

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

**Meeting Minutes
Thursday, March 21, 2019 7:00 PM**

**Chesley R. Taylor Jr., Chairman
Richard J. Lombard, Vice Chairman
Francis J. Barile, Recording Secretary
Antonio Barletta, Town Administrator**

Attendance: Chesley R. Taylor, Richard J. Lombard, Francis J. Barile & Antonio Barletta (TA)

1. Meeting Opening 7:00 pm

Pledge of Allegiance- Led by Chairman, Chesley R. Taylor Jr.

a. Opening Comments-

b. Approve February 28, 2019 Board of Selectmen Meeting Minutes: Mr. Barile made a motion: I move that the Board of Selectmen vote to approve the Board of Selectmen meeting minutes of February 28, 2019.

Seconded by Richie

Unanimous vote in favor

2. Citizen's Forum

Bill Mahoney- 179 Willow Road- Wharf on agenda. Sailor/lobstermen have trouble with the slip at low tide. Would like to know what is going on.

Mr. Lombard: T.A has the contract company, is supposed to come back and fix the issue. The wharf should be in good shape come Memorial Day.

T.A. We are meeting tonight in Executive Session to hopefully come to a resolution.

Bill Mahoney- with regards to the wetlands by-law; it has nothing to do with the people who live on the ocean. It has a lot to do with people who live near wetlands.

Judyth Zahora- 17 Simmons Road- Asked what happened to the Right of Ways. Has there been any action taken? Is there any action you can take?

Mr. Taylor responded; we are looking to have then enforced.

Mr. Lombard responded; we are going to follow up with all these letters gone out, follow up with Town Counsel and have a legal letter go out shortly.

Gerry Raffaele- 47 Seaview Ave- He used to be on the Planning Board. 5 years ago they hired land surveyors and documented it all. The Planning Board has been sitting on them for years. We need to hold them accountable.

Panamai Manatee- 122 Wilson Road- Do we have any discourse if people keep taking the signs down to fine them.

TA We don't have evidence of who's taking down the signs. We can't ticket them on an assumption.

3. New Business

a. Declare Dump Truck as Surplus- Mr. Lombard: I move that the Board of Selectmen vote to declare the following as surplus materials and equipment to be disposed of in accordance with MGL Chapter 30B Sec. 16: (1) 2006 Ford F450 Dump Truck, Vin # 1FDXF47P56EA39469.

Seconded by Mr. Barile

Unanimous vote in favor

b. Approve Easter Egg Hunt for Friday, April 19th, between the Flash Road Playground & the Fire Station, starting at 10am. Mr. Barile made a motion; I move that the Board of Selectmen vote to approve the Johnson Elementary School Easter Egg Hunt for Friday, April 19th at 10am.

Seconded by Mr. Lombard

Unanimous vote in favor

4. Town Administrator Report

TA With the Nahant Country Club having events the day before and the day after Town meeting and with the size of the warrant growing significantly; we are going to have the Town meeting at the Town Hall. Town will do a code red Robo call and message board to make sure that everyone is aware that this meeting will be taking place at the Town Hall. We apologize for any confusion.

The override vote will be added to the ballot for that same day. This override is for \$600,000. It's a general override.

TA with regards to the warrant; articles 2-13 standard articles in the warrant every year. Article 14: municipal modernization act allows us to put these revolving funds in our by-laws so we don't have to authorize every year. Council on Aging and Cemetery fund.

Article 15 recreation revolving fund

Article 16 recommended articles from Community Preservation: T.A. gave the floor to Community Preservation Committee chair; Lynne Spencer.

Lynne Spencer stated that these recommendations represent approximately \$260,000 worth of grants.

The CPC's proposed recommendations are as follows:

- A. To transfer the sum of \$26,681 from CPF FY2020 estimated annual revenues to the CPF Community Housing Account.
- B. To appropriate the sum of \$10,000 from CPF FY2020 estimated annual revenues for administrative and operating expenses of the CPC.
- C. To authorize the Treasurer, with the approval of Board of Selectmen, to borrow the sum of \$400,000 pursuant to G.L. c.44B, §11, G.L. c.44, §§7 or 8, the State Public Library Bond program, or any other enabling authority, for the preservation of the historic Nahant Public Library, located at 15 Pleasant Street, consistent with the Town's application for CPA funding, including all incidental and related costs, and, as appropriate, to issue bonds and notes of the Town therefor, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs;. And/or to authorize the Board of Selectmen to apply for, accept and expend any monies that may be made available to the Town for such purposes from any public or private source; and further, to appropriate from CPF FY2020 estimated annual revenues the sum of \$62,800 to pay debt service (principal and interest) on the first year of such borrowing.
- D. To appropriate the sum of \$160,000 consisting of \$47,333 from Fiscal Year 2020 Community Preservation Fund revenues and \$112,667 from CPC General Reserves for replacement or improvements to the basketball and tennis courts in the Flash Road Recreation Area and related site work consistent with the Town's request for CPA funding including all incidental and related costs.
- Supporting Statement –These courts have been in poor condition for some time depriving the community of a once popular and still desired recreational resource. The Town first applied for CPA funds in 2014 for replacement of the courts. However acknowledging that the courts are in an unfavorable position relative to adjacent sports activities and wetlands, the Town revised its application and a planning grant was awarded instead to comprehensively assess recreation needs and design for all of Nahant with a special focus on the Flash Road recreation area with its baseball and Little League diamonds, playground, and tennis and basketball courts all abutting the golf course. A dedicated committee was formed and consultants retained for the study. While their recommendations have value, the complete reorganization of the layout of the Flash Road recreation area is well beyond the means and capabilities of the Town at this time. While concerned about the proximity to the wetlands and conflict with other activities, the Community Preservation Committee recognizes the need to re-establish this popular sports opportunity and thus recommends this article with the requirement that the Town in its design and installation make every effort to comply with, if not exceed, the Conservation Commission's requirements for replacing the courts in the wetlands buffer zone. As an alternative, the CPC this article supports the relocation of the courts to another suitable location in the Flash Road Recreation Area if that is not in conflict with existing recreational activities or municipal requirements.

- E. To appropriate the sum of \$5,000 from CPF FY2020 estimated annual revenues for Johnson School recreation improvements, particularly the basketball half court, consistent with the Town's request for CPA funding, including all incidental and related costs.
- F. To appropriate the sum of \$15,000 from the CPF FY2020 estimated annual revenues for improvements to the Nahant Road softball field, particularly the installation of a new backstop and scoreboard as well as replacing the clay running paths between bases, consistent with the Town's request for CPA funding, including all incidental and related costs.
- G. To appropriate the sum of \$50,000 from CPF FY2020 estimated annual revenues for renovation of the historic Town Hall, particularly the Council on Aging Kitchen, to address building code, health, plumbing and electrical code-related issues, consistent with the Town's request for CPA funding, and including all incidental and related costs.
- H. To appropriate the sum of \$20,000 from the CPF General Reserves to construct new stairs for Tudor Beach to replace storm damaged stairs, consistent with the Town's request for CPA funding, including all incidental and related costs.
- I. To appropriate the sum of \$30,000 from the CPF FY2020 estimated annual revenues to prepare an Open Space Master Plan, consistent with the Town's request for CPA funding, including all incidental and related costs.
- J. To transfer any CPF FY2020 estimated annual revenues not otherwise reserved or expended hereunder to the CPF FY 2020 Budgeted Reserve Account for later appropriation.

Mr. Taylor asked Lynne Spencer- in order to change the surcharge, it would take a Town vote. Lynne replied, certainly.

TA Article 17: Local Meals Tax

Article 18 & Article 19: are new articles. If override passes, we will put \$25,000 into OPEB and putting \$100,000 into the stabilization fund.

Article 20: storm damage from last March. With the override the idea is to pay down last year's March storm damage as opposed to borrowing.

Article 21: Paving

Article 22: MWRA borrowing. \$50,000 low interest loan for water repairs. Which was on the capital plan from last year.

Article 23: Fire Capital. Has to do with dispatch and it's a contractual obligation with the city of Lynn.

Article 24: Borrowing for a new mini back hoe for the cemetery.

Article 25: Green Communities LED conversion.

Article 26: Amending the general bylaws to move the Annual Town Meeting to the 3rd Saturday in May.

Article 27: Repeal of the Wetlands Protection By-Law

Article 28: Citizens Petition regarding dogs from Oct 1st to April 30th using any Town beach, for the exercise of dogs not on a leash

Article 29: Citizen's Petition regarding 5G network

Last two articles are annual articles continuing committees and acceptance of gifts.

Mr. Lombard mentioned that pot holes will be getting filled this week. If you would like to report a pot hole or inform Town Hall of a pot hole not filled called 581.0088. They will note it and give it to the Department of Public Works.

- a. Annual Town Meeting Warrant – Article review and vote to set warrant (send to Fin. Com.)

Mr. Lombard made a motion; I move that the Board of Selectmen vote to open the April 27, 2019 Annual Town Meeting Warrant for submittal of articles by all Town Boards, Committees, personnel, and the public for consideration of placement onto the Annual Town Meeting Warrant.

Seconded by Mr. Barile

Unanimous vote in favor

- b. FY2020 Budget Review (continued) – Vote of Selectmen

Mr. Barile made a motion; I move that the Board of Selectmen vote to accept and close the Annual Town meeting warrant as presented and to send it to the Advisory & Finance committee to begin taking positions with the understanding that ongoing review will occur by the Board of Selectmen & that modifications may occur at a later time.

Seconded by Richie

Unanimous Vote in favor

Mr. Lombard made a motion; I move that the Board of Selectmen vote to endorse the revised Town Administrator and Selectmen Budget for FY2020 and to forward it to the Finance and Advisory Committee for their on-going review in the FY2020 Budget Development process.

Seconded by Mr. Barile

Unanimous vote in favor

Mr. Lombard made a motion; I Move that the following question appear on the ballot at the Annual Town Election, and authorize the Town Administrator, at least 35 days prior to the Annual Town Election, to provide the Town Clerk with written notice of this vote including the form of the question:

Shall the Town of Nahant be allowed to assess an additional \$600,000 in real estate and personal property taxes for the purposes of the general operation of the Town, including Stabilization, Other Post-Employment Benefits, storm damage repairs, and public schools for the fiscal year beginning July first, 2019?

Yes ___

No _____

Seconded by Mr. Barile
Unanimous vote in favor

5. Ongoing Business

- a. Coast Guard Housing- Presentation Peter Barba (Chairmen of Coast Guard Housing Committee)

Objective: Maximize the long term benefits for the Town. (long term = 50-100 years)

Committee Members: Thomas Hambleton (Abutter) & Ann Marie Passanisi (Abutter)
Peter Barba (ZBA), Chairmen. Judyth Zahora (FinCom), Pan Manadee & Wayne Wilson (at large).

Existing site conditions: one parcel of land (3.35 acres) 12 units build in 10950s as temporary military housing.

Currently 10 underground storage oil tanks. 9 being used for heating. One abandoned. Suspected asbestos and lead paint.

Existing financials: purchased land for 2.2 million. 2nd of ten year loans at .5% interest. Currently owe 1.8 million. Since 2009 we have been only paying the interest on the loan. Current rental \$1350-1650/month (below market value). Pay Management Company.

Profit from rentals annually is \$125,000

Chairmen, Peter Barba presented all of the options to the residents of the Town.

There is a lease up in January and a lease up in May.

All of the Coast Guard Advisory Committee are posted ahead of time and open to the public.

Anne Marie Passanisi- 285 Castle Road- Why the concern about the possibility of putting a road through from Willow Road?

Mr. Lombard: we are very congested – traffic is heavy. The area needs to be studied.

Heather Goodwin- 22 Breezy Hill Terrace- would like for us to remember the human factor of this project. These are her neighbors. Not sure if we can legally give them the first choice, but would like for us to keep this in mind.

Peter Bara- unfortunately due to Chapter 33B in MA- we wouldn't be able to offer anyone right of first refusal or anything like that. Once this committee is done it goes to TOLSC and has to be deemed as surplus and then it goes out to proposals.

Mr. Barile: Goddard Drive needs a stop sign up there. Have Timmy put a stop sign up at Goddard Drive.

Lynne Spencer because we don't have an affordable housing plan, therefore Town wide the possibility of some amount of affordable housing here is not on the table.

Peter Barba- Every Town in MA should have a comprehensive 40B plan. We don't have one. Because we don't have one, any actions that we take to put ourselves in better light with the State regarding 40B doesn't count, because we don't have a plan.

Lynne Spencer- wouldn't it make sense to develop a 40B plan?

Tom Hamilton- we decided to have the Planning Board to develop a strategy.

Aura Billias – 1 Goddard Drive- regarding a stop sign on her street. It's not actually a stop sign. A storm completely took their street sign. The dead sign is also turned making it difficult to determine that it belongs to this street. The slow children sign on the ground is completely gone as well.

TA We should definitely look at that

Pan Manadee- Coast Guard Housing Committee member- stagger the sales. This is a way for us to protect ourselves from the threat of 40B. Because the Town doesn't have enough affordable housing (<10%) a developer could come in and conceivably buy 3-4 lots and build a high-rise for affordable housing.

TA Do you have any estimated timeframe as to when your committee will be ready to make a recommendation?

Ann Marie Passanisi - by June is a goal

Heather Goodwin- 22 Breezy Hill Terrace- I get nervous when things are rushed. This doesn't sound like May/June is a feasible date. Doesn't feel like we are there yet.

Peter Barba- The slides from tonight's presentation will be posted on our Town website.

Mr. Barile- in 5 years the bond is going to come through and we are going to owe \$2 million. It's up to the Townspeople to decide but we need to make a decision.

All three Board of Selectmen and T.A echoed an appreciation to the Coast Guard Housing Committee for their dedication, time and efforts towards this topic. Thank you!

6. Closing Announcements

Mr. Barile Met with ISO, FEMA on numerous occasions regarding Community Rating System. We don't have a letter of good standing. There is a house on Bass Point Road- want a court order on this house and go to court. We need to get our letter of good standing.

TA Building Inspector did not approve his building applications and issued a few stop orders. Do we know if simply a court order is enough?

Mr. Barile Yes

Mr. Taylor accepted a motion to have the TA through Town Counsel issue a court order to this resident.

Mr. Lombard Seconded

Unanimous vote in favor.

Charles Kelley Scholarship- Mr. Lombard stated that as of last year, the scholarship is worth \$1,000. Type up a short essay explaining what community service means to you. Essays are due April 26th

Mr. Taylor read aloud, "Please submit to the Town by April 1st".

Mr. Lombard suggested April 20th

Mr. Taylor agreed and repeated April 20th.

7. Adjourn:

Mr. Taylor made a motion to adjourn: Executive Session pursuant to G.L. c.30A, §21(a)(3), To discuss strategy with respect threatened litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: Tudor Wharf Project.

Mr. Barile seconded

Mr. Taylor took a roll call vote

Unanimous vote in favor

Meeting adjourn 9:21pm

Meeting Minutes prepared by Bobbie-Jo Blair, Administrative Assistant

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

Board of Selectmen