

TOWN OF WENHAM
Board of Selectmen
Meeting of December 4, 2018
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 delivered to all Board members, a meeting of the Board of Selectmen (BOS) was held on Tuesday December 4, 2018 at 5 pm in the Selectmen Chambers.

The Town of Wenham has a three-member Board of Selectmen elected for three-year terms with one seat up for election each year. Jack Wilhelm (2019) Catherine Harrison (2020); John Clemenzi (2021)

The Board of Selectmen serve as the chief executive body of the Town. The board's duties include in part appointing the Town Administrator and other board/committee members, developing goals and policies, preparing the town report, the annual budget, and presenting the warrant for Town Meeting.

The Board typically meets the first and third Tuesday of each month at 6:30 pm in Town Hall. The BOS meetings are posted on the Town calendar. All meetings are open to the public and may be viewed on local cable channels, HWCAM.org or [You Tube HWCAM](https://www.youtube.com/watch?v=HWCAM).

Welcome & Call to Order

With a quorum present, Ms. Harrison called the BOS meeting to order at 5 pm

Selectmen present: Catherine Harrison, Chair; John Clemenzi, Vice Chair; Jack Wilhelm, Clerk

Also present: Peter Lombardi, Town Administrator; Catherine Tinsley, Recording Secretary

Public Information

- Meeting packet 12.4.18
- Open Session was recorded with permission by HWCAM

Executive Session - Wenham Call Firefighters Association

Vote: I move the BOS enter into executive session under M.G.L. Ch. 30A, § 21 (3) To discuss strategy with respect to collective bargaining or litigation if the chair declares that an open meeting may have a detrimental effect on the bargaining or litigation position of the Town, with the Wenham Call Firefighters Association and to return to open session.

The BOS returned to open session and after a brief recess, reconvened at 5:32 pm.

Public input - None

Announcements

- Curbside Leaf Pick-up Update - continuation of the first round of leaf pickup – east Wenham; Town website for updates
- 375th Anniversary Historic Mock Town Meeting, First Church in Wenham – December 5, 6:30pm
- Toys for Tots sponsored by Wenham Fire & Police – December 8, 9:00am – 2:00pm
- Board of Health Public Hearing Re Proposed Change in Local Tobacco Regulations – December 13 at 7:00pm
- Wreaths Across America Ceremony – December 15, 12:00pm

Reports

Town Administrator

Grant Awards - The Town was notified yesterday that we were awarded \$7,500 in grant funding from MIIA through their Risk Management grant program. This funding will help us to purchase protective gear for DPW employees, back-up cameras and sensors for DPW vehicles, and an infrared camera for better management of our facilities, and to conduct trench safety training for DPW employees to comply with the new OSHA standards.

Last month, the Executive Office of Public Safety and Security announced that the Wenham Police Department was awarded over \$15,000 in federal Byrne Justice Assistance grant funding for safety equipment and technology.

Proposed Main Street Traffic Improvements - The Town held a well-attended public meeting last Thursday to provide residents with an overview of this proposed project and to get feedback from residents about the conceptual design. MassDOT and Town officials are looking to make improvements to the Route 1A downtown corridor at Cherry Street, Old Country Road, Monument Street, Arbor Street, and Friend Court, including a redesign of the existing roadway by installing more/better signage, designated turning lanes at key locations, and traffic signals at up to two (2) of these intersections. This project will also include improvements to the existing sidewalks, the installation of new sidewalks, and the redesign/relocation of existing pedestrian crosswalks.

Approved 02.21.19

Although state transportation planning officials have produced a technical report looking at various potential configurations, the Town is in the very early stages of design work and will now look to engage our engineering team in the coming months so we can begin on 25% design. Residents are encouraged to send their feedback to me by next Monday, December 10 by sending hard copy correspondence to Town Hall or emailing me at plombardi@wenhamma.gov. The Town also plans to provide additional opportunities for residents to continue to give their input as we move through each phase of the design process. Significant background materials are provided on the Town's website at www.wenhamma.gov/mainstreettraffic. This page will be updated on a regular basis going forward when the Town has new information available to share out.

Consent Agenda

Ms. Harrison moved that the October 23, 2018 Executive Session (3) minutes be removed from the consent agenda and it was unanimous to do so.
Mr. Clemenzi moved to approve the consent agenda minutes, including the release of the Executive Session minutes of October 23, 2018 (1) and October 23, 2018 (2) and it was unanimous to do so.

Minutes

Open Session: October 23, 2018

Executive Session: October 23, 2018 (1), October 23, 2018 (2), October 23, 2018 (3)

New Business

Used Car Dealer - License Renewals

The Police department performed inspections of each dealer/applicant.

Captain DiNapoli was present and spoke on the process. All three dealers had a courtesy notification that spot inspections would be done. All three had some (minor) deficiencies.

The report was sent through Department of Transportation and a hearing was scheduled for those deficiency followed by another inspection.

At a minimum, each dealer/applicant was provided the required documentation:

- Checklist for Annual Renewal
- Application for a License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof
- Criminal Offender Record Information (CORI) Acknowledgement Form
- Proof of Property Tax Payments
- Copy of 2018 License
- Proof of Automobile Liability Insurance & \$25,000 Bond

Burnett's Garage, Inc. – 60 Maple Street

Dave Burnett was present.

- Proof of Worker's Comp. Insurance
- Flammable Certificate Permit from the WFD
- Waste Oil Permit from the WFD
- Check for \$100
- Inspection Letter from Brian Leathe, Building Inspector, November 28, 2018
- Email from Jeff Baxter, Captain, WFD, November 30, 2018
- Memo from Kevin DiNapoli, Captain, WPD, November 30, 2018
- Memorandum of Agreement between the Registrar of Motor Vehicles and Burnett's Garage, Inc.
- Memo from Kevin DiNapoli, Captain, WPD, February 15, 2018
- Memo from Charles A. Louise #3018, Trooper, MASS State Police, February 14, 2018

The license was reduced from 3 dealer plates to 2 dealer plates.

Vote: Ms. Harrison moved having met all State and Local Licensing requirements and paid all fees, the Board of Selectmen renew the Class II Used Car Dealer License held by Burnett's Garage located at 60 Maple Street through December 31, 2019. The motion carried unanimously

Fallon's Auto Service – 233 Main Street

John Fallon was present

- Proof of Worker's Comp. Insurance
- Flammable Certificate Permit from the WFD
- Waste Oil Permit from the WFD
- Check for \$100
- Inspection Letter from Brian Leathe, Building Inspector, November 28, 2018
- Email from Jeff Baxter, Captain, WFD, November 30, 2018
- Memo from Kevin DiNapoli, Captain, WPD, November 30, 2018
- Memorandum of Agreement between the Registrar of Motor Vehicles and Fallon Auto Service, Inc.
- Memo from Kevin DiNapoli, Captain, WPD, February 15, 2018
- Memo from Charles A. Luise #3018, Trooper, MASS State Police, February 14, 2018

Approved 02.21.19

Mr. Fallon expressed his displeasure with the new process approved by Town Meeting. He spoke about the inconvenience of traveling to Quincey for a hearing regarding what he alleged were trivial things, against being fingerprinted, and against a background check. He opined it was a double standard as those holding town offices are not required to go through the same process.

Vote: Ms. Harrison moved that having met all State and Local Licensing requirements and paid all fees, I move the Board of Selectmen renew the Class II Used Car Dealer License held by Fallons Auto Service Inc., 233 Main Street, through December 31, 2019

Freeman's Garage – 34 Arbor Street

- Inspection Letter from Brian Leathe, Building Inspector
- Inspection Letter from Brian Leathe, Building Inspector, November 28, 2018
- Memo from Kevin DiNapoli, Captain, WPD, November 30, 2018
- Letter from Peter Lombardi, Town Administrator, August 28, 2018
- Memo from Kevin DiNapoli, Captain, WPD, July 31, 2018
- Memorandum of Agreement between the Registrar of Motor Vehicles and Edward Freeman - Freeman Garage
- Memo from Kevin DiNapoli, Captain, WPD, July 3, 2018
- Bus Bill of Sale, December 9, 2017
- Letter from Edward Freeman, Jr., July 1, 2018
- Proof of Certified Mail, July 2, 2017
- Memo from Kevin DiNapoli, Captain, WPD, June 12, 2018
- Memo from Charles A. Luise #3018, Trooper, MASS State Police, June 13, 2018
- Memo from Kevin DiNapoli, Captain, WPD, May 23, 2018
- Email from Peter Lombardi, Town Administrator, May 10, 2018
- Letter from Charles Brett, Building Inspector & Zoning Enforcement Officer, April 10, 2018
- Memo from Kevin DiNapoli, Captain, WPD, February 15, 2018
- Memo from Charles A. Luise #3018, Trooper, MASS State Police, February 14, 2018

Edward Freeman was present and addressed some concerns. He stated there is now a designated office space outside of his home and he has the allowed number of vehicles on the property, confirming the bus was gone as of October 5.

Paul Mendonca, Arbor Street abutter, asked for clarification of where the office is and referenced there are two dwellings related to the business; one at 34 Arbor Street and one at 36 Arbor Street. Mr. Mendonca alleged the census was conflicting and there appears to be other people living on the property. He was told the office is in the garage.

Mr. Mendonca alleged there has been an unregistered RV on the property for 15 months within 5 feet of the property line and recalled the zoning bylaw setbacks and observed the license does not include the sale of campers and was told Mr. Freeman does not own the camper. Mr. Mendonca went on to question why there are three ramp trucks on the property as the license does not allow the repair of cars and was told the ramp trucks belong to a dealership.

Mr. Mendonca was appreciative of the work done but claimed issues remained.

Captain DiNapoli agreed to meet with Mr. Mendonca to catalog the complaints and to include the Building Inspector.

Vote: Ms. Harrison, Vote: Having met all State and Local Licensing requirements and paid all fees, I move the Board of Selectmen renew the Class II Used Car Dealer License held by Freeman's Garage located at 34 & 36 Arbor Street through December 31, 2019 with the following restrictions:

- Hours of Operation are 9 AM to 5 PM Monday through Saturday.
- Operable Class D and Class M vehicles only.
- Four (4) car garage and two (2) car shed
- Not more than 20 cars to be parked in the rear of the property
- Two (2) of the 20 cars will be permitted to be displayed in the front of the property
- As a sole proprietor, the Town will be notified of any new employees or contractors
- Property is to remain in compliance with all other relevant local and state bylaws.

The motion carried unanimously.

Status Update on Regional Dispatch and Review of Proposed New Intermunicipal Agreement for the Joint Provision of Public Safety Communications, Dispatch and Operations Services

The Selectmen had a joint meeting and deferred the Regional Dispatch agenda item to the December 11.

Adjournment- *The Selectmen unanimously adjourned at 6:25 pm.*

Respectfully Submitted By
Catherine Tinsley
1.15.19