

TOWN OF WENHAM

Board of Selectmen
Meeting of March 10, 2015
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 (BOS) was held on TUESDAY, MARCH 10, 2015 at 6 PM in the Selectmen Chambers.

Call Meeting to Order

With a quorum present, Mr. Wilhelm called the Board of Selectmen (BOS) meeting to order 6 PM
Selectmen present: Jack Wilhelm, Chair; Catherine Harrison, Vice Chair; Ken Whittaker, Clerk
Also Present: Town Counsel/ Moderator Paul Weaver; Catherine Tinsley, Minutes Secretary

Public Information

Town Meeting Warrant – Draft

Announcements

- The Warrant Hearing is Monday April 6, 2015 7PM at Wenham Town Hall
- The Annual Town Meeting is Saturday, April 11, 2015 1 PM at the Bessie Buker School
- Town Elections are Thursday April 16, 2015 at Town Hall; Polls are open 7 AM to 8 PM
- The last day to register to vote in the Town Election is Friday, March 20, 2015; Town Hall will be open until 8 PM
- Absentee ballots will be available March 27 – April 15, 2015 at the Town Clerk's Office

Ms. Harrison recognized, and thanked, the Wenham Tea House for providing scones and muffins to the TA Screening Committee on Saturday at their meeting.

Chairman's Announcements

- Mr. Wilhelm observed that the town flag was at half staff in honor of long time resident and former Selectman Bill Shailor, who passed away.
- The Town is looking for volunteers for the Memorial Day Parade Committee
- The Town received the final Comprehensive Study report from Mass Development for the Boulder Lane land. Mr. Wilhelm reviewed that the Town of Wenham, City of Beverly, and a private owner have parcels along Boulder Lane and collaboratively paid to have Mass Development prepare a development strategy plan based on these parcels being combined for a greater use. The report indicates that this is a "topographically challenged property" but it is a potentially developable site, possibly for a mixed residential / commercial use. The report will be released after all the property owners have received and reviewed the report.

Meet & Interview Town Administrator Candidates

Present: Alan Gould, Municipal Resources, Inc. (MRI)

Candidate Finalist: Sean Fitzgerald, Peter Lombardi, and Leo Goodwin

Mr. Wilhelm announced that MRI and the Screening Committee unanimously recommended three finalists to be interviewed for the Town Administrator position.

It has been recommended that the BOS select one of the finalists after the interview process, as the new Town Administrator subject to contractual negotiations.

The agenda allowed for up to 45 minutes for each candidate to be interviewed. The BOS followed the same format for each interview. Mr. Gould introduced the candidate who was then asked to give a summary of their resume, and share something of interest not on their resume.

The Selectmen asked a various questions i.e., explain an Entrance Plan, challenges for Wenham, communication and leadership style, and how they would transition into the Town Administrator's role.

At the end of the interview, each candidate was invited to ask questions of the Board.

The Board recognized each candidate for their answers on the essay questions, saying it was an impressive pool of candidates. There was no public input during this process.

APPROVED 4.7.15

1. Sean Fitzgerald, Plaistow NH Town Manager

Mr. Fitzgerald was introduced and gave a brief summary saying he has been in public administration since High School. He highlighted his experience as outlined on his resume as having worked on the MAPC with Selectman, Town Administrator / Managers, Mayors, and served as Chief of Staff to a Mayor. He has a Public Administration degree and continues to work towards his Master's Degree.

Mr. Fitzgerald stated he currently commutes 1.5 hours a day to Plaistow, NH and is looking for a position closer to his family, noting he has three small children.

During the interview, Mr. Fitzgerald observed that he could not find the Town's Master Plan on the web site and recommended the town challenge the land use boards to update and look at community development and work closely with the BOS/ TA to establish and prioritize goals.

When asked about being a finalist for other Town Administrator positions, Mr. Fitzgerald responded that he is seeking to move closer to home and that Wenham has a good balance of issues to his skill set.

He described his management style as "coaching" to encourage teamwork and forge solid relationships.

It was observed that the Town of Plaistow received an award for their Annual Report.

2. Peter Lombardi, Newburyport Director of Police & Administration, Chief Administrator Officer in charge of daily operations for the city, annual operating & capital budget, personal procurement, collective bargaining etc. Serves as a liaison between mayor and (11) City Councilors.

The Town Administrator role is similar to his current position managing department heads, being the "face" of city hall and requires multi-tasking at various levels. Mr. Lombardi manages communication on the web site, meetings, surveys, and has knocked on doors of residents in an emergency to assure residents have information.

Mr. Lombardi grew up in Manchester-by-the-Sea, and is familiar with regionalization and has experience in Newburyport with some shared positions with other towns. He noted the importance to prioritize projects, but to keep them all moving along. When asked what the most difficult part of his current job, Mr. Lombardi responded that day-to-day managing of the course between a very proactive mayor and an eleven member City Council. He is a member of International City/County Management Association and takes the code of ethics very seriously.

Mr. Lombardi noted that communities are unique and an Entry Plan would be sensitive to the community, and over a period of (about) 6 months he will meet with staff, elected / appointed officials, to create relationships, and create goals to start moving forward.

Mr. Lombardi observed that the town's web was hard to navigate, and limited the way the web site could be used to communicate.

As a Grant Administrator, he knows where to look for grants, has experience in determining what programs make sense for community, and understands navigating the state's process successfully.

Mr. Lombardi self described his strength in personnel, bargaining process, and legal issues on employment, and his management style is collaborative.

3. Leon Goodwin, Assistant to Town Manager, Director of Community Affairs, & Chief Building Official for Salem NH.

Mr. Goodwin has his law degree from Suffolk and referenced his past experience in Keene NH where he was in-house counsel as Assistant City Attorney. In particular he served as lead counsel to zoning and planning board, noting that Keene State College is in this town. He is able to identify problems, and figures a way to solve using resources available and has strong technological knowledge and experience.

Mr. Goodwin stated he was attracted to Wenham as a great place to live, and because it was compatible with his goals and skill set. He has strong budget experience and would economize the tax dollars, has written mutual aid agreements with Keene State and has the skills to move forward with land use and affordable housing.

His entry plan would including sitting with the Board of Selectmen, identifying the community vision over the next 6 months to five year, and meet with "key players" and staff to begin collaborations.

He believes in strong communication by effectively using technology through the website, and face-to-face interaction, citing customer service is very important.

After the interviews, Mr. Gould sat at the table with the Board as they discussed the candidates.

The BOS recognized Mr. Gould/ MRI and the Screening Committee for their selection in a good group of candidates. Mr. Gould said MRI enjoyed working with the Town, noting the screening committee did a great job, and was pleasant to work with.

The BOS were urged to make their decision during the meeting, noting that at least one of the finalists had a job offer currently on the table and was a finalist in another community.

Mr. Wilhelm opened the meeting to the Board for comment and discussion. It was agreed that any of the three candidates could do the job. Ms. Harrison noted that she wrote the most comments, and observations of Peter Lombardi, noting that he used key words and has a wide variety of capabilities. Operationally he could step forward, multi tasks and sees follow through as a priority.

Mr. Whittaker observed that they were all good candidates and the challenge was to pick the best candidate for Wenham. He noted that Wenham is unique in many ways and that the town needs a collaborative but strong, competent, Town Administrator. For him the decision was between Sean Fitzgerald and Peter Lombardi, and based on experience and longevity his choice was Sean Fitzgerald, as the seasoned candidate, citing that Peter only has 3 years experience.

Mr. Wilhelm agreed the top two candidates were Peter Lombardi and Sean Fitzgerald and both would be a good fit for Wenham. His concern was that Sean Fitzgerald would be gone in two years for a better paying job with more responsibilities citing he has applied in Topsfield, Nahant, and Saugus. Therefore, Mr. Wilhelm agreed that Peter Lombardi was the better candidate for Wenham. Mr. Whittaker noted that Sean Fitzgerald already had another offer, and if he wanted a larger town he would have accepted it. Ms. Harrison agreed that Sean Fitzgerald could "hit the ground running" but his background was less relevant to Wenham. She opined that Peter Lombardi has been around long enough and has a variety of experiences and he would also "hit the ground running."

Mr. Whittaker noted that Peter Lombardi, only has three years experience, but for the purpose of unanimity he would vote with the other Selectmen.

Vote: Ms. Harrison moved that the BOS make a conditional offer of employment for Town Administrator to Peter Lombardi. Mr. Whittaker seconded, for the purpose of unanimity. The motion carried unanimously.

Mr. Gould explained the offer is conditional on three things, noting it takes about two weeks to complete:

1. Successful comprehensive background investigation
2. Successful Contract negotiations
3. Medical Clearance if required

Pending the completion of the conditional requirements, the BOS would meet in Executive session to discuss contract terms.

Mr. Gould observed that Peter Lombardi was still in the building and invited back to the meeting and informed the BOS voted to offer him the position.

The BOS authorized MRI to send the employment packet to Peter Lombardi.

The BOS asked that the current draft job description for the Town Administrator be send to MRI for review with Mr. Lombardi and to let them know what Peter Lombardi's time frame was for starting in Wenham.

Mr. Gould expected that the terms would be worked out by the end of the month.

Mr. Wilhelm called for a 5 minutes recess at 7:48 PM.

The Board reconvened at 7:55 PM

Continue Discussion on Potential Annual Town Meeting Articles

Chairman Wilhelm reviewed the BOS previously took action to put articles on the warrant and whether or not to recommend favorable action to the Town Meeting.

The Board acted on the remaining articles:

ARTICLE 1: Budget appropriations

VOTE: Ms. Harrison moved the BOS recommend favorable action on Article 1 and it was unanimous to do so.

ARTICLE 2: Use of Free Cash to level the tax rate

VOTE: Ms. Harrison moved the BOS recommend favorable action on Article 2 and it was unanimous to do so.

ARTICLE 8: H-W Grounds Maintenance Revolving Fund

Bill Tyack, Department of Public Works Director was present and explained that the Town does not have the resources to do the work required in the agreement. Wenham, Hamilton and the Schools are discussing a reduced scope of services; a revised agreement is anticipated.

VOTE: Ms. Harrison moved the BOS recommend favorable action on Article 8 and it was unanimous to do so.

ARTICLE 9: CPA Appropriations

APPROVED 4.7.15

The Board took a position on each application:

1) The town vote to approve the following transfers of CPA funds:

- a) The sum of \$120,000, for the purpose of reserving a minimum of 10% of the total FY 2016 estimated CPA revenue to be transferred as follows:
 - i) \$40,000 to the "FUND BALANCE RESERVED FOR HISTORIC RESOURCES"
 - ii) \$40,000 to the "FUND BALANCE RESERVED FOR OPEN SPACE"
 - iii) \$40,000 to the "FUND BALANCE RESERVED FOR COMMUNITY HOUSING"

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- b) The sum of \$272,000 from FY 2016 estimated CPA revenue to FY 2016 BUDGETED RESERVES

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

2) The following sums to be appropriated from the indicated CPA source for the following purposes:

- a) The sum of \$10,000 from HISTORIC RESOURCES for Town Clerk's document preservation. This is the town's annual contribution towards the on going process of protecting old town records.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- b) The sum of \$150,721.43 from HISTORIC RESOURCES for the purpose of paying the debt service in FY 2016 on the \$2,151,421 supplemental borrowing under Massachusetts General Laws, Chapter 44 and 44B for the rehabilitation of the 154 year old Wenham Town Hall Building located at 138 Main Street in accordance with the plans developed and administered by the Wenham Town Hall and Police Station Building Committee.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- c) The sum of \$10,000 from HISTORIC RESOURCES and \$29,098.99 from CPA FUND BALANCE for the Wenham Museum Conant Collection. This is to categorize, preserve, and make available to the public 3636 fragile and deteriorating glass negatives of Wenham life, times, and citizens taken from 1890 to 1918 by Wenham resident, Benjamin H. Conant.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- d) The sum of \$46,260 from CPA FUND BALANCE for the Wenham Museum building restoration. This is to provide needed restoration work to Wenham's First Period historic house including windows, chimney, clapboard, and drainage issues.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- e) The sum of \$10,000 from CPA FUND BALANCE for the HDC-Grant Request for the Wenham Historical Commission's 50% share of a state grant. This is to provide half the cost of a survey of historical and cultural resources, which is a primary responsibility of the new Wenham Historical Commission, created at last year's Annual Town Meeting.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- f) The sum of \$25,000 from OPEN SPACE for the War Memorial landscaping

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- g) The sum of \$27,216.67 from CPA FUND BALANCE for the Community House building restoration. This is Wenham's share for masonry and windows.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- h) The sum of \$26,880 from OPEN SPACE for the Hamilton-Wenham Recreation Board – Pool Bid. This is to fund Wenham's share of bid documents for the proposed shared pool at Patton Park.

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

- i) The sum of \$450,000 from OPEN SPACE & \$222,000 from CPA FUND BALANCE for the Hamilton-Wenham Recreation Board – Pool Construction Project. To provide funding for Wenham's share of the pool construction if the total price is approved and voted by both towns.

It was the consensus of the Board to wait until the agreement between Hamilton & Wenham was completed before taking action.

VOTE: Mr. Harrison moved the BOS make a recommendation at Town Meeting and it was unanimous to do so.

- j) The sum of \$8,000 from FY 2016 estimated CPA revenue to the CPA Administrative account

APPROVED 4.7.15

VOTE: Mr. Whittaker moved to recommend favorable action and it was unanimous to do so.

ARTICLE 11: Bylaw Amendment—Adoption of Consolidated Department of Municipal Finance

Mr. Wilhelm noted that he preferred this version to the previously bylaw.

The BOS requested that the wording be amended to read Treasurer OR Collector

Ms. Harrison moved to put Article 11 on the ATM warrant as amended by Paul Weaver (3.10.15) and it was unanimous to do so.

Mr. Whittaker moved to recommend favorable action on Article 11 as amended and it was unanimous to do so.

ARTICLE 17: Conversion of Cemetery Commission to an Appointed Town Board

The Board noted that the Cemetery Commission has not had the opportunity to comment. A discussion followed about putting the article on the warrant. Mr. Whittaker noted that even if this were voted at town meeting, it would not be in effect until 2016 election/ appointments.

Mr. Whittaker moved to place Article 17 on the Warrant and it was unanimous to do so

Mr. Whittaker moved to recommend at Town Meeting and it was unanimous to do so.

Warrant For the Special Town Meeting (STM)

ARTICLE 1: FY 2015 Budget Account Appropriation Transfers

1. To vote to transfer \$7,000.00 from Treasurer Collector Expense and \$40,000.00 from Accountant's Expense to Treasurer Collector Salaries and Wages for purposes of funding the finance department's salaries.
2. To vote to transfer \$5,000.00 from Treasurer Collector Expense and \$5,000.00 from Accountant's Expense and \$5,000.00 from Town Admin. Salaries & Wages to Town Hall Expense for purposes of funding the town administrative search.
3. To vote to transfer \$9,500.00 from Town Admin Salaries & Wages to Town Hall Expense for purposes of funding a new phone system.
4. To vote to transfer \$10,000.00 - from Town Admin. Salaries & Wages and \$5,000 from Regional Vocational School Interest to Legal Expense for purposes of paying estimated legal bills.
5. To vote to transfer \$15,000.00 - from Employee Group Insurance to the Reserve Fund for purposes of funding unanticipated expenditures through June 30th.

The Finance Committee voted unanimously to support Article 1 of the STM.

Ms. Harrison moved to recommend favorable action on Article 1 on the STM Warrant and it was unanimous to do so.

Mr. Whittaker moved to recommend favorable action on article 2 to the Special Town Meeting and it was unanimous to do so.

ARTICLE 2: Water Department Funding

Mr. Whittaker moved to recommend favorable action on article 2 to the STM and it was unanimous to do so.

The Board complimented the Water Superintendent on the excellent commentary

Mr. Weaver talked about the order of articles for the Town meeting proposing those articles not expected to generate a discussion be presented Town meeting in a consent calendar.

Ms. Harrison moved, and it was seconded to close the 2015 Annual Town Meeting Warrant. The motion carried unanimously.

EXECUTIVE SESSION— 76 Topsfield Road; Cross Keys Retreat

VOTE: Ms. Harrison moved the BOS enter into Executive Session at 8:41 PM according to MGL chapter 30A Sec 21 for the purpose of Exemption (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; This is to discuss litigation related to Cross Keys Retreat, 76 Topsfield Road, and to include Town Counsel, Paul Weaver, and Special Counsel Mark Bobrowski, and return to open session for the purpose of adjourning. The motion was seconded and carried unanimously by roll call vote.

The BOS returned to open session at 9:19 PM and on a motion by Mr. Whittaker, it was unanimous to adjourn.

APPROVED 4.7.15

Respectfully submitted by

Catherine Tinsley
3.12.15