

**Town of Norwell  
Select Board  
Open Meeting  
7/12/23**

**Present:** Peter Smellie, Andy Reardon, Brian Greenberg, Jason Brown, Bruce Graham, Darleen Sullivan, Kim Roy

The Chair called the meeting to order at 7:07pm. All rose to recite the Pledge of Allegiance.

**Approval of Minutes**

*Motion; made by Andy Reardon, seconded by Bruce Graham, to approve the Executive and Open meeting minutes of 6/21/23. Unanimously voted*

**Select Board Reports**

Mr. Greenberg announced that Town Planner Ilana Quirk obtained a \$25K grant to cover the cost of a Town Meeting Article voted to hire consultants to assist the Town in complying with MBTA Community requirements.

The Chair invited residents to Town Conservation Day on August 19<sup>th</sup>. More information will be posted on the Town website about the activities planned for the celebration.

The Zoning Board of Appeals invited residents to apply for one of the three associate seats on their board. They are especially looking for attorneys with experience in land use law.

The board voted to approve and sign Ms. Sullivan's Town Administrator contract in the Executive Session.

**Town Administrator's Report**

Ms. Sullivan invited residents to cool off at the Council on Aging as needed. All are welcome.

An energy audit was done on the new building at 93 Longwater so that the Town can apply for a Green Communities grant.

The state approved two earmarks for the Town; one to address PFAs remediation and another to assist the Food Pantry.

**Citizen Comments - None**

**Council On Aging – application for At Large seat**

Dave Campbell was present to give a summary of his background and reason for applying to serve on the COA.

*Motion; made by Andy Reardon, seconded by Brian Greenberg, to appoint Dave Campbell to the Council On Aging as an At Large member for a term expiring 6/30/26. Unanimously voted*

### **Exit Interview: 2022 Annual Audit: Marcum, LLP**

Partner Scott McIntire Zoomed in to report on the audit. There were no significant Adjusting Journal Entries (AJE's) and all accounting information conformed with GAAP. The highlights of the audit included:

- General rep. letter review
- Largest liabilities are Net Pension (\$17.3M) and OPEB (\$37.9M)
- The statement of net position was converted from modified accrual to accrual.
- Unassigned Fund Balance - \$9.8M
- Total Fund Balance - \$17.2M

The board discussed the OPEB and Pension Fund Liability balances at length, including current measures to fund contributions each year.

Mr. McIntire noted that the audit went very well.

A copy of the FY22 Annual Comprehensive Audit Report is available in the Select Board office and will be posted on the website.

### **Year End Department Transfers**

Town Accountant Christine McCarthy was present to give a summary of the fiscal 23 year end transfers. The summary is available in the Select Board office.

*Motion; made by Andy Reardon, seconded by Brian Greenberg, to authorize the Town Accountant to make the departmental transfers as noted in the supporting documents. Unanimously voted*

### **Fiscal year financial policy review**

Ms. McCarthy reviewed the FY22 policy goals in conjunction with the audit results, noting that the Town has met or exceeded each goal. in relation to the audit. A copy of the presentation is available in the Select Board office.

The board further discussed the impending liability of the Pension and OPEB fund and how to address these obligations, which will be on the agenda for a future meeting. Per Ms. Sullivan, the Town is working to be a little more aggressive to fund this liability. She will provide an updated schedule for the board. Mr. Brown would like to see these obligations addressed instead of the current wants of the Town (sidewalks, highway barn, etc.). Ms. Sullivan noted that the Town contributes to these funds every year.

### **Cross Street Flower Farm (CSFF) – Traffic Issues**

Nikki Bartley was present for this discussion. Mr. Brown, who is also the Chair of the Traffic Study Committee, updated the board on traffic issues that have occurred with CSFF events. During one event firefighting equipment was unable to get past the parked cars on Jacobs Lane to address an emergency. As the traffic seems to be increasing, there needs to be a plan in place for traffic control. The fire lane absolutely must stay open.

All discussed and suggested traffic control options for this issue. Ms. Bartley opined that traffic issues were mostly in the spring this year. Her planting plan for next spring is not using the front fields due to crop rotation, so traffic should not be a problem. The main concern is for the public safety issues to be resolved. All agreed that a more official process including requirements for police details would be a good solution.

Mr. Reardon stated that the Town bylaw is very specific about street parking. Any obstruction in the road is a real violation of state statute and needs to be addressed immediately. The road is 'this wide', to accommodate emergency vehicles. Mr. Reardon would like the police and fire chiefs to document this fact and take whatever action drives the matter home. He was adamant that this problem cannot occur again. Ms. Bartley stated that she didn't know about this incident but wants to do the right thing. The board reminded her that it is not incumbent on the Town to monitor these private events. It is the responsibility of the organizers. As there are upcoming events, the board requested that immediate action be taken to prevent another situation such as this one.

Mr. Brown noted that this will be an agenda topic at the next Traffic Study Committee meeting. He or another TSC member will be in touch with Ms. Bartley.

### **Jacobs Farmhouse apartment/Stetson Ford House – Town rental policy discussion**

Mr. Smellie updated the board about the liability risks of renting the Jacobs farmhouse apartment. He is recommending that it not be rented as a residence due to these issues. The board won't terminate the current renter's month to month lease (tenancy at will) at the Stetson Ford house, but when that tenant leaves the Town should consider selling the property.

The board debated renting the two properties, citing pros and cons for both.

Mr. Brown is in agreement with the liability concerns and reminded all that no company will cover this property for the apartment rental. There is far less risk in continuing to rent the Stetson Ford house as there are no children living there.

The board and Ms. Sullivan discussed risk/tolerance at length, noting that Town Counsel agrees with the risk issues outweighing the benefit of property income. The approval to rent the apartment is this board's responsibility. A property caretaker option was discussed briefly but no action was taken.

Laurie Detwiler, NHC Chair was present to ask the board to reconsider and allow the apartment rental. Mr. Graham reminded her that the Select Board is here to provide clear guidance as they have the final approval. At this point Mr. Smellie made the following motion:

*Motion; made by Pete Smellie, seconded by Andy Reardon, that the board vote not to rent the apartment at the Jacobs farmhouse. 4 voting yes, 1 voting no. The motion carried*

Mr. Smellie then asked for a motion not to rent the Stetson Ford house past the current tenancy. The board discussed the pros and cons of this action.

*Motion; made by Bruce Graham, seconded by Andy Reardon, to discontinue renting the Stetson Ford house when the current tenants move out. 4 voting yes, 1 voting no.*

Mr. Reardon asked where the Town will come up with the 15-20K to maintain the apartment and house. The board again discussed the pros and cons of taxpayers footing the maintenance bills vs the cost of a lawsuit. Mr. Reardon expressed concern for seniors on a fixed income. Mr. Graham would like to sell the Jacobs farmhouse to a young family, which would be much cheaper for the Town.

Next steps would be to consider an unpaid caretaker with tenancy agreement, Per Mr. Smellie. This will be addressed at a separate meeting. The commercial rental option would bring a new set of liabilities to consider.

Mr. Nichols updated the board on the Stetson Ford house lead paint review. He has a proposal for exterior painting of \$6K to \$8K. He assumes that the existing paint is lead which is still a risk. Further discussion ensued about this proposed work.

### **Board of Appeals:**

#### **Resignation – Philip Brown**

*Motion; made by Andy Reardon, seconded by Brian Greenberg, to accept with regret the resignation of Philip Y. Brown from the Board of Appeals. Unanimously voted.*

The board noted that Mr. Brown served with distinction for many years on this board. The board thanked him for his 20 years of service to the Town.

*Motion; made by Andy Reardon, seconded by Brian Greenberg, to terminate Joseph LaFleur's membership on the Board of Appeals, effective immediately, due to lack of compliance with meeting attendance requirements. Unanimously voted.*

*Motion; made by Andy Reardon, seconded by Brian Greenberg, to appoint Steven H. Lynch as a full member of the Board of Appeals for the remainder of his term to 6/30/24. Unanimously voted.*

#### **Vote to approve withdrawal of Amusement license application**

*Motion; made by Andy Reardon, seconded by Brian Greenberg, to accept the withdrawal of the application for an amusement license by VJolt Enterprises. Unanimously voted*

**Future Meeting Agendas/Dates; July 26<sup>th</sup>, August 9<sup>th</sup>, August 23<sup>rd</sup>**

### **Adjournment**

*Motion; made by Jason Brown, seconded by Brian Greenberg, to adjourn at 8:47pm. Unanimously voted*

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Peter W. Smellie, Chair