

**Town of Nahant, MA
Board of Selectmen**

**Meeting
Wednesday, June 19, 2019 7:00 PM**

**Richard J. Lombard, Chairman
Francis J. Barile, Vice Chairman
Joshua A. Antrim, Recording Secretary
Antonio Barletta, Town Administrator**

1. Meeting Opening 7:00 pm

Pledge of Allegiance

a. Opening Comments

- 1) Mr. Barile stated that we lost Marie Maya last week. Her and her husband did an awful lot for the Town. A wonderful lady. My condolences to the family.

2. Citizen's Forum

- a. **Angela Lowell** – Nahant resident for 34 years: made a request regarding the Northeastern signage that has been up for the past year a half. She provided some background information and stressed the need to enforce the signage by-laws

b. **Jennifer McCarthy- 19 Range Road**

- 1) 4th of July – need more funds; buy t-shirts and make donations
 - i. Bailey's Hill closed to the public; 4th of July
- 2) Recreation Committee Free Tot Lot Program: July 8th-August 15th Mon-Fri 9am-12pm: All Free
- 3) Enforce when Trash collector's don't take an appliance/item & remove
- 4) Large vehicles parking on both sides of the roads. Take note. Could be a safety concern.

Mr. Lombard: Thanked Jen McCarthy for all of her hard work regarding the Fireworks Show

- c. **Bill Mahoney- 179 Willow Road** – Northeastern University (NEU) has resubmitted an Environmental Notification Form (ENF) this week. Monday (6/24) at 6pm NEU will be offering a consultation and site visit at NEU. Maybe Roz can post so that Townspeople can see.

Mr. Lombard wanted to confirm that Town Administrator has offered the State Agency our main hall to host this meeting.

TA Does not want to confuse the Townspeople; at this time the site walk and meeting will take place at Northeastern University.

d. **Christian Bauta 3 Swallow Cave Road-** 2 Northeastern University questions;

- 1) Regarding the talk about a cash offer in lieu of paying taxes; specifically what details go into that? i.e is it all cash, payment in kind...
- 2) Any update on meetings with Northeastern from now, since last Board of Selectmen's meeting?

- e. **Jeff Musman- 15 Trimountain Road** – With regards to the ENF- there is a 20 day comment period. Encourages everyone to submit comment(s). Also, there is an opportunity to request an extension; would like to know if this has been requested by the Town?

TA He has a letter for the Board to make that vote and sign the letter. Letter will be sent out tomorrow. This is a 30 day extension request. Northeastern are the ones who decide if they grant an extension on the comment period, not MEPA.

f. **Alice Court- 7 Valley Road-**

Mr. Lombard: This is directed towards you (Alice). I think you need to apologize to the FinCom. The remarks that you made at Town Meeting had two individuals resign from the FinCom. And that Finance Committee is made up of a mix individuals from various committees, all volunteer. And your remarks hurt them and criticized them. It was above and beyond and I really. I really didn't appreciate it. As a member of the Board of Selectmen and as the Chairmen. I said in the beginning when I asked the people in the Town to stop all the negativity directed to individuals especially committee and boards that are all volunteers. They volunteer. They don't get paid and for that criticism is very, very...I'll be honest with you. I was just flabbergasted. I reviewed the tapes of the Town meeting and I saw them and it just got me really upset. And I think you need to go down and talk to Brendan Ward, Chairmen of the Finance Committee and write him a letter and apologize to them. I'll be honest with you. And I would prefer you not taking the mic tonight, citizen forum or anything else til that is done.

Alice Court- 7 Valley Road: Do I need to ask the lawyer if I am prohibited from speaking at Citizens Forum in response to that? That I am not allowed to speak here again unless I write a letter as documented by you of what I should say to Mr. Walsh. I'm happy to speak to Mr. Walsh about what my comments were and I think that might be a very worthwhile discussion to have with him about why I made those comments. If they were offensive, this is the type of apology were I certainly feel like I can apologize if people were offended by them but I think there was validity in the nature of my criticism of the way that particular comment was made. I am happy to speak with Mr. Brendan Walsh and I would look forward to it actually.

Corrected: Brendan Ward

Alice Court: Oh, Brendan Ward. I'm terribly sorry. I will contact him and try to arrange a meeting. I don't know...I'm not on Facebook. I don't know about the resignations. I only knew about one. That had to do with the person that wrote the comment but I don't know the nature behind that.

Mr. Lombard: I appreciate your sincerity. So go ahead and you can have the mic tonight.

Alice Court- 7 Valley Road- Thank you.

- 1) Regarding the money offer by Northeastern University; when you do discuss the money offer with Northeastern, allow citizens of Nahant to provide comments and feedback.

Mr. Lombard: The original offer for mitigation was \$500,000. The new offer is \$6 million and the Town Administrator will walk us through what they offer means.

- 2) Regarding the letter about signs around Town; she received a letter and did not remove her sign. As long as the Townspeople have the constitutional right to keep these signs on their property, they will stay in order for their message to be heard.

Linda Mason- 4 Hillcrest Ave- signs are temporary. When they put that building up, it's over.

Christian Bauta- 3 Swallow Cave Road- The decrease in value of my home when that building goes up is permanent.

Corralan 263 Nahant Road- the signs are temporary, the building is permanent. She is confused why Richie (Mr. Lombard) doesn't like the signs.

Mr. Lombard- the problem is that the signs are starting to go overboard. Big red signs with a musk and a bird in his mouth...over the top. I have no problem with the small signs. The board isn't making this decision. The Townspeople are going to have a vote. There will be a special town meeting. Its not the Board of Selectmen that make this decision. It's the Townspeople that make this decision.

Mr. Barile- the Board of Selectmen don't have any say in the decision of permitting. It's the Building Inspector & the Planning Board. We don't need to attack each other. The signs are a little over kill.

Marilyn Mahoney- 179 Willow Road- Out of 351 towns/cities in the state of Massachusetts, we are the smallest. Northeastern University is over the top and over kill. Their vision is too big for this community. I

encourage everyone within the community to read the full version ENF (over 400 pages). We have to unify and stand up together to preserve our community.

Debbie Vanderslice- 368 Nahant Road – The fabric of our community will change with a 60,000 sq ft building. With regards to the signs, an expression comes to mind; “The house is on fire and all you are worried about are the drapes”.

3. New Business

- a. Approve the New England Vintage Arts Society Victorian Ball at Town Hall August 10, 2019 from 3pm-11pm:

Mr. Barile made a motion: I move that the Board of Selectmen vote to approve the event request for the Victorian Ball hosted by New England Vintage Arts Society on August 10, 2019 from 3pm-11pm at Town Hall.

Seconded by Mr. Antrim

Unanimous vote in favor

- b. Approve DPW Superintendent Employee Agreement

Mr. Antrim made a motion; I move that the Board of Selectmen vote to approve the DPW Superintendent Employee Agreement.

Seconded by Mr. Barile

Unanimous vote in favor

- c. Vote for Approval of Sale of Bonds and Signing of Associated Paperwork

Mr. Barile made a motion; I move that the Board of Selectmen adopt the votes as written in the Vote Certificate provided by Bond Counsel in connection with the Town’s Bond Anticipation Notes and Revenue Anticipation Notes each dated July 12, 2019: and further that the text of such votes be incorporated into the minutes of this meeting.

Seconded by Mr. Antrim

TA- this is an annual process that the Town takes on prior to the upcoming fiscal year.

RANs = Revenue Anticipatory Notes. Essentially it is a loan that we take out and then we pay it back with the taxes collected.

BANS = Bond Anticipatory Notes. This is for capital improvements. Based on the borrowing that were approved at Town Meeting.

Unanimous vote in favor

- d. FY20 Appointments for review and vote

Mr. Barile made a motion; I move that the Board of Selectmen vote to approve the FY20 fees as presented.

Seconded by Mr. Antrim

TA- This fee schedule is the same as last year. We need to make sure that this is adopted prior to the new fiscal year. The only change are the sewer rates. We saw significant increases in the rates because of increases from Lynn Water and Sewer. We are scheduling a meeting to discuss the cause of the rate increase. Hope to provide an explanation once determined. FinCom has indicated that they would like to review the fee structure and put together an analysis.

- e. FY20 Fee schedule for review only

TA in the past, each year, the Board has appointed all Town employees for one year terms. Other than the Treasurer Collector, according to the Town Charter, all of our employees are not on a one year term. This is a lot of unnecessary work/time put into a process that isn't necessary. The other piece- appointments of Board members. We are in the process of updating committee members as well.

Mr. Lombard- you should also go through Town Moderator since he appoints as well.

Unanimous vote in favor

4. Town Administrator Report

a. Amendment to Play it as it Lies

TA The management of Play it as it Lies changed a few months ago. However, the contract was never amended. Council put together this amendment.

Town Council- There is one line of information that needs to be clarified and updated on the amendment before everyone can agree and vote on the change.

b. Northeastern University Expansion Project Update

TA- Northeastern filed their ENF on June 10th. 20 day comment period. Then MEPA office reviews those comments for 10 days and determines whether issuing a certificate or ask for more information by July 10th. The Town is requesting an extension to that comment period; an additional 30 days. Its Northeastern's decision to extend. The Town also requested a site visit that has been scheduled for Monday night at Northeastern University for 6pm.

TA- The original offer to the Town was a total of 1 million dollars (\$500,000 up front with \$50,000 each year for 10 years). Along with additional landscape mitigation, continuing two half tuition scholarships, research agenda geared towards specific issues effecting Nahant, continue 25,000 donation to elementary school, summer jobs high school students, free educational programs for residents, lobster hatchery, satellite parking & shuttle service, no further expansion, commitment to utilizing no other property in Nahant, no student residential facilities & no commercial activity. With the new offer, everything stays the same as original offer except that they increased monetary offer from \$1 million to \$4.85 million: 1.5 million up front and then roughly \$115,000 per year for 29 years. Most recently they have increased their offer to a total of \$6 million: \$1.5 million up front and roughly \$115,000 per year for 39 years.

A discussion between the Board of Selectmen, TA & resident: Jeffrey Musman (15 Trimountain Road) took place regarding the Northeastern University draft term sheet.

Alice Court 7 Valley Road- Spoke about her knowledge of Universities and their typical strategy of negotiating.

Marilyn Mahoney 179 Willow Road- spoke about her lack of trust with Northeastern University.

Josh Antrim- Regarding comments; we are requesting an extension but it is up to Northeastern University so if you want to make comments send them in before July 1st. MEPA form is very detailed-but he still hasn't seen what the building looks like. He finds that very disingenuous.

5. Ongoing Business

a. 34 Bayview Ave- Vote to Approve Appraisal

A discussion with resident Beth Kelley (34 Bayview Ave) and the Board of Selectmen regarding 34 Bayview Ave took place. Unable to vote on the appraisal because they do not have it in hand.

b. Josh Antrim made a motion; To submit to the Planning Board an Article, referred to the Board of Selectmen by citizen's petition, to amend the Zoning Bylaw for review pursuant to M.G.L. c. 40A, Section 5. Sections to be amended under the Proposed Article include 4.10- USES PERMITTED IN A NATURAL RESOURCE DISTRICT, subpart E, entitled Prohibited Uses, at the end of item 2, between the word "above" and the final period, insert the parenthetical clause "(see other parts of Section 4.10 subparts A thru D and also see Section 2.02, Definitions, for Nonprofit Religious or Educational Purposes.)"

Seconded by Mr. Barile

A discussion with Mike Manning, Jeffrey Musman and the Board of Selectmen took place.

Town Council (Dan Skrip) stated that it is his understanding that this petition goes back to the Planning Board so they can consider it

Mr. Lombard: So we just forward this to the Planning Board?

Town Council- That's my understanding

Mr. Lombard: Ok. Let them handle it. Thank you.

Mr. Barile made a motion to send it back to the Planning Board

Mr. Antrim did not second it

Mr. Lombard Seconded for discussion

No further discussion was determined

Motion passes 2 to 1 (Mr. Barile and Mr. Lombard voted for this motion to pass)

Peter Rogal 391 Nahant Road- stated his view of the truth regarding this petition

6. Closing Announcements

a. Town Hall will be closed Thursday, July 4th and Friday, July 5th

7. Adjourn: To Executive Session not to return to Regular Session under MGL c.30A, section 21 (a) (3), to discuss strategy with respect to litigation.

Mr. Barile made a motion; I move that the Board of Selectmen vote to adjourn into Executive Session pursuant to G.L. c.30A, §21(a)(3), To discuss strategy with respect to threatened litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares.

Mr. Antrim stated that we need to cover closing announcements

Mr. Lombard stated: Town Hall will be closed Thursday, July 4th and Friday, July 5th

Mr. Antrim seconded the motion that Mr. Barile recently made

Mr. Lombard stated that they are going into executive session and will not be returning into regular session
Unanimous vote in favor

Meeting adjourned 9:28pm

Meeting Minutes prepared by Bobbie-Jo Blair, Administrative Assistant

Minutes approved by the Board of Selectmen on the _____ day of _____ 2019.

Board of Selectmen