

Approved 3.17.14

WENHAM BOARD OF SELECTMEN  
Meeting of Tuesday, March 10, 2014  
Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Board of Selectmen was held on March 10, 2014 at 2 PM in the Selectmen Chambers.

**WELCOME & OVERVIEW OF AGENDA**

With a quorum present, Chairman Whittaker called the Board of Selectmen meeting to order at 2:02 PM

Selectmen Present: Ken Whittaker, Chair; Patrick Wilson, Vice Chair; Jack Wilhelm, Clerk

Also Present: Mark Andrews, Town Administrator; David Genereux, Finance Director; Paul Weaver, Town Moderator/  
Town Counsel; Catherine Tinsley, Minutes Secretary

Town Officials Present: Mike Lucy, Chair of Finance Committee; Fire Chief Blanchard, Police Chief Perkins

This meeting was recorded, with permission, by HWCAM.

Abbreviations used:

BOS Board of Selectmen

FY Fiscal Year

ATM Annual Town Meeting

Public Information:

2014 Annual Town Meeting Warrant

Minutes – February 12, 2014

Comcast Preliminary Ascertainment Findings

**ANNOUNCEMENTS**

1. Trudy Reid's last day as Wenham's Town Clerk is Friday, March 14, 2014. The public was invited to attend a breakfast being held for her on Friday at 10 AM.
2. A ribbon cutting ceremony for the Cedar Street sidewalk is March 21, 2014 at 11 AM. A walking tour of the path along the side of Wenham Lake will follow the ceremony.

**NEW BUSINESS**

**April 5, 2014 Annual Town Meeting Warrant Articles- Discussion/votes**

Mr. Genereux reviewed the Articles on the ATM Warrant giving a brief summary and history of each article, and answered questions. The Selectmen then took positions on the articles to be recorded in the ATM Warrant. It was noted that the order of the articles might change. The articles may also be renumbered.

**Article 1: Budget Appropriation FY 2015**

David Genereux gave a brief description of Article 1.

*Vote: Mr. Wilhelm moved, and it was seconded to recommend favorable action on Article 1: Budget Appropriations. The motion carried unanimously.*

**Article 2: Use Free Cash**

After \$600,000 is used to level the tax rate, the balance in Free Cash will be \$197,322.00

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 2: Use Free Cash. The motion carried unanimously.*

**Article 3: Use of Other Funds to Level the Tax Rate**

Mr. Genereux summarized that the HWRSD is expected to vote to authorize excess funding be returned to the towns.

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Town Meeting will be asked to hold a Special Town Meeting (STM), within the ATM, to create an Educational Stabilization Fund for the money to be placed. The recommendation is to use \$155,000 of this money for FY 2014 to reduce the tax rate, and again for FY16. The amount is estimated to be \$576,000.

At this point, Selectman Wilhelm asked David Genereux several questions relating to the Article 1 Town Budget, which Mr. Genereux answered. The money can be used for any purpose and is not limited to school or education.

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 3: Use of Other Funds to Level the Tax Rate. The motion carried unanimously.*

The Town Moderator is proposing that Articles 4, 5, 6, 7, & 8 be presented in a Consent Calendar as a single vote at Town Meeting.

**Article 4: Cemetery and Other Trust Funds**

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 4: Cemetery and Other Trust Funds. The motion carried unanimously.*

**Article 5: Cemetery Maintenance Fund Transfer**

The BOS requested that this account number and account balance be included in the article.

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 5: Cemetery Maintenance Fund Transfer. The motion carried unanimously.*

**Article 6: OPEB (Other Post Employment Benefits) Fund Appropriation**

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 6: OPEB Fund Appropriation. The motion carried unanimously.*

**Article 7: Road Work – Chapter 90 Funding**

The motion has been written as a general acceptance article as the exact amount is unknown until early in the FY. It is anticipated the Town will receive an additional \$75,000 this year in Chapter 90 funding.

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 7: Road Work – Chapter 90 Funding. The motion carried unanimously.*

**Article 8: HW Building Maintenance Revolving Fund**

*Vote: Mr. Wilson moved, and it was seconded to recommend favorable action on Article 8: HW Building Maintenance Revolving Fund. The motion carried unanimously.*

**Article 9: CPA Appropriation Budget**

It was the consensus of the BOS to make a recommendation at Town Meeting.

**Article 10: CPA Appropriation – Patton Park Pool**

The Town of Hamilton is opening the project bids this week.

It was the consensus of the BOS to make a recommendation at Town Meeting.

**Article 11: Reduction of Hamilton Wenham Regional School Committee from Nine to Seven Members**

It was the consensus of the BOS to make a recommendation at Town Meeting.

**Article 12: Conversion of Town Clerk to an Appointed Town Office**

There was a lengthy discussion regarding the conversion of the Town Clerk position from an elected position to an appointed position. The Town Clerk will be leaving the position on March 14, 2014 and has withdrawn her name from the ballot. It was noted that the person with the most write in votes would be in office for a three-year term. The Town Moderator, Paul Weaver, noted concern that there is no recourse if the person elected did not meet their responsibilities. The change of this position requires a town meeting vote. Mr. Wilhelm questioned if the time to put this on the ballot has passed, citing MGL 42c; this will be confirmed.

It was the consensus of the BOS to make a recommendation at Town Meeting.

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**Article 13: Amendment to Zoning Bylaws- Reduction of Minimum Parcel Size**

*Vote: Mr. Wilhelm moved, and it was seconded, to recommend favorable action on Article 13: Amendment to Zoning Bylaws- Reduction of Minimum Parcel Size for agricultural purposes. The motion carried unanimously.*

**Article 14: Amendment To Zoning Bylaw – Signs**

The BOS asked that a simple graphic for this article be prepared for the Warrant Hearing and the Town Meeting. The Selectmen will make a recommendation at Town Meeting.

Citizen's Petitions are printed as written; no commentary is given. The Selectmen do not typically make recommendations for Citizen's Petitions.

**Article 15: Citizen's Petition- Repeal of Chapter 5, Section 4 of Wenham Town Bylaws**

The current by law prohibits "coasting". This applies to a variety of endeavors. The Chair is working with the Police to provide a policy and guidance in time for town meeting.

**Article 16: Citizen's Petition - Town Meeting Budget Appropriation Voting Methodology**

The BOS/ FC recently voted to present the budget in line item form, as requested in the citizen's petition.

**Article 17: Election of Town Officers**

**Article (to be added):** The Formation of a Historical Commission under the Wenham Historic District Commission  
*Vote: Mr. Wilson moved, and it was seconded, to recommend the article to form a Historical Commission. The motion carried unanimously.*

**Affirmation Vote:**

*Vote: Mr. Wilson moved, and it was seconded, to reaffirm that the Wenham ATM will take place at 1 PM on Saturday, April 5, 2014 and that a STM will then convene at 1:05 PM Saturday, April 5, 2014.*  
*Under discussion, Mr. Wilhelm questioned the procedure for the opening of the Special Town Meeting within the Annual Town Meeting. Mr. Weaver will confirm the process. The motion carried unanimously.*

**Special Town Meeting**

**Article 1: To Create and Fund an Educational Stabilization Fund**

*Vote: Mr. Wilson moved, and it was seconded, to recommend favorable action on Article 1 of the STM to create and fund the Educational Stabilization Fund. The motion carried unanimously.*

**FY15 Budget discussion**

Mr. Genereux explained that while finalizing the budget, it was discovered that two departmental budgets had incorrect numbers when voted and need to be voted again with the corrected amounts.

The Permitting and Land Use Budget was \$4,500 short in the salary line.

The Highway Budget was \$91,000 short in the salary line.

This amount would have a detrimental affect on the tax rate with an increase of \$.14. In order to keep the tax rate at \$19.12, Mr. Genereux recommended funds be used from the (new) stabilization fund being approved at Town Meeting. Mr. Wilhelm asked that the three large Town Departments being Highway, Police, and Fire, are carefully reviewed and checked to be sure these are correct.

The Finance Committee will be presented with this vote at their meeting on Wednesday, March 12, 2014.

*Vote: Mr. Wilhelm moved, and it was seconded, to increase **422 Highway Department Budget at \$843,102 for FY 2015 budget. The motion carried unanimously.***

*Vote: Mr. Wilson moved, and it was seconded, to increase **170 Land Use Budget to \$81,019 for the FY 2015 budget. The motion carried unanimously.***

**Town Clerk Transition Plan**

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Mr. Andrews talked about the transition plan to utilize in house staff and hire two former town clerks to keep the office open and functioning on a day to day basis until the Town Clerk's office is permanently staffed.

A Reserve Fund Transfer (RFT) of \$19,320 is needed for FY 14 for the coverage.

*Vote: Mr. Wilson moved, and it was seconded, to move forward and put the RFT in place. The motion carried unanimously.*

**Comcast Preliminary Ascertainment Findings**

This was deferred to the next regularly scheduled BOS meeting.

**REPORTS**

There were none.

**MINUTES** – February 12, 2014

The minutes were held. No action was taken.

Respectfully submitted by

Catherine Tinsley  
3.13.14