

**Norwell Board of Selectmen
Meeting Minutes
November 20, 2013**

Ellen Allen opened the meeting and introduced Jason Brown, Gregg McBride, David DeCoste, Tammie Garner and Town Administrator Jim Boudreau. Allen explained that at 6:00PM the Board had been in Executive Session for the purpose of discussing the Town Administrator's Contract. Agenda Amended to add: New Business #7 Town Center Contract and #8 Town Administrator Evaluation. *MOTION: Jason Brown moved the Board approve the agenda as amended. Seconded and unanimously voted.*

CITIZEN COMMENTS – None

7:35 Plymouth County Commissioners Update – County Commissioners Dan Pallotta, Greg Hanley and Sandra Wright spoke to the Board about the various functions that Plymouth County performs for Norwell and the other 26 member communities. These include the Plymouth County Registry of Deeds and administration of the Mayflower Municipal Health Group and Plymouth County Retirement Board. The Commissioners described some new initiatives including joint bidding for trash hauling/disposal and purchase of dredges. Ellen Allen said that the Board of Health was considering participation in the joint trash hauling bid process. Commissioner Pallotta also described several pieces of legislation that the County has pending at the State House. He asked the Board to send letters of support for H.B.1829 that would allow the County to have a Stabilization Fund and H.B. 2516 that would reapportion the Deeds Excise Tax collected at the Plymouth County Registry of Deeds. At one time, 50% of the deeds excise went to the State, but now nearly 90% goes to the State's General Fund. The proposed legislation would allow the County to retain 42.5% of the Deeds Excise Tax. Ellen Allen agreed to provide a revised draft letter of support for these bills for consideration by the Board at its next meeting.

8:00 Nuisance Hearing – Fox & Hounds, 12 Grove Street – This was a follow-up discussion of the November 13, 2013 public hearing. Town Counsel Bob Galvin explained to the Board that they could make a finding as to whether or not a nuisance exists; alternatively, it could continue the hearing for several months with an understanding between the Board and the Fox & Hounds during that time about how its business would be conducted. These agreed upon guidelines could be reviewed later in the spring, when the weather is warmer and neighbors are outdoors again, to see if they adequately address the abutters' concerns. The Board discussed these options. Tammie Garner said she felt a nuisance had existed when the business first opened, but was not certain if it still existed now that the construction was over. Jason Brown expressed concern for the neighbors, but a desire not to be overly punitive toward the business. The neighbors, George Halatsis and Ramona Caruso, both stated that they would prefer that the dogs not ever be allowed outside. Owner Robin Fox felt this would be very detrimental to the business. The Board decided unanimously to continue the hearing for six months provided the owner agree to the following guidelines: dogs outside only between 9:00 a.m. and the earlier of dusk or 5:00 p.m., no more than 12 dogs outside at a time, constant supervision of all dogs outside, and immediate return of all loud dogs back indoors. Robin Fox agreed to abide by these guidelines.

OLD BUSINESS

Simon Hill 40B: Vote Letter to Governor – Postponed until 12/4/13

Discuss Community Innovation Challenge (CIC) Grant Approval – Jim Boudreau told the Board that a grant initiated by Hull had been approved for \$400,000 for permitting and zoning software for Norwell and several area towns.

Vote Medical Marijuana Support Letter – Jim Boudreau provided the attached draft letter for the Board to approve that provides general support for a Round 2 application to the state for a medical marijuana facility in Norwell. Applicants are required to have a letter of support from local governments. One applicant, Mass Medi-Spa, has requested such a letter. If they were to be awarded a license, negotiations with the Town would then commence about all the conditions for the operation. Jason Brown moved that the Board authorize the execution of the proposed letter. Seconded and voted 4 in favor, with David DeCoste voting against.

NEW BUSINESS

Winter St. Traffic Problem - Highway Surveyor Paul Foulsham, Police Chief Ted Ross and several Winter St. residents discussed with the Board the increased traffic accidents, including fatalities that have occurred at a dangerous curve on Winter St. since the road was resurfaced. Foulsham had recently obtained and installed additional signage and National Grid will add more street lights. Chief Ross reported on the number of accidents that have occurred in this area the past five years; they have increased substantially since the repaving was completed. Speed is the main issue, but alcohol is also sometimes a factor. The Chief said that the department had increased its traffic enforcement in the area, including use of the radar trailer, and would continue to do so. If the additional signage, lighting and enforcement are not effective, the Board will discuss possible additional measures with Foulsham and Ross in the future.

Bartending Service of New England One Day License Request – December 7, 2013

MOTION: Jason Brown moved that the Board approve a request from Bartending Service of New England, LLC for a one day license to sell All Alcohol for the Sowing Seeds Fundraiser to be held at the Cushing Center on December 7, 2013 between the hours of 5:30PM and 10:00PM. Seconded and unanimously voted.

Accept Resignation from Cemetery Committee – Gertrude Daneau submitted her resignation due to health problems. Ellen Allen thanked Daneau for her many years as Chair of the Cemetery Committee, putting in countless hours accommodating and keeping records of funerals at the cemetery. *MOTION: Jason Brown moved that the Board accept the resignation with regret of Gertrude Daneau of the Cemetery Committee. Seconded and unanimously voted.*

Request to Use Town Common for Live Nativity Scene – *MOTION: Jason Brown moved to permit the New Hope Chapel of Norwell to host a Live Nativity Scene on Sunday, December 22, 2013 from approximately Noon to 3:00PM. Seconded and unanimously voted.*

Road Opening Season Closing Date December 6, 2013 – Ellen Allen read a letter from Highway Surveyor Paul Foulsham requesting that the closing date for Road Opening Permit Applications be December 6, 2013. In addition, all anticipated work must be completed by December 14, 2013. *MOTION: Jason Brown moved that the Closing Date for Road Opening Permits be December 6, 2013, with all work to be completed by December 14, 2013. Seconded and unanimously voted.*

CPA Match – Norwell received an increased match this year of \$549,153 or 62.91% of the amount raised from its 3% surcharge.

Town Center Contract – The Board executed a contract for the Planning Board for design work being done related to the Town Center.

Town Administrator Performance Evaluation – The Board voted its Evaluation of Town Administrator Jim Boudreau's FY13 Performance. A copy is attached to these minutes.

UPCOMING MEETINGS: Historical Commission to add 2 more members, Senator Hedlund and Representative Nyman to discuss 40B, and Assessors to set the tax rate.

ANNOUNCEMENTS:

- Memo from Paul Foulsham announcing that National Grid has contracted Asplundh Tree Expert Company to begin trimming in Town on or about Thursday, November 7, 2013, continuing 2-3 months to complete. Local Distribution Line Clearing by way of tree trimming is necessary to reduce power outages throughout Town due to severe weather.
- Friends of the Norwell Council on Aging will hold a Bake Sale on Tuesday, November 26, 2013 from 9 AM to 2 PM at the Council located at 293 Pine Street.
- Ellen Allen commended Officers Dooley and Campanelli for their life-saving use of the defibrillator this week. Defibrillators were recently added to the police department's cruisers.
- The developer of the Simon Hill 40B did not file an appeal to the ZBA's conditional approval. However, the abutters have filed an appeal, so the matter will be in litigation for a while.

ADJOURNMENT – *Motion was made to adjourn. Seconded and unanimously voted.*



Board of Selectmen

Attachments:

Medical Marijuana Support Letter
Town Administrator's FY13 Evaluation



OFFICE OF BOARD OF SELECTMEN
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November 20, 2013

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street
Boston, Massachusetts 02108-4619

To Whom it May Concern:

Please be advised that the Town of Norwell (the "Town") acting through the Board of Selectmen (the "Board") and Town Meeting, has voted to zone areas within certain business zones as eligible places for siting medical marijuana facilities, both manufacturing and dispensaries.

The Board has had several discussions surrounding the issue of medical marijuana facilities and believes that these types of facilities are business opportunities for the Town and has actively met with potential vendors looking to site a facility in Norwell. Town Meeting voted unanimously to support the zoning article on medical marijuana and the Selectmen have received no correspondence in opposition to siting these facilities. The Town would welcome a medical marijuana facility in Norwell. Should a license be granted, the Selectmen will work with Department Heads and local stake holders to ensure that the chosen vendor is in compliance with MGL 369, An Act for the Humanitarian Use of Marijuana for Medical Purposes, as well as the by-laws of the Town of Norwell, which by-laws include a requirement that "any medical marijuana treatment center shall not be located within 500 feet of any lot with a residence, school or daycare facility."

The Town has met with members of Mass Medi-Spa Inc. and has discussed their intentions to operate a Registered Marijuana Dispensary (RMD) in the town of Norwell, MA. These preliminary discussions have been positive and the Town has no present opposition to, and is willing to further explore options with, this vendor for locating and operating in town.

The Town looks forward to a successful working relationship with a chosen vendor.

Very truly yours,

Ellen H. Allen, Chair
Board of Selectmen

FYE 6/30/2013 Performance Evaluation for Town Administrator, Jim Boudreau
November 20, 2013

- 1) Leadership and Support: Solid performance. Boudreau is knowledgeable and prompt in responding to informational requests, performs well under pressure and appropriately avoids partisanship in matters before town meeting. The Board would like to see him do a better job of tracking future agenda items and overseeing timely completion of meeting minutes. They would also like to see Boudreau take more initiative in identifying ways for the Board to pursue its long term goals.
- 2) Budget Development and Finance: This is a particular strength of Boudreau's. He did an excellent job in his first year of developing a full budget for the town and presented it well at Town Meeting. He is good at both short term and long term financial planning. He has developed a strong working relationship with the new School Supt., which will be valuable in future years in developing a budget for the whole town. One new financial leadership role the Board would like to see Boudreau take on in FY14 is coordination with all the relevant committees and departments to develop a robust long term capital improvement plan for the town.
- 3) Professional Development & Municipal Services: This is another notable strength of Boudreau's. His position on the board of the Mayflower Health Group has helped keep health insurance costs down and helped in developing strategies to address the town's unfunded OPEB liability. His membership on the board of the Massachusetts Municipal Management Assn./Mass. Municipal Assn. enables him to keep the Board informed about legislative matters affecting the town, as well as advocate on Norwell's behalf. He also has a strong network of other Town Administrators, which provides valuable comparative information across all town activities. Going forward, the Board hopes Boudreau can assist them in recruiting members for town committees and further facilitate the Boards work with them.
- 4) Personnel Relations and Management: Boudreau has good relationships with the town's unions, department heads (including those not reporting to him) and committee leaders. He works well with Town Counsel and the departments he oversees, including the Finance, Police, Fire and Building. He wisely took greater advantage of the Personnel Board this past year in hiring a new Human Resources Director and is continuing this in FY14 with the hiring of the new Facilities Manager. The Board would like to see Boudreau do a better job of establishing and tracking priorities of his direct reports and setting deadlines for tasks the Board has identified as priorities. They would like him to establish a regular process for reporting back to the Board on such matters.
- 5) General Management and Facilities: Boudreau showed strong initiative in addressing the town's aged buildings over the past two years, successfully advocating for an Energy Services Company review of potential energy savings for the town, a comprehensive study of the condition of each town building, and the establishment of a Facilities Manager position so that the identified maintenance needs of the buildings can be properly addressed. Boudreau worked closely with the School Dept. on these initiatives and on a solar power agreement to reduce electricity costs. Going forward, Boudreau will need to work with the School Supt. to initiate the new Facilities Manager into his role. He will also need to work closely with the PBMC during the construction of the Police Station. He will also have an important role in getting the new Library/Town Hall Study Committee working productively.

FYE 6/30/2013 Performance Evaluation for Town Administrator, Jim Boudreau

6) Community Relations and Communications: Boudreau is generous with his time in responding to a high volume of inquiries from a large number of town committees and other residents. He is both knowledgeable and responsive. He shows superb judgment, in communicating with the media. His knowledge of Open Meeting and State Ethics laws is an important guide to the Board of Selectmen, Advisory Board and other committees of the town. Going forward, it will be important for Boudreau to develop a trusting relationship with the Advisory Board, which will experience turnover of a majority of its members over the next 12 months. The Board would also like his assistance with increasing civic engagement in Norwell.

As evidenced by this assessment, the Board believes Boudreau is doing a good to excellent job in most of his duties. They believe he has the skills necessary to address the areas needing improvement and to take on the new work described above.