

TOWN OF WENHAM
Board of Selectmen
Meeting of March 26, 2019
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 Tuesday, March 26, 2019 at 5:30 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.

Welcome & Call to Order - With a quorum present, Ms. Harrison called the BOS meeting to order at 5:30 pm
Selectmen present: Catherine Harrison, Chair; John Clemenzi, Vice Chair; Jack Wilhelm, Clerk
Also present: Peter Lombardi, Town Administrator; Catherine Tinsley, Recording Secretary

Executive Session Library Director; DPW Director; Fire Captain; Fire Chief; Police Benevolent Association of Wenham
Vote: Ms. Harrison moved to 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 And to include interim Town Administrator John Petrin. The motion carried unanimously by roll call vote.

The Selectmen returned to open session at 6:20 pm and Ms. Harrison called for a 5 min recess.

Announcements - Visit the Town website for more information on these and other news items.

- Retirement Reception March 28 at the Library for Jan Dempsey, who is retiring after 14 years as our Library Director
- The Warrant Hearing for the Annual Town Meeting is April 1 at 7 pm in the Bessie Buker Multipurpose Room
- Our Annual Town Meeting is Saturday April 6 at 1:00pm in the Perkins Auditorium. ATM check-in with the Board of Registrars and the Wenham Village Improvement Society Luncheon will begin at 12:00pm.
- The Hamilton-Wenham Regional High School National Honor Society will offer a Kids Town Meeting with crafts, games and movie at the Recreation Center from 1 – 4 pm with check-in beginning at 12:45pm.
- Candidates' Night by the League of Women Voters on April 3 from 7– 9pm at Buker Elementary School in the Multi-Purpose Room.
- Our Annual Town Elections will be held at Town Hall on April 11 from 7am to 8pm.

Reports

- Town Administrator

A post card was sent to each resident listing important dates around Town Meeting including the Warrant Hearing on April 1, Town Meeting on April 6 and Local Elections on April 11.

The Town Report/ Town Meeting Warrant are being delivered by the Scouts this weekend.

New Business

- Review of Common Victualler License for the Bagel Shop Hamilton- Wenham (informational only)
 - Application for Common Victualler License from Hunter Tuccio, The Bagel Shop
 - Check for \$50
 - Worker's Compensation Insurance Affidavit
 - Tax Law Compliance Attestation
 - Email re The Bagel Shop Permitting from J. Bresnahan, Permitting Coordinator & Special Projects Manager, March 25, 2019

Applicants Tom Smith and Hunter Tuccio, were present and spoke on their application for a Victualler License to open an authentic New York bagel shop at 158 Main Street in mid-April.

Approved April 30, 2019

Mr. Smith and Mr. Tuccio indicated that they had a third partner who they opened a similar shop 3 years ago at the Beverly Farms train station. Their intention is to become a part of the community, collaborate with the Fire/ Police Department, and sponsor a local sport team.

Parking concerns are being addressed to promote parking behind the store and they are working with the Historic District Commission.

The agenda out of order with permission.

*Update on status of first church community Preservation act Grant Agreement

- Recommendation for Appointment - Police Officers: Jason Lucontoni & Reini Perez
 - Jason Lucontoni – full time officer in Hudson NH – 20 years
 - Recommendation Letter from Tom Perkins, WPD Chief, March 15, 2019
 - Cover Letter and Resume from Jason Lucontoni, February 11, 2019
 - Trainings & Certifications for Jason Lucontoni
 - Internal Affairs Investigation Training
 - HSI 101
 - 47th Annual Regional Criminal Investigation School
 - 48th Annual Regional Criminal Investigation School
 - Proactive Criminal Enforcement Seminar
 - Investigating Prescription Drug Crimes
 - Trends of Terrorism
 - Asset Forfeiture
 - Pharmaceutical Drug Investigations
 - Undercover Risk Analysis
 - Concealment Areas Within A Vehicle
 - Supervising Counterdrug Operations
 - Domestic Drug Interdiction
 - NH Part-Time Police Officer
 - NH Full-Time Police Officer
 - NH Recruit Academy
 - NH Enhanced Basic Program
 - Reini Perez – Wenham PD Reserve Officer promotion to full time officer
 - Recommendation Letter from Tom Perkins, WPD Chief, March 21, 2019
 - Cover Letter and Resume from Reini Perez, March 13, 2019

Police Chief Perkins and Captain DiNapoli were present.

Vote: Mr. Wilhelm moved to appoint Jason Lucontoni as a full-time Police Officer for term beginning March 26, 2019 and ending June 30, 2019 contingent upon successful completion of physical and psychological exams and approval by the Municipal Police Training Committee (MPTC) under 550 CMR 3.03 of a petition for an exemption from the basic police recruit training provisions of MGL Ch. 41 Sec. 96B. The motion carried unanimously.

Vote: Mr. Wilhelm moved to appoint Reini Perez as a full-time Police Officer for a term beginning March 27, 2019 and ending June 30, 2019 contingent upon successful completion of the PAT (Physical Abilities Test) required for entrance into the Police Academy. The motion carried unanimously.

Under Discussion: It was noted that the Police Department had two full-time officer positions and with two officers at the Police Academy the Department is stretched thin. The top candidates were recommended for appointment to fill the two positions. Both proposed candidates have an established level of training.

Mr. Clemenzi asked a variety of questions on the process and recommendation and noted his reservations that an officer was hired that knew nothing about Wenham. Chief Perkins responded that senior officers with a high level of training and experience recently left the department and this officer has that same level knowledge and training.

It was noted that the Selectmen had an opportunity to interview the candidates.

Ms. Harrison observed that the Captain came from out of Town and has acclimated and Officer Lucontoni has a lot of institutional experience.

- Review of Regional Dispatch Feasibility Study for Danvers or Hamilton & updated Intermunicipal Agreement with State 911
 - Analysis for Providing Contract Dispatch Services for the Town of Wenham, MA by Danvers and Hamilton, MA, Municipal Resources, Inc., Final Draft from State 911, March 2019
 - Updated Intermunicipal Agreement for the Joint Provision of Public Safety Communications, Dispatch and Operations Services
 - Attachment A: Core Services for Members

Approved April 30, 2019

- Memo regarding IMA for North Shore 911 to Frank Pozniak, Executive Director, State 911 Department, MA Executive Office of Public Safety and Security from Matthew Moran, Undersecretary, Forensic Science and Technology, MA Executive Office of Public Safety & Security, December 12, 2018
- Intermunicipal Agreement for the Joint Provision of Public Safety Communications, Dispatch and Operations Services, Original Draft from State 911, November 2018
- Original Intermunicipal Agreement for the Joint Provision of Public Safety Communications, Dispatch and Operations Services, Original Draft from State 911

Mr. Lombardi reviewed that the Town of Wenham has been at the Regional Emergency Center in Middleton for 5 years when it was thought that State 911 would take over the Center but the details were unknown and it was uncertain where that would leave Wenham. In preparation for possible changes, Wenham hired MRI to assess other options for Wenham, specifically joining either Hamilton or Danvers. It was noted that MRI did the Operational Audit Analysis of the Middleton Dispatch Center and a feasibility study for regional dispatching for a number of local communities and therefore already had information which reduced the scope/cost to Wenham for the study.

MRI considered all aspects including estimated annual cost of regionalizing with either Hamilton or Danvers based on existing programs:

before subsidies Hamilton: \$175,000 to \$195,000; Net projected costs to transition: \$115,000 - \$130,000

before subsidies Danvers: \$130,000; Net projected cost to transition: \$75,000

One Time Capital Costs: \$300,000-\$400,000 to leave Middleton with state grants questionable since Wenham is already in a regional program.

Because State 911 is the funding agency for regional dispatch centers in Massachusetts and is taking over the Middleton program it seemed they were reluctant to work with the Town to provide grant information.

While at the Middleton Regional Dispatch Center, \$82,000 has been taken directly of Wenham's Cherry Sheet from the State to pay for costs associated with the dispatch center.

If Wenham decides to leave Middleton, MRI's recommendation was for Wenham to go to Danvers citing staffing, organization, infrastructure, and cost.

It was noted that with State 911 taking over Middleton, the Cherry Street assessment to be reduced to zero.

Mr. Lombardi added that both Hamilton and Danvers had positive feedback to Wenham joining.

Mr. Wilhelm opined financially the Town should remain at the Regional Dispatch in Middleton citing the cost savings.

The Town had concerns with potential shared frequencies with other towns, structure but State 911 responded with amendments to the Agreement to address these concerns, which included a 2-year window to opt out with 1-year notice.

Mr. Lombardi observed at the minimum it would require a year to transition and give the town time transition to state 911 in July 2019, and if there are concerns, the Town can circle back and start those conversations again

With these changes, the Town of Amesbury intends to stay in the program after having given notice to leave.

With the final IMA, State 911 wants the Board of Selectmen to sign off and this would be on a future agenda.

- Review and Potential Approval of FY20-22 Collective Bargaining Agreements Between Town and Police Benevolent Association of Wenham

Based on ES – this was not ready for approval

- *Update on Status of First Church Community Preservation Act Grant Agreement
 - Proposed Community Preservation Act Agreement between the Town of Wenham and First Church in Wenham
 - Email regarding Proposed Draft Agreement from William Weihs, January 17, 2019

First Church representative Bill Wise was present to discuss this agenda item with the Selectmen.

In summary, the BOS reviewed the original grant agreement in December.

The Church and their Legal Counsel reviewed the draft and had input and revisions.

Mr. Weihs reviewed that this Agreement is for payment of \$14,300 from Community Preservation Funds to the Church for the refurbishing of the historical Wenham Town Clock, that although is owned by the Town, has been located in the steeple of the church for many decades. The work included resurfacing, repainting the clock face, and gold leafing the hands and numerals on the clock. The work was completed 2 ½ years ago.

Mr. Weihs went on to express the Church felt there were several challenges with the draft as it is unclear to why the terms being used were put forth and were inconsistent with the facts of the project.

This document would memorialize the undocumented arrangements between the Town and the Church for the use of the church steeple for the clock location and set forth the town's obligations to maintain and ensure the clock and the conditions for payment see unrelated to these facts.

The Historic Commission regulations do not require the clock project be reviewed by the Commission.

Approved April 30, 2019

The church was asked to jointly acknowledge the clock is an important historic asset; this should be just the town as the owner of the clock. The Church is agreeable to continue to display the clock in the steeple and protect the clock from damage by the cell tower equipment in the belfry

The Town needs to acknowledge its obligation to maintain the clock and keep it in good repair and function

If the town wants to review invoices it should be done now and copies made and inspect the work now to be sure the town is satisfied.

Mr. Wilhelm referenced suggested revisions by the Town to the Agreement in response to the concerns.

Mr. Weihs asked for the red line version from the Town to review with the Church leaders.

- Update on Status of Request for Qualifications for Town Administrator Executive Search Consultants
 - Request for Qualifications, Executive Search Consultant for the Town of Wenham, Town Administrator, March 13, 2019
 - Scope of Work for the Town of Wenham, Town Administrator Recruitment, Edward J. Collins, Jr. Center for Public Management, March 21, 2019
 - Proposal, Executive Search Services, Wenham Town Administrator, Community Paradigm Associates, LLC, March 17, 2019
 - Response to RFQ, Town of Wenham, MA, Executive Search Consultant for Town Administrator, Municipal Resources, Inc., March 2019

Three proposals were received: 1. Municipal Resources Inc (MRI). 2. Community Paradigm 3. Edward J Collins Center
The BOS will meet with each of these firms Thursday March 28 in open session

Old Business

- Potential Approval of Proposed Water Mitigation Policy
 - Email re Water Use Mitigation, Town of Danvers, J. Bresnahan, Permitting Coordinator / Special Projects Manager, March 21, 2019
 - FixALeak Week Danvers DPW
 - Memo regarding Proposed Water Use Mitigation (WUMP) Policy from J. Bresnahan, Permitting Coordinator & Special Projects Manager, March 12, 2019
 - Water Use Mitigation Program (WUMP) Draft Policy & Calculation Form

Vote: Mr. Wilhelm moved to approve the proposed Water Use Mitigation Policy. The motion carried 2-0-0 with Mr. Wilhelm out of the room; Mr. Wilhelm did not vote on this matter.

Adjournment – *The Selectmen unanimously adjourned at 7:50 pm.*

Respectfully Submitted By
Catherine Tinsley
4.14.19