

**Norwell Board of Selectmen
Meeting Minutes
September 26, 2012**

Gregg McBride opened the meeting and introduced Ellen Allen, David DeCoste and Town Administrator James Boudreau. *MOTION: Ellen Allen moved the Board approve the agenda as written. Seconded by David DeCoste and unanimously voted.*

CITIZEN COMMENTS – Sarah Gibbs spoke to the Board about her request that the Board appoint an arbitrator to resolve her disagreement with the Board of Assessors about the previous assessments on her Property. The Board will take this under advisement and schedule it for a future meeting.

7:35 Jacobs Pond Estate Fee Discussion – Gregg McBride summarized the history of this matter concerning the payment of a yearly contribution to maintain Jacobs Pond. During the permitting of the project prior to construction the developer committed future residents to make an annual payment to the town for maintenance of the pond. He noted that the Conservation Commission had removed this requirement for this fee from the Order of Conditions (OOC) after JPE established that it was not polluting the pond. However, the Comprehensive Permit for the project issued by the ZBA also required this fee and the ZBA had not waived this condition. David DeCoste thanked Mr. Bill Dolan, a resident at JPE, for spending several hours and many e-mails explaining this situation to him. DeCoste stated that he felt there was no legal alternative but for the fee to be collected. Ellen Allen asked Town Counsel Bob Galvin to opine on this. Galvin stated that the Board has the authority to collect or not to collect the fee, but can't change the ZBA's OOC. Ellen Allen said she had given this matter much consideration, could see both sides, and had concluded that this was now a policy matter. She said that it was clear from the long history in this case that it is poor policy to have a condition whereby a developer commits future residents to on-going payments, noting that the ZBA had not included such a condition in any projects since this one. Gregg McBride agreed and also reported that he had had a conversation with Town Treasurer, Angela Chandler, on ways to collect this contribution. The Treasurer had investigated this and determined that she does not have the authority to add it to JPE residents' property tax bills. Gregg McBride stated his strong belief that the ZBA acted appropriately in making its determination that the OOC still stood, but that the Town could see, with the benefit of hindsight, that it was a mistake to have this sort of condition. Ellen Allen expressed her agreement that the ZBA had acted and opined properly. Finally, Gregg McBride explained that the current Board of Selectmen could decide not to collect the fee at this time, but that a future Board of Selectmen could make a different determination and seek to collect it. *MOTION: Ellen Allen moved that the Board of Selectmen not collect the Jacobs Pond Estate Pond Fee. Seconded by David DeCoste and voted in favor 2-1 with David DeCoste voting against.*

8:00 James Cavanara – Hawkers & Peddler's License Application – James Cavanara of 35 Meadow Brook Road in Norwell explained that he works for Edward Jones Investments, which offers Financial Services, and is seeking permission to go door to door in the Town of Norwell. This would take place Monday to Saturday from 10 AM to dusk. The Board explained that he would need to check in with the Police Department. *MOTION: Ellen Allen moved to approve the Hawkers & Peddler's License to James Cavanara for the purpose of going door to door to explain Financial Services he is offering between the hours of 10 AM to dusk, Monday through Saturday, for one Month beginning October 1, 2012 and that he needs to check in with the Police Department to let them know the location. Seconded by David DeCoste and unanimously voted.*

8:10 Patricia Richardson - Community Housing Trust Applicant – Patricia Richardson briefed the Board of Selectmen on why she is interested in serving on the Community Housing Trust and what she could bring to that Board. Gregg McBride thanked Patricia Richardson and explained

that appointments would not be made until all interviews were complete, which would be within the next few weeks.

8:15 Charles Markham - Community Housing Trust Applicant – Charles Markham briefed the Board of Selectmen on why he is interested in serving on the Community Housing Trust and what he could bring to that Board. Gregg McBride thanked Charles Markham and explained that appointments would not be made until all interviews were complete, which would be within the next few weeks.

OLD BUSINESS

Road to Responsibility (RTR) – Gregg McBride explained that some Prospect Street neighbors had concerns with the group home and, after a meeting with RTR, the concerns had been addressed. Road to Responsibility CEO Chris White and Attorney Gene Guimond explained that Monday evening there had been a joint meeting with the Abutters and agreement was reached that the landscaping for the Home would have the appearance of a home vs. an institution. Attorney Bob Galvin explained the long term ground lease agreement between the Town of Norwell and Road to Responsibility, Inc. who will obtain financing for construction and development of the property through loan and federal grant money to CIL Reality of Massachusetts Inc. Also present were neighbors Jutta Deeney, Liam Deeney, and Regina Giordani. *MOTION: Ellen Allen moved that the Board of Selectmen accept the long term ground lease. Seconded by David DeCoste and unanimously voted. Attorney Bob Galvin then passed around the lease for the Board of Selectmen's signatures and notarized the lease.*

UN Proclamation – Gregg McBride explained that this had been on the agenda the prior week and that David DeCoste had asked it be held. David DeCoste explained that he would like to defer this matter indefinitely. *MOTION: David DeCoste moved that the United Nations Day Proclamation for 2012 be deferred indefinitely. Seconded by Ellen Allen and unanimously voted.*

NEW BUSINESS

Designate Economic Development Committee as Special Municipal Employee – James Boudreau explained that this is routinely done for the Town's volunteer committees. *MOTION: Ellen Allen moved that the Board of Selectmen designate the Economic Development Committee as a Special Municipal Employee. Seconded by David DeCoste and unanimously voted.*

Election Worker Appointments – The Town Clerk had requested that the Board of Selectmen appoint Election Workers. *MOTION: Ellen Allen moved that the Board of Selectmen appoint Brenda Scally of 29 Donovan Farm Way, Nancy Joseph of 256 Winter Street and Susan B. Sidney of 861 Main Street as Election workers. Seconded by David DeCoste and unanimously voted.*

License – Gregg McBride explained that last evening the Selectmen had met with the Conservation Commission in Executive Session to discuss Farm Licenses. The parties were all largely agreed on the terms and the documents are nearly finished.

UPCOMING MEETINGS:

October 3, 2012

ADJOURNMENT – Motion was made by Ellen Allen to adjourn. Seconded by David DeCoste and unanimously voted.



Board of Selectmen