

TOWN OF WENHAM

Board of Selectmen  
Meeting of Tuesday, August 5, 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 AUGUST 5, 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  
The meeting was recorded with permission by HWCAM.

Public Information

Agenda  
Letter (Clemenzi) Eastern Essex Regional Veteran: July 31, 2014  
Announcements  
Appointment Letters  
BMAG Proposal  
Attorney General Response  
Draft Letters- Department Housing & Community Development (DHCD)  
Grant Award Letter

**PUBLIC INPUT**

John Clemenzi, Stage Hill Road, is serving as the interim Eastern Essex Regional Veteran Agent. He updated the Selectmen saying candidates are being interviewed. He referenced a letter issued by the Board dated July 31, 2014 regarding the hiring of the Veteran's Agent position. A copy of the letter was provided to the BOS.  
Mr. Clemenzi also asked about the use of the CTY / reverse 911 during tornado warnings as was recently experienced for parts of Wenham. He provided a copy of such a policy from the Town of Weston for the Board to review.  
Mr. Andrews responded that Connect CTY is a system used by the Town to notify residents of important messages. He stated that Wenham does not have an actual "reverse 911" system, but that this is being looked into further.  
Mr. Whittaker observed that often such warnings are old news by the time they are released, but supported the Town look into the options. Ms. Harrison agreed in the event of an emergency the town should have a way to contact residents directly, and the reverse 911 system should be considered.  
Mr. Andrews was asked to prepare information regarding this issue.  
Mr. Whittaker echoed the need to have information to guide residents on an immediate basis and possibly include notification by Essex Regional Dispatch Center.

**ANNOUNCEMENTS**

- o Appointment Openings: Cemetery Position; ADA Coordinator; Historic District Commission; Iron Rail Commission; MBTA; ZBA. Residents interested should contact the Town Administrator's office.
- o Wenham is currently under a mandatory water ban; hand watering only from 5 PM to 9 AM

**NEW BUSINESS**

Appointments Wenham Affordable Housing Trust

Ms. Harrison stated that all the terms of the Affordable Housing Trust have expired. The past Chair, Josh Anderson was copied on the Letters of Interest received, and has not voiced objection to any of the candidates.

*Vote: Ms. Harrison moved to appoint **Jamie White & John Mulvihill to the Affordable Housing Trust for a one year term through June 30, 2015.***

## APPROVED 9.2.14

*Under discussion, Mr. Whittaker observed he has not had a chance to interview Mr. Mulvihill, as outlined in the Appointment Policy adopted by the Board last year. It was noted that the BOS has had Mr. Mulvihill's Letter of Interest for quite a while. A discussion followed if the policy was appropriate given the detailed information in the letters of interest. Mr. Wilhelm referenced past practice did not include a public interview for the BOS adding the Selectmen could individually arrange an interview with a candidate.*

*The motion carried unanimously.*

Candidate Marty Cooke was present and spoke to his Letter of Interest to serve on the Affordable Housing Trust saying this is a great opportunity to serve the town. Mr. Whittaker expressed his interest in waiting to appoint Mr. Cooke until he has had time to solicit Josh Anderson's opinion on his appointment.

*Vote: Ms. Harrison moved, and it was seconded to appoint **Josh Anderson, Jack Wilhelm, and Michelle Bailey to the Affordable Housing Trust for a two-year term through June 30, 2016.** The motion carried by majority vote with Mr. Whittaker abstaining citing he has "crossed swords" with Ms. Bailey and cannot be unbiased on her appointment.*

### Zoning Board of Appeals (ZBA) Associate

*Vote: Ms. Harrison moved, and it was seconded, that the BOS appoint **Shaun Hutchinson as an associate member of ZBA for a term of three years, ending June 30, 2017.** Under discussion, Selectman Whittaker asked if the ZBA chair has given an opinion; Mr. Andrews responded that the ZBA Chair was notified of the letter of interest, but that no opinion was received from the ZBA on this candidate. Because of the urgency of having associate members on the ZBA, Mr. Whittaker agreed to forgo the interview. The motion carried unanimously.*

### Baystate Municipal Accounting Group (BMAG)

Mr. Andrews provided a written recommendation to the BOS that BMAG be selected for Town Finance Services and Town Accounting Services on an "as needed basis" through June 30, 2015. BMAG will finish the 2014 Audit closeout. The BOS agreed work done by BMAG be done at the approval of the Board of Selectmen.

The Selectmen reviewed the contract and it was the consensus to amend the first sentence of the Project Proposal to read: The Scope of Services proposed under a contract with the Town will include support and projects as directed by the Finance Director, recommended by the Town Administrator, to be discussed and approved by the Board of Selectmen before funds are expended for services.

*Vote: Mr. Whitaker moved, and it was seconded, to accept the contract as discussed and amended. The motion carried unanimously.*

### Operation Safety Net

Operation Safety Net is a joint initiative by Town Department to improve pedestrian Safety through communication and education, enforcement, increase & standardize signage, and tie in with "Officer Area Familiarization Plan".

Police Chief Perkins, Fire Chief Blanchard, DPW Director Tyack each gave a brief update on their department's participation of Operation Safety Net. State grant money was used to purchase children's bicycle helmets, crosswalk enforcement, speed radar, fire training including annual training with Gordon College safety officers, and street painting (crosswalks, stop signs, lines).

The Maple Street paving project is almost complete and will be ready for painting on or around August 21, 2014.

The Fire Department is holding an open house on August 23, 2014.

### Senior Programming Update – Jim Reynolds, Council On Aging (COA) Director

Mr. Reynolds gave a summery of the programs and recent activities held by the Counsel on Aging.

He noted that more than 900 News Letters are sent out each month, which includes a list of activities, programs, and trips. Mr. Reynolds continues to work on grants to use towards programs for seniors.

## APPROVED 9.2.14

### Attorney General Letter – Inter Municipal Agreements

Attorney General Letter dated July 9, 2014

Mr. Whittaker explained that a year ago there was a complaint filed by a citizen regarding a potential violation of the Open Meeting Law (OML) claiming a sub committee was an official public body of the Town and subject to the OML. He reviewed that a sub committee was formed to talk with Hamilton about shared services. He went on to say that this sub committee did not make decisions, but were formed as an ad hoc advisory committee to bring information back to the BOS for action; the Attorney General did not find the Town in violation of the OML. Ms. Harrison opined that minutes should be recorded at such meetings and distributed.

Also included in the complaint was that the Town was late in responding to a citizen's request for meeting minutes; this was found to be in violation.

Michelle Bailey, Remington Road, was recognized by the Chair and identified herself as the citizen who filed the complaint. She further explained her concerns with the July 31, 2013 meeting. She encouraged the BOS to do a review of the aging Municipal Agreements between the towns of Wenham and Hamilton to confirm they are meeting the Town's needs. The Chairman agreed but added that these are important discussions and decisions must be made unilaterally with the Town of Hamilton.

### BOS Agenda Development

Chairman Wilhelm said he is following the guidelines for the Mass Municipal Handbook for Massachusetts Selectmen when preparing the agenda. This includes the recommendation that if the BOS do not agree on an agenda item either being on the agenda or left off the agenda for public discussion, a majority vote would rule.

Mr. Whittaker commented that he had not (previously) disputed the authority of the Chair, but rather he disputed Mr. Wilhelm's misuse of the authority of the Chair to not place an item on the agenda for public discussion. He added that the MMA also stated that the Chair usually accommodates a request from another Selectman to place an item on the agenda.

### Appointment Process Revised

Ms. Harrison explained that this is not about the appointment process but the procedure after the appointment is made, such as who writes the appointment letter, when the person is sworn in, and how it is documented. This was not an action item for the BOS, but informational.

She referenced the appointment process as listed on the agenda and previously discussed, suggesting a shorter policy that does not include interviews and specific resumes.

Chairman Wilhelm suggested soliciting letters of interest, and allowing the current chair of a committee to comment on the candidate for consideration by the BOS.

Mr. Whittaker supported the requirement that the accomplishments of the candidate be part of the process, that there is basic knowledge and training to serve, and understand the motivation of the candidate to serve. He proposed amending the policy to make it more efficient and definitive to be on the next agenda for review by the BOS.

## **REPORTS**

### Town Administrator

Update on Green Communities - In a letter dated July 14, 2014, the Department of Energy Resources Green Communities Division approved an award of \$248,029 for projects proposed in the Town of Wenham's Green Communities Competitive Grant application. This included town wide LED street lights. Chairman Wilhelm reiterated that the LED street lights are first installed in a few select areas in town as a pilot and that feedback be sought from the residents before proceeding. He also asked that a spreadsheet be prepared showing the capital costs, operating costs, and cost savings. Notes from the BOS June 27, 2014 retreat; this is on the agenda for discussion next meeting.

### Chair

Update on William Fairfield – Residents in the area of William Fairfield Drive recently attended a meeting regarding a long standing issue of one of the property owners that wants to build on land that was thought to be restricted to open space in perpetuity, but the way the paper work was filed the perpetuity was limited to 30 years.

The neighbors caucused after the meeting and supported the town accept the compromise of one house be built.

APPROVED 9.2.14

Selectmen

Mr. Whittaker had requested additional time to draft a response letter to the request for information from Department of Housing Authority for the proposed Maple Street project and provided his draft to the other BOS in the packet. Mr. Wilhelm's response letter was also in the packet.

Patrick Waddell, Great Pond Road, was recognized by the Chair. He talked briefly about other available town parcels in town that he asked be considered for the proposed affordable housing project that is currently being considered for Maple Street. He noted the town owned parcel on Boulder Lane and the two parcels (5 acres) on William Fairfield Drive that he said were on the market. He asked the Town to take a holistic approach to satisfy the affordable housing need in Wenham, to protect and preserve our natural resources and character.

Mr. Wilhelm responded that Boulder Lane has successfully been approved for a site study by Mass Development and the report should be ready in October. He went on to say that if Maple Street is approved, it will publicly debated in a "one subject" special meeting.

The Chair recognized Leo Maestranzi, Larch Row. Mr. Maestranzi identified that he lives near Enon Village, an eighty-four unit senior housing development. He strongly supported the BOS not let this affordable senior housing project "out of town" saying it is important socially and economically adding that most people he talks to are in support of a senior affordable housing.

Ms. Harrison requested that educational information regarding 40B projects be provided at the beginning of meetings that are dealing directly with this subject.

There will be a series of meetings as this goes forward in preparation of approval for the use of Community Preservation funds at the annual town meeting in April 2015.

**MINUTES** – July 14, 2014 & July 15, 2014

The minutes were held. No action was taken.

**ADJOURNMENT**

*Vote: Ms. Harrison moved to adjourn at 8:54 PM and it was unanimous to do so.*

Respectfully submitted by

Catherine Tinsley

8.15.14