

**Norwell Select Board
11-17-21
Open Session Minutes**

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Present: Bruce Graham, Jason Brown, Ellen Allen, Andy Reardon, Pete Smellie, Peter Morin

Motion; made by Jason Brown, seconded by Pete Smellie, to exit Executive Session, returning to Open Session at 7:03pm.

Brown voting yes, Allen voting yes, Reardon voting yes, Smellie voting yes, Graham voting yes.

Approval of Agenda

Motion; made by Jason Brown, seconded by Pete Smellie, to approve the amended agenda, postponing item e. Unanimously voted

Approval of Meeting Minutes

Motion; made by Jason Brown, seconded by Pete Smellie, to approve the Open Session Meeting minutes for 11/17/21. Unanimously voted

BOS Reports and Announcements

Town Administrator

Mr. Morin thanked Veterans Agent Dave Osborne and Chiefs Lee and Kean for the lovely commemoration of Veterans Day. It was enjoyed by all who attended.

Citizen Comments

"Hello, Everyone, Brian Carroll, 7 Highfield Lane

I'm here tonight not to talk directly about the Wildcat land, for a change, but I'm here tonight to call directly for Ellen Allen to resign from this Board. That's funny to you, Ms. Allen? Because I think you should resign immediately from this board. And this board should launch an investigation and seek to recover the approximately fifty thousand dollars that were funneled to Ms. Allen's neighbor and friend Wyly Brown under an illegal contract signed by the Community Housing Trust. There is a complaint filed today with the state ethics commission, uh, that details a number of violations by Ms. Allen of state laws relating to her undisclosed personal relationship to Wyly Brown. I'm glad that you continue to think this is funny, Ms. Allen."

Ms. Allen: "Well, it's utter fiction".

Mr. Carroll: "As we all know Ms. Allen over the last year has been an outspoken proponent for Wyly Brown's plans (inaudible recording)

...berated residents, uh, and threatened other Town officials uh, that challenged Mr. Brown's plans. Um, yet at none of those meetings, uh, did-did Ms. Allen disclose her personal relationship to Wyly Brown-that he was her neighbor, uh, and she never made the required ethics disclosures, uh, with the Town. Now, y'know, most residents, I would say, did not know that Wyly Brown and his parents are Ellen's neighbors. Uh, and I would also say they also didn't know that in 2018, uh, she used her position as a Select Board member to have the CHT award Mr. Brown an illegal contract, uh, in violation of the Massachusetts design selection laws without any public bidding process, without any public approval. Uh. And then we also don't know how much the Town actually paid to Mr. Brown under that contract because the Town, uh, and Town officials have refused to respond to our public records requests for records showing how much was paid to her neighbor under that contract. These are gross violations of the state ethics laws, uh, and the state competitive contract awards laws. Now, I expect that some members of this board were aware of these violations and in fact, Mr. Reardon, you signed the 2018 contract, uh, in violation of the law that-that paid, Ms. Allen, Ms. Allen's neighbor, y'know, what we think is more than fifty thousand dollars. And now, even after, uh, a Town Meeting vote where two thirds, uh, of the Town, voted against, uh, Ms. Allen's neighbor's proposed project,- she's still

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here pushing for closed session meetings, spending money on lawyers, uh, trying to avoid the vote of the Town and-and being supported by other board members in her personal agenda. I don't think the residents of Norwell will stand for that type of corruption and self-dealing on the board of Selectmen. So, in light of the pending ethics complaint, uh, I'd urge this board, uh, to support a call for Ms. Allen to resign. If she won't resign, we will pursue a, uh, petition for a recall election, um..

Any other members of this board-Mr. Reardon, if you were aware of the undisclosed relationship and didn't act on it you should resign. Uh, and at the very least, both of you should recuse yourself from any further discussion about the Wildcat land, uh, while this ethics complaint is pending. The board should seek to recover the fifty thousand dollars paid to Ms. Allen's neighbor, uh, and start its own investigation into the allegations in the complaint, um and I'll leave the board with that."

Mr. Graham: "thank you for your input, Mr. Carroll."

OPEB Trust fund update

Darleen Sullivan introduced Actuary Dan Sherman. Mr. Sherman updated the board on the status of the OPEB trust fund. His power point presentation is attached to these minutes.

Ms. Sullivan gave background information and a summary update of the OPEB trust fund.

- The fund had a very good year, with a nice gain. The current balance is \$5.5M
- The liability at 6/30/21 is \$49.318M.
- The plan fiduciary net position as a % of the total liability is 11.1%.

Further analysis of the plan continues in the presentation.

- The Town gets a big credit in the discount rate due to prefunding the plan. The Town is ahead of many of its peers at 11.1% funded. Norwell has an excellent rating in the bond market.
- Mr. Sherman continued his review of the plan performance and forecast, noting that there is a plan evaluation due in June of 2022.

Questions were asked and answered by the board, Mr. Sherman and Ms. Sullivan. The following statements were made by Mr. Sherman:

- Rating agencies have known about this large liability and assumed it was there before GASB 74 and 75. It was not a surprise unless they didn't 'guess well'.
- He gave examples of improved bond ratings with the prefunding of this liability. Now the town has a \$5.5M reserve which can be used in an emergency.
- The average in the towns who are funding is about 7-8%. Ex. Wakefield is 18% funded.
- If full funding is reached, the fund would operate like the Plymouth County retirement system. The only contribution needed would be the service cost of about \$1.2 M.
- Not as urgent to be fully funded as the Town is doing fine paying costs out of the operating budget.
- Discussion ensued about including retired teachers as a single line item.
- Fully fund new hires? Better to focus on paying off unfunded liability. Instead put in for service costs would be a better investment.

Brian Callow from Rockland Trust presented his report on the trust fund, which is included with these minutes. All thanked Mr. Callow for his excellent service and Rockland Trust for doing a great job.

Traffic Study Committee (TSC) updates

Members of the Traffic Committee were present; Chief Lee, Chief Kean, Mr. Ferguson, Officer Camerota and Mr. Brown

Mr. Brown gave an update on the activities of the committee.

- First meeting addressed old business
- Divided the traffic issues into 3 buckets
 - 1) Around Town
 - 2) Queen Anne Corner

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- 3) South Street/Mill Street corner
- The committee will devote a meeting to each area
- The 11/17 meeting addressed Around Town speed issues
 - 1) Intersections
 - 2) Traffic signaling
 - 3) Implementing moveable speed sign options
 - 4) Approved state speed limit reductions on Main Street and River Street
 - 5) Goal is to avoid traffic lights in Town if possible
 - 6) Speed limit changes to be voted by SB for Main and River (only 2 roads where change was approved)
 - 7) Develop a formal resident complaint form for traffic issues, which would allow departments to group street issues together by area. TSC will bring back to SB for approval
 - 8) Police will continue to respond to complaints using the current process
 - 9) Mr. Morin will call Sen. O'Connor when Town is ready to address Queen Anne Corner issues
 - 10) Develop a traffic calming policy

Motion; made by Jason Brown, seconded by Pete Smellie, to adopt the reduction to speed limits on River Street northbound and southbound and Main Street eastbound and westbound per special speed regulations no. 548-B 592-A as presented from the state in the letter from MassDOT dated June 10, 2021. Unanimously voted

Storm issues:

- State of emergency – Mr. Morin noted that the state *did not* declare a state of emergency for the state -only a portion of the state.
- The amount spent to respond to the October storm is about equal to amount spent last year for snow season - about \$400-500K. There are adequate reserves, but not enough in the budget. Mr. Morin asked that the board declare and vote a state of emergency for the storm.

Motion; made by Jason Brown, seconded by Pete Smellie, that pursuant to Chapter 44, section 31, the board declare that a state of emergency existed on October 26-27, 2021 due to the storm and the damage it caused and further to seek approval from the Department of Revenue Director of Accounts to make expenditures in excess of appropriation. Unanimously voted

- Per Mr. Morin, this is technically deficit spending; the Town will use Free Cash reserves.

Utilities response time, 911 calls, Police/ Fire/ Highway, Town hall, Action Plan

Mr. Reardon led the discussion about the above storm topics.

- The departments did an outstanding job with a difficult storm. The amount of damage created utility access problems. Kudos to Mr. Ferguson and the highway department for their hard work clearing the roads to allow restoration of power.
- Utilities storm preparation and storm status:
 - 1. National Grid – adequate crews were stationed in the area, Plymouth County had several meetings with them before the storm. *There was a noticeable disconnect between the National Grid (NGrid) managers and the truck crews, who were not moved around effectively. This created big gaps in the restoration service. There was a great deal of unseen damage that needed repair before power could be restored. The Emergency Operations Center (EOC) was nonfunctioning due to lack of power. The EOC is working to correct the backup generator situation and communication with other agencies.*
The NGrid rep was in Town for the majority of the storm, but he did not have any real authority. The Town needs a rep with more scope of responsibility.

Mr. Morin called Sen. O'Connor on Thursday afternoon to request more help, which sped up the restoration process considerably.

2. Verizon – was not present, which created a serious lack of cell phone coverage in the Town. This meant that 911 calls were not getting through for a period during the storm. The board will address this lack of service with Verizon at the January meeting. *(Note: the cell phone boosters are powered by electricity. After 24 hours with no power they shut down). There was also no internet, which means that phones using the internet don't work.*
 3. Comcast – not present. Same issues as Verizon
- Chief Kean gave kudos to several groups that went over and above good service; the CERT team, the COA and library did a great support job. Well done, all!
 - The board and Mr. Morin expressed concern about the prospect of such a storm occurring in the winter.
 - All discussed better storm prep, information flow to residents, group warming shelters
 - Chief Kean noted the importance of the utilities reps as a physical presence in the EOC for more effective storm response.
 - Chief Lee noted the importance of having an EOC and backup EOC ready to go. Police need some type of reassurance that there will be effective communications during a storm.
 - Mr. Ferguson stated that his main concern was to open the roads. The extreme storm damage meant that NGrid couldn't get to many of the power outages until the roads were cleared.
 - Ms. Allen asked if the Town could sue NGrid, citing lack of proper equipment and management to assign crews and give the go ahead to start working.
 - The NGrid liaison needs the authority to get the work started.
 - All agreed that Norwell is always near the bottom of the list when the utility companies start the restoration process, which is hard to deal with. Many communities were hit hard, but Norwell had the greatest percentage of damage. Mr. Ferguson hauled 25K cubic yards of debris to the highway yard.

The board and Mr. Morin thanked everyone for their hard work.

Athletic Fields Committee – accept resignation from Jeannie Burtch

Motion; made by Jason Brown, seconded by Pete Smellie, to accept with regret the resignation of Jeannie Burtch from the Athletic Fields Committee. Unanimously voted

Beautification Committee-reappoint Sarah Baker

Motion; made by Jason Brown, seconded by Pete Smellie, to reappoint Sarah Baker to the Beautification Committee for a term expiring 6/30/24. Unanimously voted

Future Meeting Agendas

All discussed the upcoming meeting on December 1st and other agenda items.

The meeting on January 5, 2022 will include a storm overview, problems and next steps discussion with representatives from National Grid, Verizon and Comcast.

Adjourn

Motion; made by Jason Brown, seconded by Pete Smellie, to adjourn at 9:20pm. Unanimously voted.



Bruce W. Graham, Chair

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