

TOWN OF WENHAM  
Board of Selectmen  
Meeting of July 16, 2018  
Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 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 Monday July 16, 2018 at 6 pm in the Selectmen Chambers.

**Welcome & Call to Order**

With a quorum present, Ms. Harrison called the BOS meeting to order at 6 pm

Selectmen present: Catherine Harrison, Chair (2020); John Clemenzi, Vice Chair (2021); Jack Wilhelm, Clerk (2019)

Also present: Peter Lombardi, Town Administrator; Catherine Tinsley, Recording Secretary (L 6:30 pm) \*\*

Public Information

Recorded with permission by HWCAM

Meeting packet

**Executive Session - Acting Fire Chief**

*Vote: Ms. Harrison moved to enter into Executive Session under M.G.L. Ch. 30A, § 21 (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (Acting Fire Chief) and to return to open session. The motion carried unanimously by roll call vote.*

The Selectmen returned to open session at 6:30 pm.

The agenda was taken out of order.

**Fire Chief Appointment:** Stephen B. Kavanagh

Ms. Harrison announced after a thorough process the BOS finalized a 1-year contract with Stephen Kavanagh as Fire Chief.

*Vote: Ms. Harrison moved to appoint Stephen B. Kavanagh as Fire Chief for a term beginning on July 16, 2018 and ending July 30, 2019\* at an annual salary of \$111,912.62 including compensation for his continued duties serving as the Clock Winder and Animal Control Officer for the Town, and subject to such additional terms and conditions as are included in the Memorandum of Agreement between the Selectboard and Mr. Kavanagh. The motion carried unanimously.*

*\* Ms. Harrison inadvertently stated the end date of the appointment as July 30, 2019; the correct date is June 30, 2019 as specified in the Contract.*

**Public Input:** *Items not on the agenda*

Robert Collins, identified himself as a representative of the Locked-Out Workers of National Grid. Mr. Collins summarized National Grid workers do gas work in local communities including Wenham, and requested the Town consider a moratorium on new permits for gas work i.e. gas lines, gas mains. He cited contracted crews do not receive the same level of training as National Grid workers and the work may not be to the same high standards as National Grid workers. The BOS were asked to hold off on gas work until the National Grid workers are back to work.

Mr. Clemenzi referenced the gas leak on Cherry Street a few months ago and asked a variety of questions. Mr. Collins said he would have someone give the Town a Call to answer those questions.

Mr. Collins did not have an update on the status of the union negotiations.

**PUBLIC HEARING-** Continued from June 19, 2018

Proposed Personnel Policy Changes Related to Comprehensive Employee Handbook Update

- Legal Notice – Public Hearing on Comprehensive Employee Handbook Update published in The Salem News, Monday, June 11, 2018: Ms. Harrison read the public notice.
- Memo regarding Discussion of Proposed Updates to Employee Handbook from P. Lombardi, July 12, 2018
- Proposed Town of Wenham Employee Handbook, Draft, 07.16.18
- Town of Wenham Employee Handbook, June 2001

*Vote: I move the Board of Selectmen open the Public Hearing for the purpose of considering public input on proposed personnel policy changes related to a comprehensive employee handbook update.*

*Ms. Harrison opened the hearing to the public for comments or questions; seeing none Ms. Harrison closed the public hearing and it was unanimous to do so.*

## **ANNOUNCEMENTS – Additional information is on the Towns’ Web Site**

- 375th Anniversary Event Update – Art Grows Here Installation is through July 22<sup>nd</sup>
- Trudy Reid, Chair of the 375<sup>th</sup> Committee spoke on various upcoming events for the 375<sup>th</sup> Celebration.
- The Community House cancelled their annual block party this year due to rain and are now partnering with the 375<sup>th</sup> Community day on September 8. Residents, local businesses, bands, groups etc. are all encouraged to participate in the parade; the parade registration is available on line.
- Council on Aging complimentary Ice Cream Social – Wednesday, July 18th, 1pm – 3pm
- Wenham Day is Saturday, August 25th, 10pm – 4pm sponsored by the Wenham Museum

## **REPORTS**

### Town Administrator

**Personnel** - We extended the deadline to accept applications to fill the Finance Director / Treasurer Collector position to Monday July 9 and will now be bringing in several candidates for initial interviews in the next few weeks. I would expect finalists to be interviewed by the Board of Selectmen at one of their meetings in August. In the meantime, our consultant will be working with our current Finance Director to ensure that the essential Treasurer/Collector duties will be performed during this transition period.

Over the past few weeks, we have conducted interviews to fill the shared Electrical and Plumbing/Gas Inspector positions. As partners in this new joint program, Hamilton officials have participated in this screening process. Based on the initial candidate pool, we made some minor modifications to the full-time Building Inspector posting in the hopes of attracting additional qualified candidates. These changes more closely align the job title and our expectations to what we need in this position for that individual to be effective. Since these inspectors will be working cooperatively under this shared model, we intend to provide both Boards of Selectmen with our consensus recommendations once we have preferred candidates for each of the positions. In the meantime, the current employees will continue to fulfill their respective roles.

## **NEW BUSINESS**

### Appointments

- Fire Chief \*

- Forest Warden: Stephen Kavanagh

*Vote: Mr. Clemenzi moved to appoint Stephen B. Kavanagh as Forest Warden for a one (1) year term beginning July 16, 2018 and ending June 30, 2019. The motion carried unanimously.*

- Historic District Commission: Dana Bagnell, Don Bannon, Barbara Locke

#### ➤ Letters of Interest

*Vote: Mr. Clemenzi moved to appoint Dana P. Bagnell, Don O. Bannon and Barbara K. Locke to the Historic District Commission for (3) year terms beginning July 16, 2018 and ending June 30, 2021. The motion carried unanimously.*

- Veterans Committee: William J. Wilson, III

#### ➤ Letter of Interest

#### ➤ Letter of Recommendation

*Vote: Mr. Clemenzi moved to appoint William J. Wilson, III to the Veterans Committee for a one (1) year term beginning July 16, 2018 and ending June 30, 2019. The motion carried unanimously.*

### Overview of Habitat for Humanity Project on Hull Street – Josh Anderson, Affordable Housing Trust (AHT) Chair

- Memo re 40 Hull Street, from North Shore Habitat for Humanity to the Wenham Affordable Housing Trust
- Proposed Site Plan – 40 Hull Street, Wenham, DMS Design, LLC
- Proposed Elevation – 40 Hull Street, Wenham, DMS Design, LLC

Josh Anderson, Chair of the AHT gave a brief overview of Habitat For Humanity’s proposal to reuse a derelict house at 40 Hull Street. Habitat for Humanity has the property under agreement and will apply for a comprehensive friendly 40 b permit to build a duplex house with 2 affordable units; a 2-bedroom unit and 1-bedroom unit.

It is anticipated that the AHT would be asked for a \$230,000 subordinate loan, not a grant, provided the property remains affordable. There will be a deed restriction in perpetuity that the units remain affordable.

Don Preston, Habitat For Humanity, will make a presentation at the AHT meeting this week and to the BOS at the next meeting.

#### Discussion of Proposed Updates to Employee Handbook

The Employee Handbook was last updated in 2001. Mr. Lombardi Labor Council reviewed and updated the old (2001) handbook and made changes to the Policy to bring the Town into compliance with state / federal regulations and supplemental policies.

Mr. Lombardi reviewed substantive amendments and observed there were still additional policies that the BOS could consider to add to the handbook; the legal requirements have been completed.

Ms. Harrison referenced Chapter 2 and proposed language to allow BOS to be involved in hiring other employees and suggested clarification that a merit raise is separate from a cost of living raise.

#### Bi-annual OPEB Actuarial Analysis – Audit Committee Report

- Letter regarding GASB 74 and 75 – Summary of Results from Parker E. Elmore, President, CEO & Actuary, Odyssey Advisors, April 25, 2018
- Town of Wenham Other Postemployment Benefits Plan, GASB 74/75 Actuarial Valuation, Valuation and Measurement Date of June 30, 2017, April 2018
- Presentation of GASB 75 Results, Odyssey Advisors, June 12, 2018

Mr. Wilhelm, as member of the Audit Committee, reviewed that the Town is required to have an audit every 2-years, by an outside consultant, of pension and medical liability accounts for retirees. He went on to observe that most towns/ cities are underfunded in these areas. Three-years ago Wenham set up an OPEB Trust to be increased \$10,000 annually. The Town's liability is currently in excess of \$ 4.8 million which will be met by 2051.

Mr. Wilhelm observed the HW Regional School District liability is not included in the Town of Wenham's liability. The School has no funding plan at this time and has a liability in excess of \$25 million.

Mr. Clemenzi requested a copy of the HWRSD recent Actuarial Analysis.

Ms. Harrison noted the Town's liability decreased when the Town opted out of the GIC (Group Insurance Commission) Health Insurance. Cost savings were seen as a direct result of the change in health plan premium costs.

#### Update on Electrical Inspectional Services

- Memo regarding Update on Electrical Inspectional Services from Peter Lombardi, Town Administrator, July 11, 2018
- Job Description – Permitting Department – Electrical Inspector
- Intermunicipal Agreement Between the Towns of Wenham and Hamilton for Shared Inspectional Services, March 28, 2018

This discussion was continued from the June 16 meeting when concerns were raised if the current Electrical Inspector had been responsive to emergency calls. Mr. Lombardi summarized that after the current Electrical Inspector was appointed in 2017 he met with both the Electrical Inspector and Assistant Electrical Inspector to clarify the Electrical Inspector is expected to respond to all emergencies and anything different was to be reported to the Permitting Coordinator. This past year the Assistant Electrical Inspector responded to (about) 10 calls; this was a mix of the Electrical Inspector not being available and the Assistant Electrical Inspector being called directly. Mr. Lombardi noted all emergency calls which required an Electrical Inspector were covered and more often than not, the Assistant Electrical Inspector responded.

The Fire Department and Regional Center were both reminded to call the Electrical Inspector first.

The Town is on the verge of starting a Shared Inspectional service with Hamilton and going through the hiring process for both the Electrical Inspector and Assistant Electrical Inspector positions.

The job description was updated to include that the Electrical Inspector must be available and respond to emergency calls.

Because a recommendation for these positions will be forthcoming to the BOS, all inspectors are continuing in these rolls for the next few weeks.

Mr. Clemenzi remained concerned that policy & procedures must be in harmony and reviewed regularly and cited the seriousness to assure the safety of the Fire & Police Departments and employees. He commended the Assistant Electrical Inspector for “stepping up to the plate repeatedly without hesitation whether he was called or not”.

Mr. Clemenzi asked to see more follow through and how policies would be reviewed.

Mr. Wilhelm echoed his gratitude to the Assistant Electrical Inspector for “stepping up to the plate”.

#### Review and Approval of Updated School Grounds Maintenance Agreement

- Memo regarding Updated School Grounds Maintenance Agreement from P. Lombardi, June 27, 2018
- Proposed Grounds Maintenance and General Cleanup (Non-Winter Conditions) Agreement between the Town of Wenham and the Hamilton-Wenham Regional School District
- Proposed, Redlined Grounds Maintenance and General Cleanup (Non-Winter Conditions) Agreement between the Town of Wenham and the Hamilton-Wenham Regional School District

The Wenham DPW continues to provide grounds maintenance e.g. mowing and general clean-up for the HWRSD; the Town of Hamilton no longer participates in this shared program and the School has contracted out that portion of the work. This does not financially or operationally impact the Wenham DPW.

*Vote: Mr. Clemenzi moved to approve the proposed Agreement between the Town of Wenham and Hamilton-Wenham Regional School District for Grounds Maintenance and General Cleanup, contingent upon approval of the agreement by the Hamilton-Wenham Regional School Committee. Ms. Harrison asked for the Town Administrator to confirm with the School Committee they voted to approve the agreement and authorize the Superintendent to sign. The motion carried unanimously.*

Discussion and Potential Approval of Grievance Procedure under The Americans with Disabilities Act (ADA)

- Town of Wenham Public Notice under the Americans with Disabilities Act
- Proposed Town of Wenham Grievance Procedure Under the Americans with Disabilities Act

It was recently brought to the attention of the Town that a statutory required element was an ADA Self Evaluation Report. A part of this report includes for a Grievance Procedure to be in place and approved by the BOS.

*Vote: Mr. Clemenzi moved to approve the proposed Grievance Procedure to meet the requirements of the Americans with Disabilities Act of 1990. The motion carried unanimously.*

**OLD BUSINESS**

Update on Essex County Regional Emergency Communications Center and Potential Approval of Finalized Scope of Work for Regional Dispatch Feasibility Study

- Memo regarding Update on Essex County Regional Emergency Communications Center and Final Review of Scope of Work for Regional Dispatch Feasibility Study from Peter Lombardi, Town Administrator, June 27, 2018
- Proposed Professional Services Agreement for Regional Dispatch Feasibility Study between the Town of Wenham and Municipal Resources, Inc.
- Email regarding State Exploring Option of Fully Funding Essex County Emergency Communication Center from Alyson Dell Isola, Essex County Regional Emergency Communications Center, Interim Director, June 27, 2018
- Essex County Regional Communications Center Organizational Assessment & Operational Audit Executive Summary, prepared by Municipal Resources, Inc., February 2018
- Memo regarding Update on Essex County Regional Emergency Communications Center and Potential Regional Dispatch Alternatives from Peter Lombardi, Town Administrator, February 2, 2018

Mr. Wilhelm gave a brief overview of the Regional Emergency Communications Center and noted continued changes are expected and Wenham was considering alternate arrangements. The first action is to move forward with a feasibility study to better understand what a joint dispatch center would look like with the Town of Danvers or the Town of Hamilton.

Mr. Lombardi elaborated on some of the concerns, if and when, State 911 takes over the Regional Dispatch in Middleton such as shared frequencies, costs, staffing/operations, and if Wenham would continue to have a “seat at the table” equal to other participating municipalities. Formal correspondence from state officials is expected in August.

Mr. Lombardi recommended the BOS engage MRI to do a feasibility study.

*Vote: Mr. Wilhelm moved to approve the proposed Professional Services Agreement between The Town of Wenham and Municipal Resources, Inc. for completion of a Regional Dispatch Feasibility Study for a fee not to exceed \$9,800, subject to the approval of a reserve fund transfer request by the Finance & Advisory Committee. The motion carried unanimously.*

**Adjournment** – The BOS unanimously adjourned at 8:20 pm

Respectfully Submitted By  
Catherine Tinsley  
7.31.18

\*The minutes of the open session were prepared from HWCAM video.