriate the sum of \$3,823.05 to pay the following unpaid bills from prior fiscal years which may be legally unenforceable due to the insufficiency of an appropriation and, to meet said appropriation, transfer the sum of \$3,823.05 from Free Cash:

Wage Works	\$217.44
Chris Sullivan	\$100.00
Direct Energy	\$2,517.61
Stephanie Farrell	\$988.00
Total:	<b>\$3,823.05</b>

or take any other action relative thereto.

Requested by the Finance Director

**The Advisory Board unanimously recommends this article. *These bills were received after the close of the prior fiscal year.***

**ARTICLE 2:** To see if the Town will vote to raise and appropriate or transfer from available funds or otherwise provide a sum of money to supplement funding for Personnel and Contract Articles or take any other action relative thereto.

Requested by the Finance Director

**The Advisory Board unanimously recommends this article. A nominal amount was placed in this article at the Annual Town Meeting. The Town has completed successful negotiations of collective bargaining agreements with the Police, Fire, SEIU and two AFSCME unions. It is unusual for all five unions to settle at once. The agreements are typically staggered to settle over successive years but shorter agreements were negotiated during COVID. A smaller supplemental appropriation is possible at the May 2023 Special Town Meeting, depending on a number of factors impacting personnel costs including employee hiring, turnover and injuries on duty.**

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**ARTICLE 3:** To see if the Town will vote to appropriate available funds from the Transportation Network Company (ride-share) for use by the Highway Department consistent with the requirements of state statute, or take any other action relative thereto.

Requested by the Highway Department

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 4:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$195,000 to replenish the Reserve Fund or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article. The Fire Department required a replacement truck after one of its front-line vehicles was damaged and the backup truck was in an unsafe condition. A Reserve Fund transfer facilitated the purchase of a replacement vehicle.**

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**ARTICLE 5:** To see if the Town will vote to raise and appropriate transfer from available funds or otherwise provide the sum of \$150,000 to fund a study of the impact on traffic caused by the newly constructed Hanover Crossing or take any other action relative thereto.

Requested by the Highway Surveyor and Traffic Study Committee

**The Advisory Board unanimously recommends this article. In 2019, the Town received \$300,000 from PREP, the developers of Hanover Crossing. This article would effectively draw from these funds to study options to mitigate the mall's impact.**

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**ARTICLE 6:** To see if the Town will vote to appropriate \$4,500,000, or any other amount, to pay costs of purchasing the condominium office building located at 93 Longwater Circle for use as a new Town Hall, as well as to pay costs of furnishing and fitting-out the building, costs of moving from the existing Town offices to this building and all other costs incidental to accomplish the purposes of this Article; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

**The Advisory Board unanimously recommends this article. The current building used as Town Hall was deemed insufficient for use as a school three decades ago and has been in a failing condition for well over a decade. One third of the building is in disrepair. Four studies have been conducted since 2010 regarding space needs and renovation. The February 2020 Special Town Meeting approved \$360,000 for the design and engineering of renovations to the current Town Hall. The total cost of the project was then estimated at \$5 million. The project was delayed by COVID until 2021, when the Town engaged an owner's project manager and an architect. After examining the condition of the building, the consultants estimated the cost to bring the building into compliance with current codes to be between \$10 and \$12 million. This was partly attributed to the changes in the cost of construction and materials, but also to the difficulty in renovating a building with so many substandard systems and conditions.**

**The Select Board suggested that prior to seeking additional funds, an assessment of the current Norwell office space market should be done. A Request for Proposals (RFP) was issued in August 2022.**

**The Town received one response from the owners of 93 Longwater Circle, a two-story building constructed in 2006 consisting of 20,600 square feet of office space. The owners allowed the Town to inspect the property over several visits by the Town's project manager, architect, facilities director, building inspector, health agent and public safety chiefs. The building is in good condition and meets all the Town's requirements. The building is fully accessible (there is an elevator) and meets all current building and fire codes (a path will be needed to make the patio in the rear fully accessible). The costs to repair identified conditions in the building are reasonable.**

**The concern has been expressed that the building is not centrally located. While it would be preferable to have a centralized location, no other existing office space responded to the RFP and the pool of existing office space is limited. There is no suitable available office space in Norwell that is centrally located. A central location would require the Town to purchase privately owned land or use current open space. Either alternative will incur the added costs inherent in public construction, which would be at least double this article and require a debt exclusion or override.**

**This purchase can be done under the levy and will not require an override or debt exclusion, The owners and the Town have agreed to a purchase price of \$4.4 million. The additional money sought in the article will address costs of relocation and updating the building. Funds included in previously approved articles can also be used to address these costs.**

**This purchase will finally address the longstanding need to provide suitable space for the Town to conduct its business.**

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**ARTICLE 7:** To see if the Town will vote to authorize the Select Board to file a home rule petition with the General Court pursuant to Article 97 of the Massachusetts Constitution to remove the Norwell Police Department from the Civil Service System, or take any other action relative thereto.

**The Advisory Board unanimously recommends this article. The Town and the Police Union agreed to remove the Union from Civil Service as part of the most recent collective bargaining agreement. The Police Department is the sole department in Norwell under Civil Service regulations. The Town has experienced extensive delays and inefficiencies in hiring and promotions. The Town and the Union have agreed to develop a mutually agreed upon process to replace Civil Service that will be more efficient and fair while preserving due process.**

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**ARTICLE 8:** To see if the Town will vote to appropriate \$1,600,000, or any other amount, to pay costs of designing, constructing and equipping a new Highway Department and Tree and Grounds Building, including the payment of all other costs incidental and related thereto, which amount shall be expended in addition to all other amounts previously appropriated for this project; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or take any other action relative thereto.

**The Advisory board unanimously recommends this article. The February 2020 Town Meeting voted to appropriate \$5.5 million for the construction of a new Highway and Trees and Grounds headquarters. In the intervening time, costs of construction have changed significantly and the approved funding proved inadequate. On December 2, 2022, the Highway Surveyor received bids in response to a new Request for Proposals. The additional \$1.6 million included in this article will fund the project under levy and will not require an override or debt exclusion.**

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**ARTICLE 9:** To see if the Town will vote to appropriate \$9,050,000, or any other amount, to pay costs of purchasing the St. Helen's Church property from the Archdiocese of Boston, constituting 11 acres, more or less, for any purpose consistent with the Community Preservation Act as the Community Preservation Committee shall determine, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by a borrowing pursuant to the Community Preservation Act or otherwise; and, further, to authorize the Select Board, to grant a conservation restriction, or any other required restriction required by law in a form acceptable to Town Counsel, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board is awaiting further information and will make its recommendation at Town Meeting.**

*Office of the Board of Selectmen*

**Town of Norwell Norwell,**

**MA 02061**

**STANDARD MAIL**

**U.S. POSTAGE PAID Norwell,  
MA 02061 Permit No. 5**

**POSTAL CUSTOMER**

**AND/OR RESIDENT BOX HOLDER NORWELL, MA**

**02061**

**Index of Articles for the 2023 Special Town Meeting**

***Errata Sheet: To match Index to Warrant Articles Order***

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## Summary of St. Helen's Purchase

When it learned of the Archdiocese's plans to consolidate its parishes in Norwell, Hanover and Pembroke, the Town repeatedly contacted them to explore purchasing the property if and when they put it up for sale. The Town made a request to conduct an appraisal in advance of the sale. The Town was told that the sale was complex because of a canonical process and not likely to occur soon or quickly once it was announced. We were told it would be years away.

On June 28, 2022, the Town was contacted and informed that a sale of the whole property was imminent. The Town researched the approach used by another town and, after careful deliberation, the Select Board voted to submit an offer above the highest bona fide offer they received. Based upon other recent land sales, the Select Board reasonably expected offers to come in between \$3,500,000 and \$4,250,000.

We were surprised to learn that the highest offer they received for the property from an outside bidder was \$8,800,000. When considering borrowing, we needed to take into account the potential added tax burden on residents as well as planned or identified future capital needs.

After careful consideration, and after reviewing all possible funding sources, the Select Board agreed the best way to allow the Town to fund this large purchase, without impacting resident's tax bills or the ability for the Town to maintain and improve our infrastructure, was to borrow against Community Preservation Act (CPA) funds by bonding the purchase to service this debt over 20 years. This would also restrict use of the property for life to CPA purposes while allowing the Town to gain control of the property to minimize the impact of a potential 40B on the community.

Under the law regulating use of CPA funds, the property's appraised value must be equal to or exceed the purchase price. We had an independent appraisal performed to appraise the property at highest and best use. Based on our earlier valuation of comparable sales, we were not surprised the appraised value was determined to be \$4,390,000, far less than the \$9,050,000 purchase price. The Community Preservation Committee was required under the law to disapprove this proposed expenditure. Independently, the Select Board was further advised by outside bond counsel that it would be fiscally irresponsible to purchase any property, regardless of the funding source, at a price significantly higher than the appraised value.

The Select Board inquired if the Archdiocese would be willing to consider the sale to the Town for the appraised value. The Town was informed that the Archdiocese wished to negotiate with the next highest bidders and both parties mutually agreed to terminate the existing contract.

**The Town remains committed to mitigating the impact on the neighborhoods near the property and on the community as a whole.** While pursuing the outright purchase of the property, we have also been working with outside consultants to have a fallback position. Once we know who the ultimate buyer is, we plan to approach them to negotiate buying down the number of units they would otherwise build, reduce building heights, and rigorously enforce our zoning bylaws.

We will also be asking residents to consider approving a zoning change at the May Town Meeting to designate that area as an "Economic Opportunity Area". This would allow the Town to offer the buyer a Tax Increment Financing (TIF) agreement, which will provide an economic incentive to work with the Town to minimize the impact of what is ultimately built on the site. With a TIF, a municipality can grant property tax exemptions to landowners of up to 100% of the tax increment for a fixed period. This is an effective tool to assist in the development of a public/private partnership to reach mutually agreed upon terms for the project.