

WENHAM BOARD OF SELECTMEN
Meeting of Tuesday, July 1, 2014
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 JULY 1, 2014 at 7 PM in the Selectmen Chambers.

WELCOME AND OVERVIEW OF THE AGENDA

With a quorum present, Chairman Wilhelm called the meeting to order at 7 PM

Selectmen Present: Jack Wilhelm, Chair; Catherine Harrison, Vice Chair; Ken Whittaker, Clerk

Also Present: Mark Andrews, Town Administrator; Catherine Tinsley, Minutes Secretary

Public information

Agenda

Letters of Interest

Appointments

Pleasant Pond Parking Sticker Application / Rules

Water Ban Announcement

Letter of Request – Meeting Posting Change

Minutes – May 6, 2014; May 12, 2014; May 20, 2014; May 21, 2014 open/es; June 11, 2014 open/es; June 17, 2014

PUBLIC INPUT

Virginia Rogers, Planning Board and representative to the Community Preservation Committee (CPC), shared her thoughts about the BOS appointments to the CPC saying there is a steep learning curve. Because there could be new representatives from the Town board/committee, she encouraged the BOS to reappoint the at-large members to maintain the balance and continuity, specifically Jamie White who has been serving as Chair.

Jamie White, Larch Row, Chair CPC at large, spoke to his request to be reappointed. He suggested the BOS interview the other at-large applicants before making a decision, saying people serving on this committee need to have impartiality and an open mind.

ANNOUNCEMENTS

➤ The BOS acknowledged the receipt of a petition from 60-70 Wenham residents supporting the Wenham BOS discuss a joint “affordable” replacement pool with the Town of Hamilton. Selectman Whittaker commented that it was helpful to have these responses. A pool committee will be formed through the Joint Recreation Department.

*All emails from the public supporting Wenham works with Hamilton regarding the pool are on file in the Town Administrator’s office. Mr. Whittaker said he would be interested to hear what people consider “affordable”.

Ms. Harrison reiterated the need for continued public input going forward.

➤ A special BOS meeting has been posted for July 14, 2014 to discuss two William Fairfield lots that abut Topsfield Road. The property owner believes that a no build restriction on the property filed 30 years ago has expired. There is the probability for up to four buildable house lots on these combined parcels. The property owner has proposed a settlement for one house to be built.

Ninety letters have been sent to residents in the area of William Fairfield Drive /Topsfield Road requesting feedback on the proposed settlement. Chairman Wilhelm stated this is a public meeting and all residents are welcome to give feedback and attend the meeting, especially since this has the potential for litigation and associated cost to the Town.

➤ The following Boards/Committees have openings:

1. Cemetery Commission
2. Americans with Disabilities Act Coordinator
3. Community Preservation Act Committee – “At-large members”
4. Historic District Commission
5. Iron Rail Commission
6. MBTA Representative
7. Zoning Board of Appeals - Associates (3)

➤ Pleasant Pond Beach Stickers are available only to Wenham / Hamilton residents at the Town Clerk’s Office or Police Station during regular business hours. The cost is \$25; seniors /second car in same household is \$10

- Effective immediately, Wenham along with other Ipswich River Watershed communities is under a mandatory Level 2 Water Ban. No sprinklers may be used; only hand watering from 5 PM to 9 AM is allowed.

NEW BUSINESS

Request to Change the Town of Wenham's Official Posting Site for Meetings

Dianne Bucco, Town Clerk, was present to request that the BOS authorize the change in public meeting notice locations to only include the Town Clerk's office and the Town's web site as required by the Open Meeting Law 940 CMR, 29.03. This will better allow her to keep the posting updates current. Ms. Bucco will put a change of meeting notice at the posting locations and on the Town's web site.

Vote: Ms. Harrison moved, and it was seconded, to adopt the posting of meeting notices in two places: a hard copy in the Town's Clerk's office and one on the Town's web site and include the time/date of when the meeting was posted. The motion carried unanimously.

Town Counsel Appointment

Chairman Wilhelm reviewed that Paul Weaver has confirmed his request to be reappointed as Town Counsel and agreed a transition plan be implemented to include a Deputy Counsel.

The Town is looking to fill the Deputy Counsel position with a Wenham resident, who has a minimum of 10 years experience, preferably in Municipal Law. Letters of Interest are to be submitted to the Town Administrator's office.

*Vote: Ms. Harrison moved, and it was seconded, to appoint **Paul Weaver as Town Counsel** for a term from July 1, 2014 to June 30, 2015. The motion carried unanimously.*

Election Officer

*Vote: Ms. Harrison moved, and it was seconded, to appoint **Patricia Lucy as Election Officer** for a term from July 1, 2014 to June 30, 2015. The motion carried unanimously.*

Community Preservation Committee (CPC)

Ms. Harrison reviewed that she has been doing the background work for the Board on all appointments to be sure the appointments are in compliance.

Regarding the CPC appointment process, Ms. Harrison reported that the Town's bylaws state that all members be appointed for a two-year term ending on May 31st and that five of the CPC sitting members are representatives of specific town boards/committees and four members are at-large, appointed by the BOS. She cited that last year two of the representatives were from committees other than stated in the bylaw.

Those boards/committees responsible to elect a representative to the CPC have done so and reported the following members as their representatives to be appointed: 1) Conservation Commission – Leo Maestranzi; 2) Joint Recreation Department – Denis Curran; 3) Historic District Commission – Barbara Locke; 4) Planning Board – Virginia Rogers; 5) Wenham Housing Authority – Arthur Burt

Regarding the at-large positions, the BOS received Letters of Interest from the following residents:

Kennon Anderson, Ted Batchelder, Harriet Davis, Thomas Starr, Patrick Waddell, and James White

Ms. Harrison recommended the BOS reappoint Kennon Anderson, and Thomas Starr to maintain the continuity of the committee, and to appoint Harriet Davis and Patrick Waddell to balance the committee with new members.

Mr. Whittaker disagreed with Ms. Harrison's recommendation not to reappoint Ted Batchelder and James White. He stated that Mr. White has worked hard on the committee and was a valuable member. Mr. Whittaker took particular issue with Patrick Waddell being appointed, questioning his impartiality saying that the CPC will most likely be asked to consider an application for affordable housing and Mr. Waddell has publicly spoken in opposition of the Maple Street affordable housing project.

Chairman Wilhelm commented that the CPC is a very powerful committee, noting the BOS has no authority over this committee and cannot modify its recommendations to Town Meeting on how the CPC funds be spent. He noted this is a difficult decision and he appreciates the long service of the committee members. Regarding the appointment recommendations, he observed that there are some town committees e.g. Finance Committee which have a limit on the number of consecutive terms that a person can serve and in keeping with this practice, he supported new people be appointed to the CPC.

*Vote: Ms. Harrison moved, and it was seconded, to appoint the at large positions for the **CPC, for a two-year term from July 1, 2014 to May 31, 2016 - Kennon Anderson, Thomas Starr, Harriet Davis, and Patrick Waddell.** The motion carried by majority vote with Mr. Whittaker opposing the appointment of Harriet Davis and Patrick Waddell.*

REPORTS

Town Administrator

1. Mr. Andrews reported he is summarizing the information from the Selectmen's June 27, 2014 retreat meeting; he will provide this document to the BOS upon its completion.
2. Mr. Andrews reviewed there is a freeze on discretionary spending. He has asked department heads to "double their efforts" to make certain the FY 2014 budget can cover the Snow and Ice Deficit of \$50,000. Chairman Wilhelm noted additional funds may be needed pending the outcome of the July 14, 2014 meeting.
3. Ms. Harrison asked for an update regarding the lease with the Hamilton Wenham Youth Soccer for the fields at the Iron Rail and the contract with the newly hired Finance Director/Accountant, Angel Wills. Mr. Andrews said the lease is with Attorney Peterson to be reformatted to update the wording. Chairman Wilhelm asked that this process be expedited and that he recently spoke with Ms. Wills to clarify what Wenham includes in contracts with department heads. The BOS were not in favor of the contract comments as presented in an email circulated to the BOS.
4. Justin Cole, Baystate Municipal Accounting Group, has been asked to prioritize the list of responsibilities and to leave open the possibility to for the town to engage them for additional services.
5. *Comments made at this time regarding the pool have been combined with notes earlier in the meeting.

Chair

The Audit Committee met on June 27, 2014 with Powers & Sullivan regarding the 2014 annual audit. Powers & Sullivan have agreed to keep the (\$22,000) fee the same at last year. The Audit Committee accepted the contract with Powers & Sullivan. The Audit committee will meet prior to the July 15, 2014 BOS meeting to approve minutes.

Selectmen

Ms. Harrison reported on her (second) listening hour saying she had two guests and will share the comments with the other Selectmen. The next "Listening Hour" will be in September. She will also welcome emails during this time, noting that because she is in Town Hall, some information will be more accessible during this time.

MINUTES

- *Vote: Mr. Whittaker moved, and it was seconded, to approve the open meeting minutes of **May 6, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve and hold, not for release, the **Executive Session minutes of May 6, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve the open meeting minutes of **May 12, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve the open meeting minutes of **May 20, 2014** as edited. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve the open meeting minutes of **May 21, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve and hold, not for release, the **Executive Session minutes of May 21, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve the open meeting minutes of **June 11, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve and hold, not for release, the **Executive Session minutes of June 11, 2014**. The motion carried unanimously.*
- *Vote: Mr. Whittaker moved, and it was seconded, to approve the open meeting minutes of **June 17, 2014**. The motion carried unanimously.*

ADJOURNMENT

Ms. Harrison moved to adjourn at 8:01 pm and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley
7.5.14