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 February 20, 2018 at 6:30 pm in the Selectmen Chambers.

Welcome & Call to Order
With a quorum present, Mr. Wilhelm called the BOS meeting to order at 5 pm
Selectmen present: Jack Wilhelm, Chair; Catherine Harrison, Vice Chair;
Not present: John Clemenzi, Clerk
Also Present: Peter Lombardi, Town Administrator; Leslie Davidson, Finance Director; Catherine Tinsley, Recording Secretary

Public Information:
This meeting was recorded with permission by HWCAM.
➢ February 20, 2018 Meeting Packet

Abbreviations used
FY Fiscal Year

Announcements
• Wenham Annual Town Elections – Open Offices are posted on the town’s website. It was noted that neither incumbent of the Assessors or Planning Board is running again.
• The Annual Town Meeting is April 7 with the Annual Elections April 12.
• Dianne Bucco, Town Clerk was present and announced that GEORGE KILPATRICK was the winner of the Wenham Cutest Dog Contest. A contest she initiated to increase the annual dog registration by January 31. Ms. Bucco reported dog license registrations increased 10% in January, assumed to be a result of the contest.
• Button Cell Battery Recycling is now available at the Council on Aging and the Board of Health; for every 1 pound of batteries recycled, the Friends of the Wenham COA will receive $100 for programming and events.

Reports

Town Administrator
➢ Regional Dispatch - The operational, management, and financial audit report on the ECRECC was released last week. Its findings are consistent with what had been discussed at the February 6 Selectmen’s meeting in terms of critical areas to address going forward for that program to remain sustainable. Based on our discussion at that meeting, I have since met with the Town Managers in both Danvers and Hamilton regarding potential opportunities to collaborate with either of them on a different regional dispatch model. The Hamilton BOS and FinCom expressed their support for moving forward with a feasibility study for Wenham to rejoin with Hamilton at their joint meeting last week. I expect to hear back from Danvers after their BOS meeting tonight but was informed that partnering with a neighboring community on regional dispatch was one of the Board’s top goals this year, so I expect strong support to move forward on their end as well. I am meeting with MRI next week to develop a scope of work that will look at both options and will then present on their draft proposal sometime in March. In the meantime, we will be discussing the FY19 budget at our RECC Board meeting later this week and I expect that our annual assessment of $82k will not increase next year based on the materials I have been provided.

➢ Regional Water Planning Grant - In Fall 2016, we were awarded $104k in grant funding through MassDEP’s Sustainable Water Management Initiative in conjunction with the Massachusetts Water Works Association and several other area communities (Danvers, Middleton, Topsfield, Hamilton, and Lynnfield Water District) to collect and share data and explore potential regional solutions to address our collective water resource constraints. The resulting report, released last summer, identified some potential long-term solutions and documented the enhanced conservation practices that many Ipswich River basin water suppliers already have in place. At the time, there was general consensus among the parties involved in this project that further due diligence around some of the recommendations in the report was warranted.
In September 2017, we applied for DEP grant funding to conduct the next phase of study and analysis work associated with this ongoing regional water resources initiative, focusing particularly on the need for and feasibility of supply side solutions. Earlier this month, we were notified that we received $160k in state funding to engage with our other grant partners on this next step. Our local match contribution will not exceed $4,500. This project and all related deliverables will be completed by this summer.

- Main Street Signalization - We were awarded about $30k in Central Transportation Planning Staff (CTPS) technical assistance through the Safety and Operations Analysis at Selected Intersections program –one of only two intersections across the entire MPO region (101 municipalities in Greater Boston) that they are looking at this year (and they only do these studies every other year). Last week, we held the kick-off meeting for this project with CTPS and MassDOT. CTPS expects to do much of their initial work in the next two months and plans to meet with us again in April once they have completed their analysis and developed conceptual designs. A final report will then be issued over the summer that will include most but not all of the necessary components of a Functional Design Report, which is needed to move on through the next phase of MassDOT approvals.

- CTPS is very much interested in getting input from our local officials and seems very willing to work with the Town throughout the process. Having MassDOT’s involvement at this early stage will be key to getting their support to implement the recommendations that come out of this assessment. Based on early indications, I would expect CTPS’ findings will include the installation of at least one signal in the corridor on Main Street between Cherry Street and Arbor Street and making several additional lower cost modifications to the downtown corridor to improve vehicular and pedestrian safety.

**New Business**

**Appointments**

- Board of Registrars: Marc Liphardt, Lisa Terranova or Dan Curran
  - Emailed Letter of Interest from M. Liphardt
  - Emailed Letter of Interest from L. Terranova
  - Emailed Letter of Interest from D. Curran
  - Email regarding Board of Registrars vacancy from Dianne Bucco, Town Clerk, February 6, 2018
  - M.G.L. Ch. 51, Sec. 15 Board of Registrars in Certain Cities and Towns; Appointment; Term of Office

The Board requested the applicants attend the next BOS meeting and speak to their interest in being a registrar.

**Water Commission Recommendation to Not Renew Mass DEP Water Withdrawal Permit**

- Memo regarding Water Withdrawal Permit Renewal Update from P. Lombardi, February 20, 2018
- Email regarding Extension Request for Wenham WMA Permit Order to Complete from Duane LeVangie, Chief, Water Management Program, DEP, February 20, 2018
- Letter on Request for Extension Regarding Wenham WMA Permit #9P2-3-17-320.01 Order to Complete from Peter Lombardi, Town Administrator, February 16, 2018
- Email regarding Opinion on WMA Permit from Jeffery T. Blake, Esq., KP Law, February 5, 2018
- Email regarding Revised Water Wenham Water Department from Jeffery T. Blake, Esq., KP Law, January 8, 2018
- Email regarding Opinion on WMA Permit from Jennifer Pederson, MWWA, February 15, 2018
- Letter regarding Response to Rivers Alliance Petition to Julia Blatt, Executive Director, Massachusetts River Alliance and Ian Cooke, Executive Director, Neponset River Watershed Association from Martin Suuberg, Commissioner, Department of Environmental Protection, September 22, 2017
- The Massachusetts Department of Environmental Protection’s Action on the Massachusetts Rivers Alliance Petition
- Order to Complete for Permit Renewal Application, Water Management Act Permit #9P231732001, December 22, 2017
- Modified Water Withdrawal Permit #9P2-3-17-320.01
- Email regarding Wenham Water Needs Forecast from Marilyn McCory, Water Resources Planner, Office of Water Resources, Department of Conservation & Recreation, November 27, 2017
- Department of Environmental Protection Water Management Act (MGL c. 21G) WMA Permit Renewals Public Comment Period – Ipswich River Basin, MassDEP
Water Superintendent Erik Mansfield and Water Commissioner Ernest Ashley spoke to the Water Commission’s recommendation to not renew Mass DEP Water Withdrawal Permit. Commissioners Rick Quateman and Paul Mendonca were also present.

The DEP is in the process of renewing permits in the Ipswich River Basin. The new permit would start to scale back the amount of water withdrawal permit by 2024. Because of the complexity of the permit, Town Counsel was involved in the decision process.

The Town was required to apply for a permit when in 1995, 1996, & 1997 Wenham pumped over the allowed million gallons per day. Since then, the Town has not exceeded the registered permitted million gallons per day and threshold.

The original permit expired in 2009. The DEP issued interim permits to Wenham through 2011 and then extended that date twice now continuing it until Mass DEP issues a final decision of each renewal application.

DEP confirmed that it does not intend to enforce any conditions on Registrations related to conservation until new regulations are announced. Although unlikely, the Town could lose the additional threshold MGD (0.10) and be limited to 0.29 MGD, but that would only occur if DEP changed those minimum threshold levels statewide which they have been reticent to do so far.

The Commissioners confirmed the Town would continue water conservation and enforcement as outlined in the Town’s Bylaw to keep water usage down, and mentioned that with potential new growth, the Town may need to purchase water as a means to offset water use from the Salem Beverly Water Board which is not in the Ipswich River Water Shed.

It was noted that Wenham is potentially not the only town giving up the permit.

Vote: Mr. Wilhelm moved, and it was seconded, to accept the recommendation of the Water Commissioners to not renew our DEP water withdrawal permit. The motion carried unanimously.

Mr. Wilhelm asked for updates from the Commission especially over the summer and to vigorously enforce the water ban which runs May 1- September.

Old Business

Review of and Potential Recommendations on Annual Town Meeting Warrant Article

Draft: Warrant Articles for the Annual Town Meeting
Memo re FY19 Budget Status from P. Lombardi & Leslie Davidson, Finance Director, February 20, 2018
Town of Wenham FY19 Budget Review Power Point, P. Lombardi & Leslie Davidson, Finance Director, February 20, 2018
Town of Wenham Budget FY19-23 Budget Projections
Article 6: Use of Free Cash to Fund FY 2019 Capital Improvement Program
Memo re FY19 Capital Improvement Program Funding Requests from P. Lombardi, January 30, 2018
Article 20: Bylaw Amendment: Short-term Rental Bylaw Placeholder
Email regarding Short Term Rental Bylaw from Amy Kwesell, KP Law, January 9, 2018
Manchester-by-the- Sea Short Term Rental Bylaw
Manchester-by-the-Sea Short Term Paying Guest Accommodations License Application
Article 28: Acceptance of MGL Ch. 60, Sec. 3F Establish Municipal Veterans Assistance Fund
M.G.L., Ch. 60, Sec. 3F Taxation, Collection of Local Taxes, Voluntary Donation to Multiple Veterans Assistance Fund by Designation on Municipal Property Tax or Motor Vehicle Excise Bills
Email regarding Ch. 60 3C & 60 3D, Leslie Davidson, Finance Director, January 18, 2018
2005 Annual Town Meeting Warrant Articles 8 & 9
M.G.L., Ch. 60, S 3C Taxation, Collection of Local Taxes, City of Town Scholarship Fund; Donation; Deposits; Distribution
M.G.L., Ch. 60, Sec. 3D City or Town Aid to Elderly and Disabled Taxation Fund; Voluntary Check off Donations
Article 29: Acceptance of MGL Ch. 59, Sec. 5 Clause 41C ½
Division of Local Services Bureau of Municipal Finance Law, Informational Guide Release, April 2017, Clause 41C ½ Property Tax Exemption for Seniors
Article 30: Modification to Elderly Tax Deferral Program Interest Rate
Email regarding Ch. 60 3C & 60 3D, Leslie Davidson, Finance Director, January 18, 2018
Article 31: Bylaw Adoption: Administration Fines
Email regarding Acceptance of Chapter 40U from Gregg J. Corbo, Esq., KP Law, February 23, 2017
Proposed Article 31 Bylaw Amendment: Administration of Fines
M.G.L., Ch. 40U, Sections 1 – 18
The Board was provided with an updated slide deck and financial trends. Mr. Lombardi gave a brief overview of the recent adjustments saying the Town has delivered a level service budget which included an increase in expenses of 2.2% with an additional 1% increase for shared inspectional services with Hamilton. Wenham is the lead community and therefore carried this in the FY19 budget would be offset when the Town of Hamilton pays its share. The School Committee approved the HWRSD FY19 budget with a 6.9% operating increase which translates to a 9.2% increase in Wenham’s assessment after accounting for the enrollment shift. On average, over the past 4 years, the school budget has increased 4% annually, compared to the Town’s operating budget which has increased on average 2.6%.

The Town of Hamilton is proposing a 2.5% increase in their operating budget and has also placed the school’s override and capital improvements in separate articles on the warrant as Wenham has done.

It was noted the School Committee and Leadership Team was asked to provide information on the compromises if the override fails and has stated they will not be providing that information. They will be asked to attend the warrant hearing to provide the voters with additional information.

The Selectmen began the process to take positions to recommend favorable, or unfavorable action, on each article. The Selectmen’s recommendation, along with the Finance Committee’s recommendations on articles with a financial impact, will be printed in the Town Meeting warrant. The language of the articles is still in draft form.

Vote: The Selectmen took action and unanimously voted to place the following articles on the 2018 Town Meeting Warrant:

ARTICLE 1: Budget Appropriations on the 2018 Annual Town Meeting Warrant
ARTICLE 2: Use of Free Cash to Balance the Budget and Level the Tax Rate
ARTICLE 3: Hamilton Wenham Regional School District Operating Override
ARTICLE 4: Debt Exclusion: Winthrop School Fire Suppression System
ARTICLE 5: Debt Exclusion: HWRSD Safety, Accessibility, Critical Infrastructure
ARTICLE 6: Use of Free Cash to Fund FY 2019 Capital Improvement Program
ARTICLE 7: Water Department Capital Expenditure
ARTICLE 8: Cemetery and Other Trust Funds
ARTICLE 9: Cemetery Maintenance Fund Transfer
ARTICLE 10: Road Work – Chapter 90 Funding
ARTICLE 11: Annual Authorization of Revolving Funds
ARTICLE 12: Debt Issuance: Iron Rail Capital Needs
ARTICLE 13: Creation of Water Mitigation Fund and Transfer from Water Reserve Account
ARTICLE 14: Creation of Water Capital Reserve Account and Transfer from Water Operating Budget
ARTICLE 15: CPA Appropriations
ARTICLE 16-19: Marijuana Bylaws Placeholder
ARTICLE 20: Bylaw Amendment: Short-term Rental Bylaw Placeholder
ARTICLE 21: Zoning Bylaw Amendment: Accessory Apartments
ARTICLE 22: Zoning Bylaw Amendment: Paper Streets
ARTICLE 23: Zoning Bylaw Amendment: Common Driveway
ARTICLE 24: Zoning Bylaw Amendment: Sign
ARTICLE 25: Zoning Bylaw Amendment: Personal Wireless Service Facilities
ARTICLE 27: Longfellow Road and South Street Home Rule Petition (including Town appropriation)
ARTICLE 28: Bylaw Adoption: Municipal Veterans Assistance Fund
ARTICLE 29: Bylaw Amendment: Modification to Senior Circuit Breaker Tax Exemption Program
ARTICLE 30: Modification to Elderly Tax Deferral Program Interest Rate
ARTICLE 31: Bylaw Adoption: Administration of Fines
ARTICLE 1: Budget Appropriations
To see if the Town will determine what sum of money ($18,672,060) may be necessary to defray the Town’s expenses of the twelve-month period (Fiscal Year 2019) beginning July 1, 2017 and ending June 30, 2018 and to make appropriations for the same and to determine the source thereof. Or take any other action relative thereto.
Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends favorable action on Article 1 to Town Meeting and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 2: Use of Free Cash to Balance the Budget and Level the Tax Rate
To see what sum of money ($750,000), the Town will vote from FY 2017 Free Cash to be used to balance the budget and level the tax rate for the period July 1, 2018 to June 30, 2019. Or take any other action relative thereto.
Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 2 to Town Meeting and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 3: Hamilton Wenham Regional School District Operating Override
To see what sum of money ($331,294), the Town will vote to be used to fully fund Wenham’s annual assessment for the FY 2019 Hamilton Wenham Regional School District budget as adopted by the Hamilton Wenham Regional School Committee for the period July 1, 2018 to June 30, 2019. Or take any other action relative thereto.
Recommendation of the BOS:  Mr. Wilhelm moved the BOS recommends favorable action on Article 3 to Town Meeting and the motion carried 0-2
Recommendation of the Finance & Advisory Committee: Favorable Action (1-4-0) noting Mr. Purdy voted in favor of Article 3 with the intention of putting it before the voters.
Mr. Wilhelm noted that the wording “recommends favorable action on Article 3 to Town Meeting and the motion carried 0-2” is confusing. This format will be reviewed and standardized with the fin com wording.

ARTICLE 4: Debt Exclusion: Winthrop School Fire Suppression System
To see if the Town will appropriate the amount of $850,000 for the purpose of paying costs of the installation of a fire suppression system at the Winthrop Elementary School including the payment of all costs incidental or related thereto. Or take any other action relative thereto.
Recommendation of the BOS: Mr. Harrison moved to recommend favorable action on Article 4 to Town Meeting and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)
The Selectmen noted the school has been aware of this expense the past 4 years and has not prepared for it nor did they appeal the decision requiring the installation, citing there are exit door to the outside in each classroom but agreed, reluctantly to recommend this to town meeting.

ARTICLE 5: Debt Exclusion: Hamilton Wenham Regional School District Safety, Accessibility, and Critical Infrastructure
To see if the Town will appropriate the amount of $2,600,000 for the purpose of paying costs of various FY19 “Safety, Accessibility and Critical Infrastructure” capital projects within the District as outlined in the District’s Five-Year Capital Plan dated February 13, 2018, including the payment of all costs incidental or related thereto.
Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends action at Town Meeting on Article 5 and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)
The Board again observed there was very little information on this article and noted concern of how these items were chosen and the professional recommendations made and how they relate to safety, accessibility or critical infrastructure.

ARTICLE 6: Use of Free Cash to Fund FY 2019 Capital Improvement Program
To see what sum of money the Town will vote from FY 2017 Free Cash ($200,500) to fund the FY 2019 Capital Improvement Program for the following eligible items and amounts, including the acquisition, leasing, purchase and equipping of capital items and all incidental and related costs for all capital items and projects: Or take any other action relative thereto.

- Town Hall – Exterior Painting $18,000
- Fire – Portable Radios $30,000
- Police – Administrative Vehicle $17,500
- Highway – Front End Loader $40,000
- Highway – Portable Truck Lift $45,000
- Building & Grounds Used Pick-up $5,000
- Highway – Road Capital $45,000

Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends favorable action on Article 6 to Town Meeting and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)
ARTICLE 7: Water Department Capital Expenditure
To see if the Town will vote to transfer a sum of money, not to exceed $54,000, from the Water Surplus Account (29-300-3560) to the Water Capital Account (29-450-5800) for costs associated with the purchase of a utility truck or take any other action relative thereto.

Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 7 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 8: Cemetery and Other Trust Funds
To accept the Cemetery and other Trust Funds received in FY 2017, as printed in Part I of the Town Report and on file with the Town Clerk. Or take any other action relative thereto.

Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends favorable action on Article 8 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 9: Cemetery Maintenance Fund Transfer
To see if the Town will vote to authorize the Treasurer to withdraw a sum of money, not to exceed $7,500 from the Sale of Cemetery Lots - Receipts Reserved for Appropriation account, after July 1, 2018 and before June 30, 2019, and transfer and deposit said funds into the General Fund. The purpose of the transfer is to subsidize Highway Department expenditures for the care and operation of the three cemeteries in the Town of Wenham. Or take any action relative thereto.

Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 9 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 10: Road Work – Chapter 90 Funding
To see if the Town will vote from available funds a sum of money for work on Town Roads, subject to conditions detailed by the Massachusetts Department of Transportation Highway Division, pursuant to MGL Chapter 30, Section 39M; Chapter 149, Section 44J; and Chapter 149, Section 26-27F; said work to conform to the requirements of the Massachusetts Department of Transportation Highway Division. Or take any other action relative thereto.

Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends favorable action on Article 10 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 11: Annual Authorization of Revolving Funds
To see if the Town will vote pursuant to the provisions of MGL Chapter 44, Section 53E½, as most recently amended, to reauthorize the following revolving funds and establish the spending limits for FY19 as set forth below:

W - HWRSD Grounds Maintenance: Fees and reimbursements from the Hamilton Wenham Regional School District for the purpose of paying employees, purchasing supplies, services, equipment, and miscellaneous expenses related to grounds maintenance; to be expended by the Department of Public Works;

Iron Rail Rental: Revenues collected through rental fees from tenants of the Iron Rail property for the purpose of paying for facility maintenance and capital investments; to be expended by the Iron Rail Commission.

And further to set the fiscal year spending limit for such revolving fund as follows:

H-W Grounds Maintenance: Not to exceed $20,000
Iron Rail Rental: Not to exceed $25,000

Or take any other action relative thereto.

Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 11 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 12: Debt Issuance: Iron Rail Capital Needs
PLACEHOLDER: To see if the Town will approve issuance of debt in the amount of $235,000 for costs associated with certain capital improvements to the Iron Rail facility, including the installation of a new roof and septic system and paving work.

Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends favorable action on Article 12 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 13: Creation of Water Mitigation Fund and Transfer from Water Reserve Account
To see if the Town will approve the creation of a new water mitigation account and the transfer of $20,900 from Water Reserves already collected for this purpose into this account.

Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 13 to Town Meeting and the motion carried 2-0

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

This is money has been in the water department general fund and is being separated solely for mitigation.

ARTICLE 14: Creation of Water Capital Reserve Account and Transfer from Water Operating Budget
To see if the Town will approve the creation of a new water capital reserve account and the transfer of $35,000 from the FY19 Water operating budget into this account.
Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 14 to Town Meeting and the motion carried 2-0.
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 15: CPA Appropriations
To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation budget; to appropriate from the Community Preservation Fund a sum of money to meet the necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2019 and to approve the appropriation to expend or set aside the following amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation and preservation of open space; a sum of money for acquisition, creation, preservation, rehabilitation, and restoration of land for recreational use; a sum of money for the acquisition, preservation, rehabilitation, and restoration of historic resources and a sum of money for the acquisition, creation, preservation and support of community housing. or take any other action relative thereto.

1) To see if the Town will vote to approve the following transfers of Community Preservation Act funds:
   a) The sum of $117,000, for the purpose of reserving a minimum of 10% of the total FY 2019 estimated CPA revenue to be transferred as follows:
      i) $39,000 to the “FUND BALANCE RESERVED FOR HISTORIC RESOURCES”
      ii) $39,000 to the “FUND BALANCE RESERVED FOR OPEN SPACE & RECREATION”
      iii) $39,000 to the “FUND BALANCE RESERVED FOR COMMUNITY HOUSING”

   Recommendation of the BOS: Mr. Wilhelm moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

   b) The sum of $265,500 from FY 2019 estimated CPA revenue to FY 2019 BUDGETED RESERVES

   Recommendation of the BOS: Mr. Wilhelm moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

   c) The sum of $7,500 from FY 2019 estimated CPA revenue to the CPA Administrative account.

   Recommendation of the BOS: Mr. Wilhelm moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

2) The following sums to be appropriated from the indicated CPA source for the following purposes:
   a) The sum of $ 2,500 from CPA FUND BALANCE to the Town of Wenham Cemetery Commission for the purpose of the Fairfield Cemetery Restoration Project.

   Recommendation of the BOS: Mr. Wilhelm moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

   b) The sum of $ 9,500 from CPA FUND BALANCE to the Town of Wenham Cemetery Commission for the Main Street Cemetery Gravestone Preservation.

   Recommendation of the BOS: Mr. Wilhelm moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

   c) The sum of $ 46,009.87 from the HISTORIC PRESERVATION FUND BALANCE and the sum of $ 87,250 from the CPA FUND BALANCE for a total sum of $ 133,250 for the purpose of paying the debt service in FY 2019 on the $2,151,421 supplemental borrowing under Massachusetts General Laws, Chapter 44 and 44B for the rehabilitation of the 163 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.

   Recommendation of the BOS: Mr. Wilhelm moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

   d) The sum of $ 89,455 from CPA FUND BALANCE to the Wenham Museum for the preservation of the Clafin-Gerrish-Richards House.

   Recommendation of the BOS: Ms. Harrison moved to recommend favorable action to Town Meeting and the motion carried 2-0.
   Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

   In full disclosure Mr. Wilhelm sated he is on the Board of Director of the Wenham Museum.

The Board deferred action to recommend the following articles until Town Counsel has completed the review.
The public hearing for the zoning articles, to be held by the Planning Board, is March 5.
Of importance, Settler Lane (Article 26) is off the Warrant because the request for this to be on the warrant was not submitted in accordance with the general bylaws.
ARTICLES 16-19: Marijuana Bylaws Placeholder
ARTICLE 20: Bylaw Amendment: Short-term Rental Bylaw Placeholder
ARTICLE 21: Zoning Bylaw Amendment: Accessory Apartments
ARTICLE 22: Zoning Bylaw Amendment: Paper Streets
ARTICLE 23: Zoning Bylaw Amendment: Common Driveway
ARTICLE 24: Zoning Bylaw Amendment: Sign
ARTICLE 25: Zoning Bylaw Amendment: Personal Wireless Service Facilities
ARTICLE 27: Longfellow Road and South Street Home Rule Petition (including Town appropriation)

ARTICLE 28: Bylaw Adoption: Municipal Veterans Assistance Fund
To see if the Town will vote to accept MGL Ch. 60 Sec 3F to establish a municipal veterans assistance fund with proceeds from donations on tax bills. Or take any other action relative thereto.
Recommendation of the BOS: Ms. Harrison moved the BOS recommends favorable action on Article 28 to Town Meeting and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)
A policy must be adopted for this to go forward and the Veterans Committee would be involved in the distribution.

ARTICLE 29: Bylaw Amendment: Modification to Senior Circuit Breaker Tax Exemption Program
PLACEHOLDER: To see if the Town will vote to accept MGL Ch. 59 Section 5 Clause 41C½ to give the Town greater flexibility to customize senior circuit breaker program and provide enhanced property tax benefits income eligible elderly residents.
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)
The BOS requested additional information on this article before voting a recommendation.

ARTICLE 30: Modification to Elderly Tax Deferral Program Interest Rate
To see if the Town will vote to reduce the interest rate charged to residents who enter into an elderly tax deferral agreement under MGL Ch. 59 Sec 5(41A) from 8% to 4%.
Recommendation of the BOS: Mr. Wilhelm moved the BOS recommends favorable action on Article 30 to Town Meeting and the motion carried 2-0
Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)

ARTICLE 31: Bylaw Adoption: Administration of Fines
To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40U in its entirety, allowing for the administration of fines as a result of violations of any rule, regulation, order, or by-law regulating the housing, sanitary or municipal snow and ice removal requirements of the Town; and to amend the General Bylaws by adding a new Chapter XXIX as set forth below:

CHAPTER XXIX ADMINISTRATION OF FINES FOR CERTAIN VIOLATIONS

SECTION 1
The procedures for the payment and collection of unpaid municipal fines, as set forth in Chapter 40U of the Massachusetts General Laws, are hereby adopted.

SECTION 2
The Board of Selectmen shall appoint a Municipal Hearing Officer to conduct hearings of alleged violations of the Bylaws and Regulations specified in this Chapter.

SECTION 3
The following Bylaws and Regulations and the specified penalties attached thereto shall be included within the procedure established under this Chapter. Each day a violation is committed or permitted to continue shall constitute a separate offense and may be penalized as such hereunder:

<table>
<thead>
<tr>
<th>Bylaw or Regulation</th>
<th>Subject</th>
<th>Penalty</th>
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<tbody>
<tr>
<td>General Bylaws</td>
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<td>General Bylaws</td>
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<td>House Numbering</td>
<td>$5</td>
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<td>Water Use Restrictions</td>
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<td>(subsequent offenses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chapter XXIV</td>
<td>Stormwater Management</td>
<td>$200</td>
</tr>
<tr>
<td>Zoning Bylaws</td>
<td>All violations relating to residential</td>
<td>$300</td>
</tr>
</tbody>
</table>
SECTION 4
Notwithstanding the provisions of this Bylaw, the Town may enforce its bylaws and regulations or enjoin violations thereof through any lawful process, including but not limited to through Non-Criminal Disposition as set forth in Chapter XIX of the Town’s General Bylaws, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

SECTION 5
The invalidity of any section, provision, paragraph, sentence, or clause of this bylaw shall not invalidate any other section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

Or take any action relative thereto.

Recommendation of the Finance & Advisory Committee: Favorable Action (5-0-0)
The Board noted some concern with this article, and questioned their ability to edit the list of violations included in the article. It was noted these are already bylaws in the Town and this gives the town the ability to issue fines locally. These will be provided to the Board.

ARTICLES 32-36: Awaiting Town Counsel Drafts

ARTICLE 37: Election of Town Officers
To choose the following officers:
Board of Assessors, one position, three year term; Board of Health, one position, three year term; Board of Selectmen, one position, three year term; Hamilton Wenham Regional Library Trustee, two at-large positions, three year terms; Hamilton Wenham School Committee, two positions, three year terms; Moderator, one year term; Planning Board, one position, five year term and one positions for three years – to fill an unexpired term; Water Commissioner, one position, three year term; Wenham Housing Authority, one position, five year term.

Finance Director Performance Evaluation and Potential Extension of Employment Contract
- Finance Director / Treasurer/Collector Contract between Leslie Davidson and Town of Wenham, February 7, 201

In February 2017, Ms. Davidson was appointed as the Town’s Finance Director/ Treasurer Collector for a one-year probationary period. According to her Agreement the BOS may extend this contract through June 2019.

Motion: Mr. Wilhelm moved, and it was seconded, that the initial probation period for Leslie Davidson, Finance Director / Treasurer/Collector has ceased, and the agreement will to continue to remain in effect until June 30, 2019.

Under discussion, Mr. Lombardi gave a brief overview of Ms. Davidson’s performance evaluation saying goals will be identified and included in the process going forward. Ms. Davidson has exceeded or met expectations in all areas and no ‘needs improvements’ were noted in her evaluation.

Mr. Lombardi endorsed Ms. Davidson continue in the role as Finance Director / Treasurer Collector.

The BOS concurred Ms. Davison was doing a great job and endorsed the recommendation.

Vote: The motion carried unanimously.

Proposed Inspectional Services Intermunicipal Agreement with Hamilton
- Summary Note on Shared Inspectional Services (Building Department) between the Town of Wenham & Town of Hamilton, February 1, 2018, MAPC
- Shared Inspectional Services Final Model Projections for Wenham-Hamilton, February 2, 2018, MAPC
- Proposed Intermunicipal Agreement between the Towns of Wenham and Hamilton for Shared Inspectional Services
- Letter requesting for support of Regional Inspectional Services study through Technical Assistance Program from Peter Lombardi, Wenham Town Administrator, Michael Lombardo, Hamilton Town Manager and Gregory Federspiel, Manchester-by-the-Sea Town Administrator to Jennifer Erickson, Manager of Technical Assistance Programs, Metropolitan Area Planning Council, May 22, 2017

Jacki Bresnahan, Permitting Coordinator was present to answer questions.

Motion: Ms. Harrison moved, and it was seconded, to approve the proposed Inspectional Services Intermunicipal Agreement with the Town of Hamilton for an initial term of July 1, 2018 – June 30, 2020.

Under discussion it was noted that Town Counsel reviewed the Intermunicipal Agreement and made minor changes. The Hamilton Town Counsel has not reviewed the most recent changes to date. Both the Hamilton BoS and Fin Com have discussed and expressed approval of this initiative and IMA.

Mr. Lombardi and Hamilton Town Manager Mike Lombardo were recognized for their work together to bring this forward.
Minutes – May 11, 2017; February 6, 2018
Ms. Harrison moved to approve the Joint Board of Selectmen & Hamilton-Wenham Regional School Committee meeting minutes of May 11, 2017 and the Board of Selectmen meeting minutes of February 6, 2018 and it was unanimous to do so.

Adjournment: The Board unanimously adjourned at 9 pm.

Respectfully Submitted By
Catherine Tinsley
2.23.18