

TOWN OF WENHAM

Wenham Board of Selectmen  
Meeting of April 5, 2016  
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, April 5, 2016 at 6:30 PM in the Selectmen Chambers.

**WELCOME: CALL TO ORDER**

With a quorum present, Ms. Harrison called the Board of Selectmen (BOS) meeting to order 6:48 PM. Selectmen present Catherine Harrison, Chair; Jack Wilhelm, Vice Chair; John Clemenzi, Clerk  
Also Present: Peter Lombardi, Town Administrator; Catherine Tinsley, Recording Secretary

Public Information

The meeting was recorded with permission by HWCAM

Agenda

Public Hearing – Liquor License Transfer

SeeClickFix; Visual Budget; MRI Agreement

Minutes - 12.1.15 es; 12.5.15; 12.11.15 open/es; 12.15.15 open /es; 1.5.16 es

**EXECUTIVE SESSION (1) – Boulder Lane Development Agreement**

*Vote: Ms. Harrison moved, and it was seconded, to enter into executive session (6). To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body as related to Boulder Lane, and to return to open session. The motion carried unanimously by roll call vote.*

The Board returned to open session at 7:12 PM

**PUBLIC INPUT**

There were none.

**ANNOUNCEMENTS**

- The Annual Town Elections are Thursday April 7, 2016 at Town Hall from 7 AM to 8 PM
- The Board acknowledged a letter of resignation from Jennifer Forsey from the Affordable Housing Trust leaving the remainder of her term to be filled. Letters of Interest should be submitted to the Town Administrator's office.
- April is Child Abuse Prevention Month. The Town Clerk is organizing a Diaper Drive to sponsor those in need; a collection box is located at the Town Clerk's Office.

The Agenda was taken out of order.

Appointments

- Police Officer - Michael Chandler

Chief Perkins was present to recommend the appointment of Michael Chandler to fill the vacancy of full time Patrolman. Officer Chandler was present.

*VOTE: Mr. Wilhelm moved, and it was seconded, the BOS appoint Michael Chandler as a full time Officer on the Wenham Police Department for a one-year term to expire June 30, 2016. The motion carried unanimously.*

- Parking Clerk – Nicole Roebuck, Executive Assistant Town Administrator's Office

Nicole Roebuck was present.

*VOTE: Mr. Wilhelm moved and it was seconded, to appoint Nicole Roebuck as Parking Clerk for the Town of Wenham for a one-year term to expire June 30, 2016. The motion carried unanimously*

## REPORTS

### Town Administrator

Mr. Lombardi reported on the following:

- The Planning Coordinator position posting expired April 4; more than 20 applications were received. The land use Chairs (designee) have been invited to participate in the interview process. Mr. Wilhelm offered to be the BOS designee or requested to meet with the finalists before a decision is made. Ms. Harrison concurred the Selectmen each have an opportunity to meet the final candidates.
- A reminder that the annual election ballot includes two questions approved last year at town meeting; to convert the Cemetery Commission and the Tree Warden position from elected to appointed. Mr. Wilhelm observed the Town is being well served by the Cemetery Commission and recommended the Town vote no on the question to keep the Commission an elected position. A discussion followed with Mr. Clemenzi and Ms. Harrison voicing their support that the Cemetery Commission remain elected. Ms. Harrison observed the BOS needs to spend time to understand the Cemetery Commission's responsibilities and duties.

### Chair

Ms. Harrison thanked Mr. Lombardi, staff, and Kopelman & Paige for putting together a successful Town Meeting, saying it was well organized. She also thanked Tony Feeherry for moderating the Town Meeting.

Ms. Harrison reported that Town Meeting approved all warrant articles, with the exception of Article 20, The Demolition Bylaw, on which the Town Meeting took no action.

The Finance & Advisory Committee was also recognized for its work in preparing the FY17 budget.

The WVIS and the Wenham Tea House were complimented for providing a delicious lunch before the Town Meeting.

## NEW BUSINESS

### Gordon College Triathlon Race – Request for Saturday April 30, 2016

*VOTE: Mr. Clemenzi moved, and it was seconded, to authorize Gordon College to use Hull Street, Essex Street, and Grapevine Road for the triathlon race route on April 30, 2016. The motion carried unanimously.*

### Tour de Cure Bike Race- Request for Sunday May 22, 2016 to benefit the American Diabetes Association

*VOTE: Mr. Clemenzi moved, and it was seconded, the BOS authorize the Tour de Cure to include Wenham Roads in their race route on May 22, 2016. The motion carried unanimously.*

### Public Hearing – Wenham Tea House liquor License

Ms. Harrison recused herself from the hearing as a member of the Board of Trustees of the WVIS, which owns the Wenham Tea House property.

Mr. Wilhelm read the legal notice as published March 23, 2016 in the Salem News to transfer the All Alcohol Liquor license from John Keohane to Fresh Foods, LLC at the Wenham Tea House and opened the public hearing.

*MOTION: Mr. Wilhelm moved, and it was seconded, the BOS approve the transfer of the liquor license from John Keohane DBA The Wenham Tea House to Fresh Foods, LLC doing business as the Wenham Tea House, 4 Monument Street, with Christopher Keohane as Manager of Record, contingent of state approval.*

Under discussion, Mr. Wilhelm opened the meeting up for questions / comments and seeing none, closed the public hearing, and called for a vote on the motion.

*VOTE: The motion carried unanimously by roll call vote.*

### One-Day liquor License – Wenham Tea House at Penguin Hall

The Board took no action pending the Fire Department's report.

### Community Compact Presentation

Mr. Lombardi reviewed that the state designated the Town of Wenham as a Compact Community in 2015.

The Town recently received a \$30,000 grant to implement "best practices" and chose to focus on Capital Planning and Citizen's Engagement. He went on to talk about three projects for the grant funds:

1. A five-year Capital Improvement Plan - The Town Administrator proposed an agreement with MRI (Municipal Resources Inc.) to evaluate and refine the Town's existing Capital Improvement Plan and develop a comprehensive 5-year Capital Improvement Plan and project funding needs on a priority basis. MRI will provide consulting to the Town during this process.

2. Visual Budget: Presenting Annie LaCourt  
This platform is open data to provide information to residents in a more understandable way. Financial data is used to create visual charts, etc. uploaded to the Town's web page to help residents get a better understanding of tax dollar spending. This provides transparency, builds trust, and engages citizens in municipal government. The information is updated regularly. Ms. LaCourt referenced a PowerPoint presentation to show how this is used in the Town of Arlington and further explained the details of the visual budget.

3. SeeClickFix: Presenting Julia Notar-Francesco  
Ms. Notar-Francesco talked about SeeClickFix saying it is a way for residents to be involved by reporting, e.g. pot holes, light outages, sidewalk issues etc. in town, and for the Town to track work orders internally. About 20% of Massachusetts towns use this program.

Ms. Notar-Francesco referenced a PowerPoint presentation to further explain the program.

#### Disclosure of Financial Interest and Determination per MGL 268A, sec 19- Fire Department

- Wenham Fire Department Lieutenant John Joyce
- Wenham Fire Department Lieutenant Thomas Curran

Mr. Lombardi reviewed that the appearance of a potential conflict was created when the son of Lt. Joyce and the son of Lt. Curran applied to the internship firefighter program for the Wenham Fire Department. Town Counsel recommended that the BOS determine if this conflict is a concern or not.

The Selectmen determined there not to be any conflict at this time.

*VOTE: Mr. Clemenzi moved, and it was seconded, the BOS has reviewed the particular matter and the financial interest identified by Lt. John Joyce, municipal employee of the Wenham Fire Department and determine the financial interest is not so substantial as to be deemed likely to affect the integrity of services the municipality may expect from John Joyce. The motion carried unanimously.*

*VOTE: Mr. Clemenzi moved, and it was seconded, the BOS has reviewed the particular matter and the financial interest identified by Lt. Thomas Curran, municipal employee of the Wenham Fire Department and determine the financial interest is not so substantial as to be deemed likely to affect the integrity of services the municipality may expect from John Joyce. The motion carried unanimously.*

#### Discussion of Potential for Shared Services

Present: Mike Lucy, Chair Finance Committee

Mr. Lucy reviewed that during joint budget meetings with Hamilton, joint/shared services were proposed for further consideration for potential efficiencies and cost savings. The Finance Committee supported as a matter of principal, to examine the list internally with potential cost savings and that the recommendation be to not limit the Town with just shared services with Hamilton, but for regional collaboration where possible and to further discuss these going forward.

The Selectmen supported the larger picture of regional collaboration with more than one other town, and not to limit opportunities on the proposed list, and all potential savings be considered.

The Selectmen requested to be included early in the process during internal conversations and reviews.

#### Open Space and Recreation Plan

Mr. Lombardi reviewed that the first Open Space & Recreation Plan was done 30 years ago, with some updates made in 2012. Mr. Lombardi announced that the Town is eligible to receive up to \$8,000 to get the Open Space and Recreation Plan updated with new data and facilitating outreach to the residents for feedback.

The Town Administrator will work with the Interim Land Use Coordinator to submit the grant application for a consultant to assist the Committee; this is a 20 percent local match grant. As part of the terms of the grant, the Plan must be updated by May 2017 to meet statutory requirements. The terms of the grant mandates that the Town continues to apply for additional state grants for park/ land programs going forward.

Mr. Lombardi recommended the BOS reconstitute an Open Space & Recreation Committee and proposed to draft a charge for the committee. The plan as proposed was unanimously supported by the Board.

## OLD BUSINESS

### Pingree Park Playground - Follow-Up

Bill Tyack, Department of Public Works (DPW) Director was present.

Mr. Clemenzi reported on his site visit at the Pingree Park playground saying he has concluded that it is in the best interest of the Town to not repair the playground.

Mr. Tyack reported the DPW has maintained the playground annually and replaced parts every year, but the main concern was with the safety of the structure; most of which is not visible. He noted that the playground was installed 22 years ago and the average wooden playground lasts about 15 years.

Mr. Lombardi went on to say that the average cost for two similar sized structures, one for the 2 to 5-year-old age group and one for the 5 year-old plus age group, was \$80,000-\$90,000. Add in the delivery, surface preparation to meet code, and installation, the total cost is estimated to be \$110,000 – \$125,000. He noted there are possible costs savings if the DPW does the demolition, removes the debris, and finishes the wood chip surface preparation.

Ms. Harrison suggested a small group of interested residents serve as a working group to make recommendations of preferred style and organize fund raising. It was observed that the goal would be to have the playground replaced for the 2017 season.

Mr. Wilhelm suggested a special fall town meeting to vote on a Community Preservation application for funding of the new playground. A discussion followed regarding the timeline and if a fall town meeting would be necessary.

Mr. Lombardi suggested one option was to request a reserve fund transfer in FY 2016, noting the balance of the Reserve Fund is \$150,000. This would expedite the timeline to replace the equipment.

The Board requested continuous updates regarding the playground and for it to be on the next meeting agenda.

Residents interested in serving on a playground committee for Pingree Park should send a letter of interest to the Town Administrator's office.

*VOTE: Mr. Clemenzi moved, and it was seconded, the BOS authorize the immediate removal of the existing playground at Pingree Park and move forward to replace with new structures. The motion carried unanimously.*

### Boulder Lane Land Development Agreement - Update

The BOS continues to negotiate a Land Agreement with the Brady Family Trust in executive sessions.

**MINUTES** - Dec 1, 2015 es; Dec 5, 2015; Dec 11, 2015 open/es; Dec 15, 2015 open/es; January 5, 2016 es

*VOTE: Mr. Clemenzi moved to approve the BOS meeting minutes of December 5, 2015 and it was unanimous to do so.*

*VOTE: Mr. Clemenzi moved to approve the BOS meeting minutes of December 11, 2015 and it was unanimous to do so.*

*VOTE: Mr. Clemenzi moved to approve the BOS meeting minutes of December 15, 2015 and it was unanimous to do so.*

*VOTE: Mr. Clemenzi moved to approve and release the executive session meeting minutes of December 1, 2015 and it was unanimous to do so.*

*VOTE: Mr. Clemenzi moved to approve and release the executive session meeting minutes of December 11, 2015 and it was unanimous to do so.*

*VOTE: Mr. Clemenzi moved to approve and release the executive session meeting minutes of December 15, 2015 and it was unanimous to do so.*

*VOTE: Mr. Clemenzi moved to approve and release the executive session meeting minutes of January 5, 2016 and it was unanimous to do so.*

### **EXECUTIVE SESSION – Contracts**

- Police Benevolent Association of Wenham
- DPW Director; Fire Chief; Fire Prevention Officer/Captain; Water Superintendent; Police Captain

*VOTE: Ms. Harrison moved, and it was seconded, the BOS enter into executive session under M.G.L. Ch. 30A, Section 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; and (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; and not to return to open session but adjourn directly from executive session. The motion carried unanimously by roll call vote.*

Respectfully submitted by

Catherine Tinsley

*APPROVED 6.14.16*

5.17.16

BOS 4.5.16