

Approved 10.22.13

WENHAM BOARD OF SELECTMEN
Meeting of Tuesday September 3, 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, September 3, 2013 at 7 pm.

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

Selectmen Present: Ken Whittaker, Chair; Patrick Wilson, Vice Chair; Jack Wilhelm, Secretary

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

Public Information:

Meeting Packet

Agenda

Appointment Process

Gift Policy

Special Town Meeting Timeline

Town Administrator Evaluation, Public Comments

Finance Department Report

Minutes – August 6, 2013 & August 20, 2013

Abbreviations used

BOS Board of Selectmen

TA Town Administrator

Upon calling the meeting to order, Chairman Whittaker referenced the previous, (August 20, 2013) BOS meeting, stating that the BOS failed to give a reason for Selectman Wilson's remote participation, as required. He said that Selectman Wilson was out of the state and therefore distance was the reason for the remote participation. He stated that all other requirements were met.

Welcome and Overview of Agenda

Public Input – There was none.

Presentations By Guests – There was none

Announcements - Mr. Wilson made the following announcements:

- Volunteers are needed for the following Commissions; anyone interested should contact the TA Office or the Selectmen.
 1. Cemetery Commission
 2. Historic District Commission (2 vacancies)
 3. Conservation Commission
 4. Zoning Board of Appeals
- The annual Muscular Dystrophy Fundraiser “ Boot Drive” sponsored by the Wenham Fire Company is September 8, 2013 from 8 am to 11 am on Main Street in the Town Square.
- There will be a ceremony of remembrance on September 11, 2013 at 9:50 am at the Wenham Fire Station. The public is welcome.
- The public meetings, regarding the renovation of the Patton Park pool, have been scheduled as follows: September 23rd, September 30th, October 9th, and November 4th
- Mr. Andrews reviewed that on October 2, 2012 the BOS approved a Flag Policy for the Town. The policy included that the flag be flown at half-staff upon the death of a resident based on long-standing service to the town or a position on boards/ committees. Mr. Andrews recommended, and the Selectmen supported that the flag be lowered to half-staff on September 7, 2013, for three days, in honor of the late Dr. Bryant Barnard. No action from the BOS was necessary.

New Business

Operation Safety Net – Police Chief Perkins, Fire Chief Bob Blanchard, and Department of Public Works (DPW) Director Bill Tyack were present to update the BOS on Operation Safety Net.

- All reported the first week of school went well and was without incident
- Gordon College is back in session and on site training will commence shortly
- Training will also be held in conjunction with Hamilton's public safety departments at the public schools
- New sidewalks are being paved for Settlers Lane
- New signage for the Winthrop School e.g. parking and pick-up/drop-off, are being installed this week

Mr. Andrews complimented the Police, Fire Departments, and DPW for Operation Safety Net, saying that this safety program is at no cost to the Town.

Open Special Town Meeting Warrant - Mr. Wilson announced the Special Fall Town Meeting is November 5, 2013 at the Bessie Buker School. *Vote: Mr. Wilson moved, and it was seconded, to open the Special (Fall) Town Meeting Warrant for November 5, 2013. The motions carried unanimously.* The Warrant will close on October 1, 2013.

Town Appointment Process - Mr. Wilhelm reviewed that the Town has not had a process for volunteers to apply to serve on a Town board/ committee/ commission or a formal appointment process in place. Therefore, a two-page document has been drafted outlining the process for citizens, board/committee chairs, and the BOS.

He highlighted the importance that all open positions are to be posted on the Town's web site, the Hamilton-Wenham Chronicle, Salem News, Patch (on line) and on Selectmen meeting agendas.

Vote: Mr. Wilhelm recommended, and it was seconded, to approve the Appointment Process. The motion carried unanimously.

Mr. Andrews acknowledged the receipt of an application from Ms. Ellis who is interested in serving on the Zoning Board of Appeals (ZBA) to fill a vacant seat.

The BOS requested that Ms. Ellis come before the BOS at the next meeting.

Acknowledging that the best practice is for a candidate to come before the BOS, Mr. Wilson proposed the BOS consider as an alternate process for individuals that cannot attend a meeting that the Selectmen speak individually with a candidate. Mr. Wilhelm also suggested that the Chair of the Board/ Committee could come in the applicants' stead.

Mr. Andrews confirmed the openings were posted and no other candidates have come forward to date and Ms. Ellis will be asked to attend the next BOS meeting.

Draft Gift Policy - *Vote: Mr. Wilson moved, and it was seconded, to adopt the Gift Policy. The motion carried unanimously.*

Special Envoy for Economic Development - Mr. Wilson talked about the Boulder Lane property saying that Wenham may be able to work with the other abutting property owners that make up a large, potentially developable parcel.

Since this is a complex issue, Mr. Wilson suggested a representative from Wenham, possibly a Selectman, be chosen to keep in contact with the parties, keep the momentum going, and update the Board on progress.

Mr. Andrews reviewed that there has been ongoing discussions with the property owners during the past six months, including the consideration of a matching state grant for a feasibility study.

Mr. Wilhelm stated that both the Boulder Lane and the Penguin Hall projects are very important to Wenham and agreed that the representative should be a Selectman. He offered to be that person, noting he has experience in real estate development.

Mr. Wilson added he was also available to assist saying he has knowledge of comprehensive work, studies, and reports that have been done over the years on the Boulder Lane property.

Chairman Whittaker asked that the Town Administrator also work closely in this matter.

Vote: Mr. Wilson moved, and it was seconded, to designate Selectman Wilhelm as the representative of the BOS to promote further development on the Boulder Lane project. The motion carried unanimously.

Chairman Whittaker noted that at the appropriate time, the BOS would consider a representative for the Penguin Hall project.

Mr. Wilson observed that there are other potential parcels of land, in town, that may be put on the market for sale/development. He recommended that a policy be drafted for when such parcels of land become available, to assure the optimum course is followed, to arrive at an outcome in the best interest of the taxpayers of Wenham.

Town Administrator Evaluation - Chairman Whittaker reviewed that comments were sought, in writing from the public, regarding Mark Andrews' evaluation. He identified that approximately 30 responses were received with a wide range of comments. He thanked those people for their submissions.

The Selectman each gave their evaluation.

It was noted that the evaluations are subject to the Open Meeting Law, and are a part of these minutes.

Mr. Andrews was offered to give an overview of his year and accomplishments and he took the next 20 minutes to read through his accomplishments and challenges over the past year and his goals for the remainder of his contract.

In summary the BOS generally agreed that Mr. Andrews:

- Respond to citizens inquiries and requests in a timely fashion Make recommendations to the Board on agenda items requiring discussion or votes
- Provide the BOS with more detailed background information
- Anticipate future needs, and long term planning
- Improve staff moral
- Continue to foster good relationships with Schools and the Town of Hamilton

The Selectmen asked for spreadsheet of current projects, the timeline, and the end goal.

A discussion ensued if Mr. Andrews' next evaluation would be before, or after the next annual town meeting; the BOS took this under advisement.

Reports

David Genereux, Interim Finance Director gave a brief status report of the Finance Department, noting they are waiting for the auditors to return for the annual audit.

He reported that the Finance Department is moving forward with the process to collect fiscal year 2013 delinquent taxes. Letters will be sent next week, followed by advertising, and liens. The final step is a recommendation to the BOS to start the collection process.

Mr. Genereux informed the BOS that he would not be in the office on Friday but that Justin Cole, the Interim Town Accountant, will be there in his stead. A schedule of the Finance Department office hours will be distributed to the boards/committees. The monthly report for the number of hours BMAG has been working on site/ off site information will be available at the next meeting.

Mr. Wilhelm requested a report on the final balance of the recently closed bank accounts later in the fall.

Minutes – Vote: Mr. Wilson moved, and it was seconded, to approve the open session minutes of August 6, 2013. The motion carried unanimous.

Executive Session (ES) – Inter-Municipal Agreements

VOTE: Mr. Wilson moved, and it was seconded, that the BOS enter into ES at 8:46 pm, according to Open Meeting Law, M.G.L. c. 30A, §§ 18-25 (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 declared, and to include Finance Director David Genereux and Finance Committee Chairman Mike Lucy, 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 9:36 pm.

VOTE: Mr. Wilhelm moved to adjourn at 9:36 pm and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley