

Approved 1.7.14

WENHAM BOARD OF SELECTMEN  
Meeting of Tuesday October 1, 2013  
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 was held on Tuesday, October 1, 2013 at 7 P.M..

With a quorum present, Mr. Whittaker called the Board of Selectmen meeting to order at 7 P.M..

Selectmen Present: Ken Whittaker, Chair; Patrick Wilson, Vice Chair

Not Present: Jack Wilhelm, Secretary

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

Public Information

Agenda

Draft Special Town Meeting Warrant

Finance Report

Reconciliation

Abbreviations used

BOS Board of Selectmen

TA Town Administrator

STM Special Town Meeting

WELCOME AND OVERVIEW OF AGENDA

PUBLIC INPUT

PRESENTATION BY GUESTS

Carin Kale, President of the League of Women Voters (LWV) of Hamilton & Wenham, gave a brief overview of the LWV agenda for the upcoming year:

1. Two forums are scheduled:

- o October 23, 2013 - MGL Chapter 61A (Assessment and Taxation of Agricultural and Horticultural Land) & 61B (Classification and Taxation of Recreational Land)
- o November 20, 2013- Issues Facing the Local Fire Departments

2. Reopening a LWV study done in the 1970's & 2004 regarding elder residents / services in the community

3. Town Meeting Best Practices Study – To improve communication prior to town meetings

Michelle Bailey, Remington Road, asked the Selectmen about the draft warrant as listed on the agenda, noting there is no article for Wenham voters to consider a partnership with the Town of Hamilton going forward with a renovated/new public pool at Patton Park. Mr. Whittaker noted this is on the agenda later in the meeting.

John Clemenzi, Stage Hill Road, asked for an update regarding the town providing (large) recycling bins to residents, as part of the recycling program, suggesting it could maximize participation. Mr. Wilson noted this would be an added cost for the town but a grant would be pursued if available. Residents were encouraged to use their (old) trash barrels. Mr. Clemenzi asked if the BOS have considered a policy for the "Reverse 911" (CTY) calling system used to inform residents of an emergency. Mr. Whittaker responded that a protocol / guideline is being drafted as well as being incorporated into the Town's web site for residents to chose the means of contact and subject matter.

ANNOUNCEMENTS

- o Fire Chief Robert Blanchard announced that next week is National Fire Prevention Week. The Wenham Fire Department is having their annual open house on Wednesday, October 9, 2013 from 5:30 pm to 7:30 P.M..
- o Trudy Reid, Town Clerk, announced the State Ethics Commission is holding a Conflict of Interest Seminar on Monday, December 2, 2013 at 10 P.M. in the Library. Ms. Reid will be inviting other towns to participate.
- o Mr. Wilson announced the following openings on Town Boards/Committees:
  - 1. Cemetery Commission – one
  - 2. Historic District Commission – two
  - 3. Zoning Board of Appeals – one members/ one alternate

4. Hamilton Wenham Community Cable Access Committee – two members
  - o The Attorney General’s office is holding a training session regarding the Open Meeting Law on October 24, 2013 at the North Shore Community College in Danvers. Registration is required.
  - o Hamilton Wenham Village Public Visioning Workshop is October 3, 2013 at the Library. This is relative to the development of the downtown area. Mr. Whittaker will be attending.
  - o MAPC (Metropolitan Area Planning Council) Five Year Energy Planning Forum will be held on October 17, 2013 at Salem State University at 7 pm.
  - o The Special Fall Town Meeting Warrant Hearing is Tuesday, October 29 at 7 PM in Town Hall
  - o The Special Town Meeting - November 5 at 7:30 P.M. at the Bessie Buker School
  - o The last day to register to vote at the November 5, 2013 STM is October 25, 2013 at the Town Clerk’s office.
  - o The State Innovation Community Grant Program workshop is October 3, 2013 in the Library.
  - o Mr. Whittaker announced that Melissa Even Moore has submitted her resignation from the School Committee, and there is an open seat. The appointment to fill her position is only through to the annual elections in April 2014. The remainder of her term will be filled by the annual election.

## NEW BUSINESS

### Draft Warrant for STM November 5, 2013

Mr. Andrews reviewed the Warrant Articles. School Superintendent Dr. Michael Harvey was present to answer questions on Article 1.

#### 1. HW School Capital Repairs:

- a. Buker School Heating System (Massachusetts School Building Authority (MSBA) aided project): The \$600,000 cost figure is a placeholder and will be amended on the STM floor; additional information is forthcoming.
- b. Winthrop School Heating System and Window Project (MSBA aided project): \$1,155,000.00
- c. Buker School Fire Suppression System Project (Non- MSBA aided project): \$650,000 – This project was originally approved at the Annual TM for \$150,000. The estimate was too low and an additional \$500,000 is needed if the SC votes to go forward; this is still under consideration.

A total project budget is being prepared by the State design engineers and the SC will have exact numbers for the STM. Dr. Harvey reported that \$2.01 million has been spent on approved projects e.g. Cutler and Winthrop school roofs, renovations, painting, insulation, and window replacement. He stated the repairs are on schedule and under budget. Mr. Clemenzi asked that the affect on the tax rate be provided at the STM.

2. Animal Control – Wenham not in compliance with the revised state laws (October 2012) due to its charging a single dog license fee; State law requires towns/cities charge less for ‘fixed’ dogs. Town Counsel, Paul Weaver, was present to speak about this article saying that the Town has the responsibility to set the dog license fees differentiating between fixed and non-fixed dogs. After an extensive review, it was his suggestion that the article repeal the Animal Control Fee Bylaw, replace the present canine control with new fees, add fines for non-criminal enforcement, and defines “nuisance” dogs. Mr. Weaver will make a final recommendation on warrant article wording to the BOS.

3. Water Commission Chlorination Project: To transfer \$12,055.00 for the Town well chlorination project to stay in compliance with DEP. The Water Department is an Enterprise Fund and this has no impact on the tax rate.

4. FY 2014 Budget Adjustment regarding the Regional Essex County Center - The Division of Local Services has revised the assessment portion of the FY 2014 Cherry Sheet (Estimated local aid to the town). The Town of Wenham has an assessment of \$79,268 for the regional dispatch; this was budgeted for the FY 2014.

### Fire Department Personnel: Full Time Firefighter / Two Acting Lieutenants

Fire Chief Bob Blanchard was present and recommended Robert Wallace be promoted to Acting Lieutenant, and Gary Blaney be promoted to Acting Lieutenant until the annual appointments in the spring, when the “Acting” titles could be removed upon approval.

*Vote: Mr. Wilson moved, and it was seconded, to appoint Robert Wallace, and Gary Blaney as Acting Lieutenants of the Wenham Fire Department, as recommended. The motion carried unanimously.*

Chief Blanchard referenced the Fire Study that recommended a third full time firefighter be add to the department. The Selection Committee (Mark Andrews, Mike Lucy, Chief Blanchard, Steve Kavanagh) interviewed candidates and Jacob Kreyling was chosen to be appointed, pending his physical exam.

*Vote: Mr. Wilson moved, and it was seconded, to appoint Jacob Kreyling as a full time firefighter for the Wenham Fire Department. The motion carried unanimously.*

## Conservation Commission Appointments

Philip Colarusso, Chairman of the Conservation Commission was present to recommend the appointment of Michael Novak to serve as a full Commissioner to complete the term vacated by Jack Creilson (2014) and that Michael Dube be appointed as an Associate Member. Both candidates were present.

*Vote: Mr. Wilson moved, and it was seconded, to appoint Michael Novak as a full standing Commissioner and Michael Dube as an Associate Member to the Conservation Commission, in Wenham in service through June 2014.*

## Inter Municipal Agreements (IMA)/ Memorandum on Fees

Mr. Whittaker reviewed that the IMA with Hamilton were discussed in length by the two towns, and suggested modification in funding approved at the joint HW Finance Committee meeting last week. Regarding the library fees, it was determined that the administration fees, being paid by Hamilton to Wenham as the lead town for the library, did not accurately reflect the administrative cost. The adjusted fee is 5.8 percent of the library budget for FY14. Mr. Whittaker opined that this is proportionally a fair assessment. He went on to say that the joint Council on Aging (COA) van program has been terminated, and the 2012 billing reconciled for the Emergency Center Operation, Joint Recreation, and COA Director. All fees were totaled and it was agreed that Hamilton would remit a check to Wenham for \$44,588.00. This agreement can be revisited on an annual basis.

The BOS fielded questions from John Clemenzi. Mr. Clemenzi requested to review the IMA documents. He was referred to see the Finance Director, David Genereux for a copy.

*Vote: Mr. Wilson moved, and it was seconded, to endorse the Reconciliation of Joint Program funding and reconstructing with the Town of Hamilton. The motion carried unanimously.*

## Cable Television License Renewal

Mr. Wilson stated the Town Administrator has recommended the Town enter into an agreement for legal services to be rendered for the Cable Television License Renewal. Mr. Wilson reviewed the legal services to be rendered for the Cable Television License renewal, noting this is the same firm used by Hamilton and the towns would share the fee.

*Vote: Mr. Wilson moved to approve the Town of Wenham Client Fee Agreement for Cable Television License Renewal Legal Services as described. Mr. Whittaker seconded. Under discussion, it was noted that the Town received a gift of \$12,500 to pay for these services from HWCAM. The motion carried unanimously.*

## Confirm Appointment to the Hamilton Wenham Community Access & Media Committee (HWCAM)

*Vote: Mr. Wilson moved, and it was seconded, to appoint Kevan Sano as the School Committee's representative to the HWCAM through June 30, 2014. The motion carried unanimously.*

## Proposal of Rescheduling BOS Meetings

Chairman Whittaker stated that he has a conflict with his schedule meeting on the first Tuesday of the month and proposed the BOS meet the second and fourth Tuesdays of the month. It was the consensus of the Board to do so.

## REPORTS

### Town Administrator

1. Finance Report - David Genereux, (Interim) Finance Director was present and summarized the Finance Report:
  - The Annual Audit is wrapping up and is on schedule
  - Cash and Receivables are fully reconciled
  - As requested Baystate Municipal Accounting Group has detailed the on site / off site time
  - The Special Revenue Fund balance will be prepared after the audit is complete. Regarding the overall budget, Mr. Genereux explained in detail that the Park Fund Gate Keepers salary line is over expended, but covered in the expense budget (\$1,315). He explained the staff worked more days that estimated, due to the nice weather.
2. Patton Park Pool – Mr. Andrews reviewed that Hamilton has on their STM Warrant for voter consideration a new / renovated pool at Patton Park and Wenham as been asked to partner in the cost and the use of the pool. This was

discussed briefly at the joint Finance Committee meeting last week. Mr. Andrews advised the BOS, that in his opinion, that this is not ready for Wenham's fall STM, and that more detailed information and public input is needed. Sean Timmons was recognized for his work. Mr. Wilson spoke in length about his observations while on the Patton Park Pool Committee.

The most recent proposal is \$2.5-3 million and the pool is used only a couple months a year.

He referenced the Gale Engineering study that identified other important recreational projects in the towns such as the athletic fields, and non traditional funding sources for the pool such as public/private grants, partnerships, corporate sponsorships, donor recognition, donor in kind, fund raising, etc. Mr. Wilson went on to talk about the proposed use of Community Preservation Act (CPA) funds and that these are an asset to the town to be used to stabilize the tax rate.

As an example, he said when large parcels of land become available, the town should be prepared to purchase the property and avoid high density housing that puts a burden on the town's services and increases taxes. Mr. Wilson agreed the Community Preservation Committee should give the pool funding request full consideration as part of the process but reiterated that CPA funds should not be the only source of funding. Mr. Wilson offered the suggestion that the pool be done in stages, e.g. the bathhouse, septic system, expand the lawn area, be worked on while funding resources for the pool are explored. Mr. Whittaker agreed that Wenham does not have enough information at this time and rushing will not benefit the project, adding that it is unknown if Hamilton voters will even support the project.

Mike Lucy, Chair of the Finance Committee, echoed the sentiment of the Selectmen, adding that potentially this is a great community project, but with only thirty-five days to the STM, it is not ready to be brought to residents for consideration. John Clemenzi observed that the competition for dollars is high, and he questioned the participation rate of Wenham residents at the current pool, as well as the cost of operation and the impact on the tax rate.

3. Administrative Assistant – The Administrative Assistant has given her notice and the position is vacant. Mr. Andrews will work with the BOS on a transition plan. Staff has been asked to assist until the position is filled.

4. Town Clock - The Town clock has been running for a week. A number of repair techniques were used.

#### Chair

- Government Study Committee (GSC) – Mr. Whittaker reviewed that the GSC has met over a few years to review the Town's government to identify potential changes, and formalize an expanded job description for the Town Administrator. He will be distributing draft copies of the recommendations for review and discussion at the BOS October 22, 2013 meeting.
- Chairman Whittaker said the Selectmen would discuss the objectives and goals of the BOS at the October 22, 2013 meeting and advise the Finance Committee going into the budget season.

Mr. Whittaker stated that the Executive Session (ES) is not needed; the issue proposed for ES has been resolved.

*Vote: Mr. Wilson moved at 8:54 P.M. to adjourn and it was unanimous to do so.*

Respectfully submitted by

Catherine Tinsley  
10.4.13