

TOWN OF WENHAM
Board of Selectmen
Meeting Minutes of August 23, 2016
138 Main Street, Town Hall

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, August 23, 2016 at 6:15 PM in the Selectmen Chambers.

WELCOME: CALL TO ORDER

With a quorum present, Mr. Clemenzi called the Board of Selectmen meeting to order at 6:15 PM
Selectmen present: John Clemenzi Chair; Jack Wilhelm, Vice Chair; Catherine Harrison, Clerk
Also Present: Peter Lombardi, Town Administrator; Catherine Tinsley, Recording Secretary

Public Information

- Recorded with permission by HWCAM
- Agenda

EXECUTIVE SESSION – Police Department Policies & Training

Vote: Mr. Clemenzi moved, and it was seconded, to enter into executive session under M.G.L. Ch. 30A § 21 (4) To discuss the deployment of security personnel or devices, or strategies with respect thereto and to include Police Chief Perkins, Captain Tobey, Sgt. Machain, Officer Marsh and to return to open session. The motion carried unanimously by roll call vote.

The Selectmen returned to open session at 7:06 pm

NEW BUSINESS

Public Hearing - Hiatus Period Compensation for New Hires

- Legal Notice
- Memo – P. Lombardi

Mr. Clemenzi read the legal notice as printed in the Salem Newspaper on August 3, 2016 that the BOS would deliberate on a new Personnel Policy *Hiatus Period Compensation for New Hires* to be added as Ch. 7, § 5 and opened the public hearing.

Mr. Lombardi reviewed that a newly hired employee cannot immediately enroll in the Town's health insurance through the GIC (Group Insurance Commission). The proposed policy is to offer a benefit to help new employees afford COBRA payments by offering to pay the employee the amount equivalent to the employer's portion of the GIC plan during the 2-3 month waiting period.

The Selectmen were in favor of the policy. This will be on the next meeting agenda for action by the BOS.

The hearing was open to the public for comments/ questions. There were none.

Mr. Clemenzi moved to close the public hearing and it was unanimous to do so.

Mr. Clemenzi announced that Fran Young, who worked for the Town from 1982 through her retirement in 2010 as Town Clerk, recently passed away.

The agenda was taken out of order.

Legislative Update

Senator Bruce Tarr and Representative Brad Hill were present to talk about the state budget and the new Municipal Modernization Bill.

Representative Hill noted that Mr. Lombardi has been in contact with their offices for updates regarding the state's budget. It is a concern for the potential of an \$750-million-dollar deficit due to lower than expected revenues.

Local Aid continues to be a priority; no cuts were made to local aid in the budget.

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- Wenham's unrestricted general aid, and lottery fund revenue increased slightly.
- The PILOT program was level funded, but because more land was acquired, the funding to the towns decreased.
- There is an additional \$96,000 in Chapter 70 school funding
- Regional School transportation was increased \$9,000
- Special Education was fully funded.

Representative Hill reviewed the four questions on the ballot in November noting two of which could affect Wenham:

1. Increase the number of charter schools in Massachusetts
2. Legalizing Marijuana – Representative Hill said after reports from other states that have legalized marijuana, he and Senator Tarr have concerns legalizing this drug, especially during the opiate crisis

Regarding the elderly tax relief programs, he noted that there are a lot of home rule petitions coming forward asking for more than is offered; Senator Tarr and Representative Hill are working with seniors to draft a more state wide legislation to further assist seniors.

Senator Tarr also spoke about improved benefits for veterans.

He reiterated their concern about the legalization to legalize marijuana saying information previously received in favor of regulating it has been proven false in other states. This report will be provided to the BOS.

Senator Tarr talked more about the concern with the decrease in state tax revenue in April, saying it is being monitored carefully but acknowledging that the Governor may have to do "9C cuts"; these are not allowed on municipal accounts without further authorization. The governor has not asked for this authorization.

Senator Tarr briefly spoke about the Municipal Modernization bill, which works to improve the operations of government such as:

- A cooperative for group purchasing of textbooks to reduce the cost to municipalities
- A reserve account for Special Ed to be carried year to year
- Decentralize setting speed limits

What did not make it on the bill at this time is giving communities more control over liquor licensing, allowing double utility poles, and Chapter 40B counting methods for manufactured homes. Even though these bills did not pass, it is hoped they would generate beneficial discussions.

Senator Tarr and Representative Hill left the meeting.

ANNOUNCEMENTS

- **Mandatory Water Ban & Measures to Ensure Improved Compliance** – The Board of Water Commissioners has mandated a water ban prohibiting all nonessential water is prohibited. Hand watering is allowed from 5 pm to 9 am. This ban includes water from private wells. It was noted that each community has different water withdrawal permits. The Town will start to enforce the town bylaws that allows a fine of up to \$100 for each offence to violators of the water ban. Thirteen letters were sent out to violators. Those that continue to violate the ban may have their address published and the Town may seek legal recourse through the district court system.
- **Extreme Drought conditions & Limitation on Outside Burning** – Residents were asked not to use outside fire pits because of the drought conditions and dangers of fire.
- **Wenham Day, Saturday, August 27, 2016** - The Fire & Police Departments will host open houses as part of Wenham Day.
- **Veteran's Memorial Pool Project** –The pool will not be open this season do to several inspections that still have to occur before the pool can be opened. Eleven lifeguards are already scheduled for next year. There is an open house/ ribbon cutting Thursday September 1, from 4- 7 pm.
- **Board & Committee Vacancies** – There are eight vacancies on town committees; these are posted on the Town's web site including a description of the responsibilities.
- **Council on Aging (COA) Volunteers Needed for new TouchTeam (Tablet Enabled Active Minds) program.** COA director Jim Reynolds was present to talk about the program. Three people are being sought to participate in this pilot project that uses an iPad to assist people with memory loss.

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- Power & Citizenship in our Community – The League of Women Voters is sponsoring *An Evening with Eric Liu* – Thursday, September 8, 2016 at 7 PM in the HWRHS auditorium.
- Pleasant Pond end of Summer Schedule - Pleasant Pond will be staffed with a combination of gatekeepers and reserve Police Officers but no lifeguards starting August 27 through Labor Day.
- Assessors Measure List Project reminder - The Assessors hired Robert Brindle to provide measurement and data verification on improved parcels in town. The website will be updated weekly with the specific streets Mr. Brindle is working. It was noted that of 50 properties assessed, several had improvements not recorded by the town; the Department of Revenue has indicated that revenue will be considered new growth.
- HWRSD- There is a Wenham School Committee seat opening. Interested residents should submit a resume and letter of intent by September 26 to Superintendent of Schools Harvey.

Selectman Wilhelm left the meeting at 8:20 pm.

REPORTS

Town Administrator - Peter Lombardi's report to the BOS:

- The Academy at Penguin Hall - With demolition completed and finalized plans submitted and approved, the building, electrical, and fire permits for this project were issued earlier this month. The Town is very appreciative of the invaluable technical support provided by the State Fire Marshal's Office in helping guide us through this challenging permitting process. All work will have to be completed in compliance with relevant building, electrical, and fire code prior to the issuance of an occupancy permit for the remodeled building. A formal dedication ceremony is planned for September 6th at 11:00 AM
- Wenham Pines (Lakeview) - The Planning Board and Conservation Commission opened their public hearings on this matter in early August. With the peer review process now underway, the Planning Board's next meeting on this project will be held on Thursday September 15. Information about the project is posted on the Planning Board page of the Town's website and will be updated on a regular basis as the review process unfolds.
- FY18 Budget Process - Following up on the joint meeting between the Selectmen and Finance Committee on August 2 in which our financial forecasts for the next fiscal year were reviewed, we have begun the FY18 budget building process several months earlier than we have in the past. In order to have a clear understanding of Town expense projections early on, Department Heads will be submitting their preliminary budget proposals to me by September 12. Based on our conversations regarding the significant fiscal challenges for FY18, they have been directed to prepare a level services budget, avoiding any non-contractual increases and suggesting limited cuts where possible without impacting staffing or services. The Department Heads are aware that they may need to revisit their budgets later on in the budget development process if an operating override is needed, so that we can fully understand the impacts if it were to fail – this process would likely result in staffing and service cuts.
- At this point, the plan is to schedule a follow-up presentation to the Selectmen and Finance Committee in late September based on more concrete Town expense and revenue numbers. Once we have a better handle on the extent of our financial limitations, we have discussed scheduling a meeting with HWRSD and Hamilton leadership in early October to review our initial findings and discuss anticipated challenges, limited fiscal capacity, and the potential for an override before they begin their own budget building processes in earnest.
- Veterans Outreach - Karen Tyler, the Director of the Eastern Essex Veterans District, recently sent out a letter to all Wenham veterans to alert them some of the resources that are available through various local and state programs. While the focus of this mailing was on Chapter 115 financial assistance, there are a number of other tax exemptions that eligible veterans are encouraged to take advantage of. A full listing of these benefits is posted on the Eastern Essex Veterans District page of the Town's website. This information is also being displayed on HWCAM. This concerted outreach is a product of our monthly Social Service Leadership Team meetings where the Library Director, COA Director, Town Clerk, Veterans Director, and Recreation Director collaborate on a number of interrelated issues.
- First Church Clock - Work on the steeple has now been completed and the clock is fully operational again. We are trying to get the manual strike mechanism to function properly so that the clock will chime every hour on the hour as it had previously. In keeping with the vote of Town Meeting this past spring to award \$61k in CPC funds toward the costs of this restoration project, we have also been in discussions with the First Church regarding the imposition of a historic preservation restriction on the facade of the church structure. The terms of this restriction, which will inform the extent of any future renovations to the building, will have to be approved by both the Wenham Historical Commission and the Massachusetts Historical Commission.

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Selectmen

- Report on contract award for Affordable Housing Trust's (AHT) Housing Needs Assessment

Ms. Harrison reported that the AHT issued a Request For Proposal for a consultant to prepare a Housing Needs Assessment for the Town of Wenham. One response was received. The Committee found this person to be qualified and suitable to do the work and awarded the contract to Karen Sunnarborg, Jamaica Plain. The deadline to submit the report has been moved out to January 2017 to accommodate Ms. Sunnarborg's schedule.

NEW BUSINESS

HW Mother's Club Liquor License

Annual Membership Drive Wenham Museum, Thursday, September 29th

Public Information:

- License Application
- Membership Drive Flyer
- ServeSafe Certification
- Insurance
- Fee Paid
- Email Approvals; Fire, Police

Anna Rossi was present to talk about the liquor license request and answer questions.

Vote: Mr. Clemenzj moved, and it was seconded, the BOS approve a One-Day Malt and Wine Liquor License for the HW Mother's Club at the Wenham Museum 132 Main Street, Thursday September 29, 2016 from 7:30 pm to 10:30 pm for their annual membership drive. The motion carried unanimously.

Approval of Warrant for 2016 State Primary

Public Information

- Warrant for 2016 State Primary
- Email from Town Counsel, Lauren Goldberg, KP Law

Dianne Bucco, Town Clerk was present to request the BOS approve and sign the Warrant for the State Primary to be held on September 8, 2016. Ms. Bucco briefly summarized the ballot.

Vote: Ms. Harrison moved, and it was seconded, the BOS approve the Warrant for the 2016 State Primary, Thursday, September 8, 2016. The motion carried unanimously.

Citizens Academy Presentation

Jackie Bresnahan, Permitting Coordinator & Special Projects Assistant

- Citizen Leadership Academy PowerPoint presentation

Ms. Bresnahan referenced a PowerPoint presentation and spoke about the Citizens Leadership Academy to provide an opportunity for residents to learn and familiarize themselves with the services and function of each town department, and board/committee. The academy will be used to give a fresh perspective to longtime residents regarding the different areas of town government than what they may previously experience.

The academy will be held on Wednesdays, September 28 through December 7. Ms. Bresnahan reviewed the program schedule and goals. Flyers will be posted.

Appointments

- Burial Agent
 - Memo – P. Lombardi
 - Burial Agent Job Posting
 - Acceptance Letter

Vote: Ms. Harrison moved, and it was seconded, to appoint William Wildes as burial agent for a one- year term beginning on August 1, 2016 and ending on June 30, 2017. The motion carried unanimously.

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- Election Officers

Vote: Ms. Harrison moved to appoint Regina Baker, Bruce Blanchard, Judy Bubriski, Joe Cavanaugh, Julie Clay, Juliana Dodge, Linda Duryea, Laurie Erhard, Melanie Giacalone, Dorothy Goudie, Janet Grey, Sue Herrick, Peter Hersee, Diane Lang, Morgan Liphardt, Pat Lucy, Don Luxton, Joanne Maestranzi, Letitia Manning, Paul Mendonca, Mary Miceli, Tim O'Leary, Pat Purdy, Carleen Rivers, Tom Starr, Lauren Swartz, Tom Tanous, Catherine Tinsley, Terry Von Staats, Bettie Wright as Election Officers for a one year term beginning September 1, 2016 and ending August 31, 2017. The motion carried unanimously.

Community Preservation Committee (CPC)

Mr. Clemenzi noted there are four openings; the terms would be staggered as approved at Town Meeting.

*Vote: Ms. Harrison moved, and it was seconded, to appoint **Harriet Davis and Patrick Waddell** to the CPC for **three-year terms**, at large, beginning on July 1, 2016 and ending on June 30, 2019.*

Under discussion it was noted both these people expressed an interest in serving a three-year term. The motion carried unanimously.

Ms. Harrison noted she preferred those having served on the committee be reappointed.

*Vote: Ms. Harrison moved, and it was seconded, to appoint **Kennon Anderson and Tom Starr** to the CPC for **two year terms**, at large, beginning on July 1, 2016 and ending on June 30, 2018. The motion carried unanimously.*

Waste Hauler RFP & Contract Update

- Memo from TA
- HW RFP for Solid Waste Collection and Processing Curbside Organics Collection and Composting

Hiltz Waste Disposal notified the Town in June that they would cease operations in Wenham (and Hamilton) as of September 28, 2016.

Mr. Lombardi reviewed he has been working with Hamilton's Town Manager to develop an RFP, noting Waste Hauling is exempt from Chapter 30b procurement process.

Mr. Lombard noted that there are several local vendors interested in providing waste hauling services in Wenham / Hamilton and it is anticipated the towns will get a competitive five-year contract with no interruption in service.

The pre-bid conference is August 24, with bid submissions due August 30. The goal is to have an initial recommendation to the Board at their next meeting on September 6.

Mr. Clemenzi suggested the Town improve recycling bins to be more like the trash contains e.g. larger in size, have a cover, and can be automatically picked up. The details of the structure of the recycling collection will be finalized with the vendor subject to the award of the bid.

Mr. Lombardi anticipated a Reserve Fund transfer would be needed with a new contract, depending on the structure of the services.

Finance Director/ Town Accountant Resignation and Proposed Process to Fill Position

- Memo from TA
- Finance Director/ Town Accountant Job Description
- Email Resignation from A. Wills dated August 15, 2016

Ms. Wills submitted her resignation as Finance Director/ Town Accountant effective September 13, 2016.

The Town must by statute have a separate Accounting and Treasurer/Collector functions. The Finance Director responsibilities will be done on an interim basis until the position is permanently filled.

Powers & Sullivan Auditors anticipates completing the FY 16 audit before Ms. Wills leaves.

Mr. Lombardi recommended the Town use the professional services of MRI (Municipal Resource Inc.) to assist with recruiting, interviewing, and screening of a new Finance Director. The Selectmen concurred to engage MRI with the goal to have someone in the position by the end of the year.

This will be on the next meeting agenda for further discussion and update.

It was noted that the Town Treasurer has a 35-hour work week and her hours can be increased for the interim period during this time since she will have increased responsibilities.

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FY17 Goals & Objectives – Review of Annual Retreat Discussion to Establish Priorities
In the absence of Selectman Wilhelm, this agenda item was held for a full board.

OLD BUSINESS

Open Space and Recreation Committee (OSRC) Appointment Process

- Memo from P. Lombardi

Ms. Clemenzi noted that the BOS are still interviewing candidates and noted the Board must decide how to structure the committee and determine the number of committee members.

It was noted that grant funding for a consultant to work with the OSRC is still questionable and the BOS talked about funding a consultant through a reserve fund transfer. The cost for a consultant is about \$10,000. Since these types of grants are often matching grants, the Town would be responsible for \$5,000. Therefore, the additional impact to the town is estimated at \$5,000.

MINUTES

- *Vote: Ms. Harrison moved to approve the BOS Public Hearing minutes of **January 19, 2016** and it was unanimous to do so.*
- *Vote: Ms. Harrison moved to approve the BOS open meeting minutes of **May 17, 2016; June 8, 2016; June 14, 2016; June 28 2016; July 12, 2016; Jt BOS/ FC meeting of July 26, 2016; BOS retreat August 5, 2016** and it was unanimous to do so.*
- *Vote: Miss Harrison moved to approve and release the BOS ES meeting minutes of **May 3, 2016; June 14 2016 (2); June 28, 2016** and it was unanimous to do so.*
- *Vote: Ms. Harrison moved to approve and hold the BOS ES meeting minutes **March 3, 2016 and (1) June 14, 2016** and it was unanimous to do so.*

ADJOURNMENT - The Selectmen unanimously agreed to adjourn at 10:03 pm.

Respectfully Submitted By
Catherine Tinsley
8.31.16