

Approved 12.10.13

WENHAM BOARD OF SELECTMEN  
Meeting of Tuesday, July 2, 2013  
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 and delivered to all Board members, a meeting of the Board of Selectmen was held on Tuesday, July 2, 2013 at 7 P.M. in the Selectmen's Meeting Room.

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; Jack Wilhelm, Secretary

Also Present: Mark Andrews, Town Administrator; David Genereux, Interim Finance Director; Catherine Tinsley, Minutes Secretary

Public Information: Meeting Packet

- Agenda
- Verizon Channel Changes
- Annual Appointments
- Proclamation
- Capital Building Maintenance Agreement
- Cable Television License Process
- TA Search Grid
- AFSME Contract
- Accounting Contact
- Financial Services Contract
- Sign Policy
- Minutes

Abbreviations

- BOS – Board of Selectmen
- TA Town Administrator
- BMAG Baystate Municipal Accounting Group

Welcome and Overview of Agenda

Presentations by Guests

Public Input

John Clemenzi, Stage Hill Road, stated he was not aware that any alert was sent to the public when MEMA issued a tornado warning for Wenham yesterday, suggesting this was an opportune time to use the reverse 911 call system.

He asked if the Town was still following up on replacing the small recycling bins with a large tote.

Mr. Wilson responded that the BOS would follow up with the totes, explaining that at the time of the initial recycling program, the grant money was used to purchase new trash and organic bins; this will be looked into again.

Dr. Bryant Barnard, Chair of the Cemetery Commission, talked about his experience with the Finance Department when he requested the summary accounts of the Cemetery Funds saying that the staff was not familiar with the format that had been used in years past and that he had to make several trips to the finance department for this information.

The BOS will request a summary of the Cemetery Funds be provided.

Barbra Locke, Porter Street, asked that the Sign Policy be moved up on the agenda and Chairman Whittaker agreed to this request.

Announcements

Verizon channel realignment is undergoing changes as of August 1, 2013. These changes will be posted on the web site.

Fire Chief Blanchard was present and announced that Lieutenant Bob Brown retired from the Fire Department as of June 30, 2013 after 37 years serving as a Wenham Firefighter. He made a brief statement recognizing Mr. Brown's career in the department. The BOS asked that a Proclamation be issued to Mr. Brown.

#### Old Business

##### Annual Reappointments & Appointments

Mr. Whittaker made changes to the list of appointments, adding that it is not known if people want to be reappointed to serve. He also pointed out that several Boards/ Committees have not been active for years. Mr. Whittaker made the following changes to the Appointment list:

1. Town Administrator, Mark Andrews's appointments will coincide with his contract to April 30, 2014
2. Molly Martins not be reappointed to the Capital Management Committee, as this is a Selectman Representative appointment, noting she can submit a letter of interest as a resident
3. Mr. Whittaker not be reappointed to the Government Study Committee

Mr. Wilhelm observed that included on the list is the Chair appointment for the Audit Committee, and questioned if this should be a Committee election. It was agreed the nomination/ vote of a Chair belongs with the Committee.

*Vote: Mr. Wilhelm moved, and it was seconded to approve the List of Fiscal Year 2014 appointments as presented and edited. The motion carried unanimously.*

Essex Regional Emergency Call Center (ERECC) Transition to Middleton Update - Tom Dubas, Director of the ERECC was present to give an overview and update of the transition of Wenham from the Hamilton Emergency Center to the ERECC in Middleton. The Center is up and running and the transitions for the first towns, Essex and Wenham, went smoothly. Two more communities will be brought on at the end of the summer.

Those involved were commended for their work through the process. The BOS asked for updates throughout the year. The Fire and Police Chief's were present and participated in the overview of the move to the new regional center. The public Safety non-emergency number for Wenham remains the same at 978-468-4000.

Sign Policy for the Car barn Lot - Chairman Whittaker requested the BOS address the recent comments regarding the number of signs on the Car Barn Lot and questioned whether the sign policy is being enforced.

He noted that the applications process has a number of steps that need to be followed. Mr. Andrews confirmed that the process is being followed, but that signs do appear that are not authorized; these are removed as soon as possible.

Barbra Locke, Porter Street, Historic District Commissioner, was recognized by the Chair to participate in the discussion. Ms. Locke talked about her observations that the number of signs is unsightly and has become a problem. She suggested priority should be with Town signs, e.g. public safety, voting, etc., directional signs for out of town should not be allowed and the duration of the sign be limited. Ms. Locke volunteered to monitor the signs.

The BOS will review the duration, priority, number, and enforcement of the signs on the Car Barn Lot.

The BOS talked about other possible resolutions:

- Sticker signs with date to be removed
- Attach at fee to the permit
- Create a priority list
- Limit the number of signs
- Limit the duration

Mr. Wilhelm noted that so many signs cannot be read traveling down Route 1A and suggested four signs – two municipal/ two public signs, is the most signs that can be read traveling past the Car Barn Lot.

It was also noted that once the War Memorial is on site, signs will not be allowed at all.

The sign policy will be reviewed.

#### New Business

Americans With Disabilities Act – Proclamation for July 26, 2013 as Wenham Americans with Disabilities Act Day

Mr. Wilson acknowledged the request from the Independent Living Center of North Shore and Cape Ann, Inc. to proclaim July 26, 2013 as Wenham Americans with Disabilities Act Day to commemorate the signing of the Americans with Disabilities Act into Law by President George H. W. Bush.

*Vote: Mr. Wilson moved, and it was seconded, that the BOS sign the Proclamation. The motion carried unanimously.*  
The BOS signed the Proclamation. A representative from the Independent Living Center was present.

Zoning Board Appointment Request - Chairman Whittaker acknowledged a letter from the Chair of the Wenham Zoning Board, Tony Feeherry, that Board member Jonathan Stringer is moving out of Town and therefore he will no longer be able to serve. Mr. Feeherry requested the appointment of Robin Ellis to serve as an alternate member through July 31<sup>st</sup> and then as a full member to complete the term (2014) vacated by Mr. Stringer.

Mr. Wilhelm noted that this was not announced and no other person had the ability to submit a letter of interest. He went on to ask that the appointment process be more open, vacancies announced and that the BOS meet the candidate before making the appointment.

The BOS formally announced there is a vacancy on the Zoning Board. This boards adjudicates issues that come before the Planning Board when there is a dispute and serves as permitting body for MGL Chapter 40 B affordable housing projects, use of property in non conforming way, etc.

End of Year Department Line Item Transfers – Mr. Genereux reviewed the three sets of end of year transfer requests that were developed by the Finance Department June 26, 2013 and approved by the Finance Committee.

#18- 27 dated June 20, 2013 total: \$14,827.13

# 28 & 29 dated June 24, 2013 total: \$5,150

#30 dated June 25, 2013 total: \$2,500

He noted that some accounts have been identified for review.

Another round of transfers will be brought before the Finance Committee for approval at their meeting on July 9, 2013.

*Vote: Mr. Wilhelm moved, and it was seconded, to approve the line item transfers, numbered 18 through 30. The motion carried unanimously.*

Mr. Whittaker observed that street lighting is a large bill and that the Town considers ways to save with the use of LED lighting.

Capital Building Maintenance Agreement – Mr. Whittaker announced that last year was the pilot program for Hamilton and Wenham to work closely with the school district to provide more efficient work at a cost savings with town employees and shared equipment. The program was successful and a three-year Agreement has been drafted.

The Agreement has been updated. The Agreement is also before the Hamilton BOS and the HWRSC for approval. The agreement is for three years (2 years plus an additional year if all parties agree).

Vote: Mr. Wilson moved, and it was seconded, to approve the Agreement. The motion carried unanimously.

Cable Television License Renewal Process – The details of how the cable license renewal process works was outlined in the BOS packet. Mr. Whittaker explained this is a three-year process that the cable provider reapplies for a ten-year license to provide services. The Town ascertains the overall contract, data, service, and future needs i.e. equipment, capital, etc. A committee is selected to pursue the renewal, and work closely with the Town of Hamilton. The BOS took this under advisement.

The BOS announced that residents interested in serving on this Committee submit a letter of interest to the Town Administrator's office by July 20, 2013.

American Federation of State, County, and Municipal Employees (AFSME) CIO Council 93 Local 2905 AFSME

Contract July 1, 2013 through June 30, 2016 - Mr. Wilhelm stated that although the negotiations preceded his election to the BOS, a good three-year contract was negotiated with modest changes and the employees are pleased.

Mr. Whittaker questioned the flexibility of the hours as listed in the contract. Mr. Andrews confirmed that hours could be negotiated without violation to the contract.

It was noted that all the Town's contracts are now on the same three-year cycle.

The BOS voted unanimously on the thought that a motion to approve the contract was made earlier; it was later determined that no such motion was actually made.

Town Administrator Search Committee- Mr. Andrews was directed by the BOS to provide specific information, which he presented in a printed format. This included the name of the Town, the population, the process used to hire a Town Administrator, and contact names and information. He noted the average cost to hire assistance with the preparation, search, and/, or interviews ranged from \$12,000 to \$17,500.

Baystate Municipal Account Group (BMAG) – BMAG is contracted to provide temporary accounting services to cover the initial needs upon the resignation of the Town Accountant . The initial contract was through the end of June.

It was the consensus of the BOS that the contract with BMAG should be extended through July 31, 2013.

*Vote: Mr. Wilson moved, and it was seconded, to approve the thirty-day extension to the contract with BMAG to provide accounting services, not to exceed \$5,000.00. The motion carried unanimously.*

Mr. Andrews was asked to estimate the cost for this contract for the month of July.

Town Accountant Review – Mr. Wilhelm and Mr. Wilson agreed that the candidates they interviewed were not qualified for the Town Accountant position. Twenty-nine responses were received and three candidates interviewed; none had municipal experience.

Mr. Wilson suggested over the long term, that the Town needs to have it's own Town Accountant, but filling this position may take some time. He suggested the demands of the job be determined over the next year to see if this position is still full time. He went on to suggest an RFP be issued for contracted accounting services for a year to coincide with Finance Director contract services and that the provider guide the Town through the process to hire and train the staffing model that best suits the town's needs in an efficient way.

He added that all Town Departments needed to be scrutinized for efficiencies and staff, to meet demands of the Town. He observed the alternative is to look for one person for Finance Director/ Town Accountant.

Mr. Wilhelm questioned if the Town's needs would be met with remote participation. He went on to suggest that the Town advertise again within six months.

Mr. Andrews commented that Department Heads have been given the opportunity to give input:

- All said they got information back in a timely manner
- Want a weekly Warrant
- Regular Expense / Revenue Reports

Mr. Andrews noted a concern to complete the Audit Review (the initial audit starts July 8, 2013); Certify Free Cash and set the tax rate to avoid short-term borrowing.

The BOS asked residents that do not get answers to their questions to inform the BOS and Town Administrator and to give them an opportunity to assist with information.

Council on Aging Interviews for Director – Twenty-five letters of interest was received and four candidates were interviewed for the Director position. The interview process has been completed and a final candidate has been chosen. The salary and hours are being finalized. It was anticipated that there would be a recommendation by the next meeting.

Executive Session Minutes – There has been a request for the release of the executive session minutes of April 2, 9, 23 and for the June 14, 2013 retreat meeting minutes.

*Vote: Mr. Wilson moved, and it was seconded to release the approved executive session minutes of April 2, 2013, April 9, 2013, and April 23, 2013. Mr. Andrews offered an edit to the April 9, 2013 minutes that the Cost of Living raises are corrected to 1.5%, 2.25%, and 2.25%. The edits were accepted and the motion carried unanimously.*

## Reports

### Town Administrator

Mr. Genereux reported the Finance Office is doing a good job:

- There are no backlogs
- Cash is reconciled through April
- Staff Training continues
- Weekly Warrant
- Assembling email contract list to send out Vadar report
- Working with Boards/ Committees on reports

Mr. Andrews said the Town received one proposal from BMAG for financial services and he recommended the BOS go forward with this proposal. The RFP was posted on the State's Goods and Services site and sent to six interested companies.

This is a contract for August 1, 2013 through July 31, 2014.

Mr. Genereux answered questions from the Selectmen.

The proposal of \$54,925 is within the town's appropriation of \$55,000.

Mr. Genereux confirmed that times would vary e.g. increase during budget season. The invoice is based on a monthly fee, with time accounted for.

It was reiterated that BMAG is available through emails and phone calls when off site.

*Vote: Mr. Wilson moved to award the contract to BMAG to provide financial services for FY 2014.*

*Mr. Whittaker asked that an addendum be attached stating the cost is not to exceed \$55,000.00.*

*Mr. Wilhelm seconded with the proviso that monthly hours on/off site be reported. The motion carried unanimously.*

Mr. Andrews reviewed that both the BOS and Finance Committee charged him with providing information regarding employee hours, and job descriptions, etc. He reported this information has been completed, within the timeframe, as requested.

Minutes - May 14, 2013; May 28, 2013; June 4, 2013, June 14, 2013

*Vote: Mr. Wilhelm moved, and it was seconded, to approve the BOS meeting minutes of May 14, 2013, May 28, 2013, and June 4, 2013 and June 14, 2013. The motion carried by unanimous majority vote with Mr. Whittaker abstaining citing he had not reviewed the minutes.*

Executive Session (ES)

*VOTE: Mr. Wilson moved, and it was seconded, that the BOS enter into ES at 9:41 pm, according to Open Meeting Law, M.G.L. c. 30A, §§ 18-25 (2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; Compensation for Non Union Personal*

*(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 for an Employee settlement request and to include David Genereux, in part, and to return to open session for the sole purpose of adjourning. The motion carried unanimously by roll call vote.*

The BOS returned to open session at 10:11 pm.

*VOTE: Mr. Wilson moved to adjourn at 10:11 pm and it was unanimous to do so.*

Respectfully submitted by

Catherine Tinsley  
7.10.13