

**Town of Nahant
Joint Meeting
Board of Selectmen & Board of Health & School Committee
Meeting Minutes
Thursday May 6, 2021 at 6:30pm via Zoom
Joshua A. Antrim, Chairman
Eugene Canty, Vice Chairman
Mark P. Cullinan, Recording Secretary
Antonio Barletta, Town Administrator**

1. Meeting Opening 6:30pm

Attendance: Joshua A. Antrim (JA), Antonio Barletta (TA), Mark Cullinan (MC), Eugene Canty (GC).

JA: Opened the Joint Meeting of the Nahant Board of Selectmen, Board of Health, and School Committee at 6:30pm.

- a. *Update on Coronavirus with Health Nurse Deborah Murphy and Health Officer John Coulon*
 - i. *Statistics*
 - ii. *Testing*
 - iii. *Vaccine Update*

Deborah Murphy (Health Nurse): Three active COVID-19 cases. Six cases in the last two weeks. The highest age group for positive cases is 20-39 years old. Average age of a person in the hospital with COVID-19 is 60, and average age of death is 70. BOH waiting to hear about vaccinating ages 12+ with Pfizer.

John Coulon (Health Officer): Cooperative endeavor beginning at Salem State O'Keefe Center that will likely vaccinate the younger populations who become eligible. As information becomes available, it will be posted on the town website under the COVID-19 tab.

Deborah Murphy: Lynn Tech Vaccination Clinic is still available but turnout has been decreasing.

John Coulon: On Monday we move to phase 4, step 2, with 100 inside and 150 outside capacity.

Deborah Murphy: There is a clinic at the town hall for second doses for residents on June 1, 2021 from 10-11am.

TA: Expecting more than 150 people for town meeting but will accommodate COVID-19 guidelines and structure the environment to be as safe as possible. Masks required. Been tracking numbers for outdoor gatherings in preparation for Memorial Day. The Cemetery event will be held as usual but there will be no parade.

AGE GROUP	% OF POPULATION FULLY VACCINATED
0-19 YEARS	6%
20-29 YEARS	43%
30-49 YEARS	35%
50-64 YEARS	74%
65-74 YEARS	94%
75+ YEARS	83%

2. Opening Comments:

JA:

- a. *Parking stickers now available at Nahant.org*
 - i. *All outstanding town bills must be up to date*
 - ii. *Must have completed Town Census*
- b. Compost are open for the season on Wednesday and Saturday from 9am-3pm
 - i. *Resident sticker required*
 - ii. *Leaves in biodegradable bags. No plastic bags will be accepted.*
- c. Recycling for Metal/White Goods/TV/Computers
 - i. *At the DPW parking lot on the Last Saturday of each month 8am-12pm until Oct. 30.*
 - ii. *There may be fees, checks only no cash.*
 - iii.

MC: Meeting next Tuesday at 10am in front of Town Hall to accept a gift of \$3,000,000 to support the eminent domain process.

3. New Business

- a. *Joint Vote of Board of Selectmen and School Committee to fill vacancy on School Committee per section 3-13 of the Town Charter.*

JA: When there is a vacant position on an elected board/committee, our bylaw stipulates that a joint vote of the remaining members of that board with the Board of Selectmen can vote to appoint someone to fill the seat until the next annual election.

TA: At that point, the remaining years of that seat become up for election.

Nomination:

Regina Lane (School Committee Chairperson): I would like to nominate Beth Anderson to the open school committee position which will be in place until April 2022.

Lauren Sherlock (School Committee Member): Second

Roll Call Vote:

Michele Dam (School Committee Recording Secretary): yes
Patty Karras (School Committee Vice Chairperson): yes
Lauren Sherlock (School Committee Member): yes
Regina Lane: yes

Beth Anderson (26 Sunset Road): Thanked everyone for the opportunity and summarized her resume.

Motion to Appoint:

Regina Lane (School Committee Chairperson): I'll make a motion to appoint Beth Anderson to the open position on the School Committee.

Lauren Sherlock (School Committee Member): Second

Roll Call Vote:

Michele Dam (School Committee Recording Secretary): yes

Patty Karras (School Committee Vice Chairperson): yes

Lauren Sherlock (School Committee Member): yes

Regina Lane: yes

Motion

JA: I move that the Board of Selectmen vote to appoint Beth Anderson to the Nahant School Committee.

GC: Second

Roll Call Vote:

GC: yes

MC: yes

JA: yes

b. Approve Board of Selectmen meeting minutes from April 15, 2021 and April 29, 2021

Motion:

GC: I move that the Board of Selectmen vote to approve the Board of Selectmen meeting minutes from April 15, 2021.

MC: Second

Roll Call Vote:

GC: yes

MC: yes

JA: yes

Motion:

GC: I move that the Board of Selectmen vote to approve the Board of Selectmen meeting minutes from April 29, 2021.

MC: Second

Roll Call Vote:

GC: yes

MC: yes

JA: yes

c. Approve Lobster Trap Storage Lease

Motion:

GC: I move that the Board of Selectmen vote to approve the following 2021 lobster traps storage leases as presented and further that the re-lease of said leases are subject to the payment of all outstanding fees, fines, and payments to the Town of Nahant.

MC: Second

Roll Call Vote:

GC: yes

MC: yes

JA: yes

4. Ongoing Business

a. Town Meeting Preparations and update

TA: Meeting will occur behind the fire station and not at the Town Hall. In the process of working with Council on Aging for aid with transportation. Masks are required. Registered voters will be given an electronic voting device.

TA: Clarifying Article 2 Section 9 & 15 of the Town Charter are currently valid.

Dave Conlin (Town Moderator): Section 15 is invalid and we should move to remove from our bylaw. In 2008, we voted to change Robert's Rules of Order, which are general. There are differences between town meeting vote and a ballot vote. The philosophy of the state is that town meeting votes have to take place at town meeting and ballot votes have many other requirements to be set up so that they are fairly run. Section 9 is valid except for the citation to Article 15. Cited *Town Meeting Time* published by the Massachusetts Moderator's Association as an exhibit.

Mark Rich (Town Counsel): Excited to work with everyone at Annual Town Meeting.

TA: Could you clarify how a vote to take a warrant article out of the current order would be treated?

Dave Conlin (Town Moderator): *Town Meeting Time* suggests that the Moderator has a lot of discretion. An absence of a bylaw to the contrary, the moderator can set and change the order of the articles taken up. In Nahant, there is a bylaw that specifically says that the order of the articles will be followed in the absence of a vote to the contrary. I do not have the ability to change the order of the articles. There could be a vote at town meeting. There would need to be a majority motion to make a change and can be made at any time as long as there is no other business pending. In a normal case the threshold is by majority vote, but the moderator still has discretion to make it a 2/3 vote if it seems like changes are being done for tactical reasons.

JA: Clarifying that the motion could be to change the sequence of the votes but not to set particular times of the day to hear that vote.

Dave Conlin (Town Moderator): Under our bylaws, the motion to adjourn to a time is not an option for the procedure.

TA: The next question was about a motion for reconsideration. How does that work?

Dave Conlin (Town Moderator): Under our bylaw, a motion for reconsideration has to be made within 15 minutes of the votes that is taken, is a majority vote, and cannot be made more than once. Reconsideration has to be done within the same meeting that the vote took place.

TA: Who can make a motion to reconsider?

Dave Conlin (Town Moderator): In Nahant, anyone can make a motion to reconsider.

TA: How can we make reasonable accommodations for seniors and those with disabilities who cannot sit for long periods of time know when certain articles will be addressed. Is a time certain an option in this case?

Dave Conlin (Town Moderator): Articles cannot be set for particular times. The best approach is to attend town meeting for its duration.

TA: Reminder of joint meeting with the Moderator, Finance Committee, Board of Selectmen, and Planning Board will meet Thursday night. It is a working meeting amongst the committees with no citizen's forum or debate.

5. Preserving East Point

JA: There was an information session last night discussing Articles 21(b) and 22. There was a question about if eminent domain was executed over the area shown on the map, could Northeastern build elsewhere on the property? Yes. However, there is debate over if the Dover Amendment would allow building in an area zoned as a natural resource area. Much of the rest of the property is either in a flood plain or wetlands buffer zone.

TA: Read questions that were previously submitted in an information session regarding Northeastern and the Annual Town Meeting.

JA, GC, MC, & Jeffery Blake (Attorney) James Masterman (Attorney): Reviewed and provided answers to these questions. Additional questions to be taken after review.

Additional Discussion Questions:

Ken Carangelo (81 Willow Road): Asked if reconsideration could occur on Sunday after town meeting on Saturday.

Dave Conlin: No, it has to occur in the same meeting session to avoid total change of the people who originally voted.

Ken Carangelo (81 Willow Road): Where can Northeastern build with all of the restrictions in place in addition to the proposed restrictions?

MC: There are four proposed sites from MEPA report that will be posted on the website and these are public records.

Alice Cort (7 Valley Road): Question about RKG analysis and projected costs.

Brendan Baranrk-Olmstead (2 Summer Street): Asked question about legally binding documents from donors to fund town's legal expenses beyond the \$3,000,000 donation that's currently under negotiation.

JA: There has been an existing gift agreement that does not have a dollar amount and is separate from the \$3,000,000 donation.

Brendan Baranrk-Olmstead (2 Summer Street): What are the town's options to cover abandonment costs if it exhausts the \$3,000,000 and doesn't consider private donations?

Jeffery Blake (Attorney): After the \$3,000,000 donation, town funds would be used. The town funds could only be used for the purchase. Beyond \$3,000,000—the town would need to find another source if legal fees went beyond this.

Ken Carangelo (81 Willow Road): What are the terms of the gift agreement of \$3,000,000?

Jeffery Blake (Attorney): The donor agreement is in the process of being drafted and there will be specific uses within it. It will include details about legal fees, insurance, engineering, etc. The final version will be a public record.

Mark Rich (Attorney): These funds would only be available for the purpose of eminent domain.

6. Town Administrators Report

7. Citizen's Forum

Cora Long (Resident): Does Northeastern pay for police and fire calls?

TA: No

Michelle Capano (29 Ocean Street): Do we know how many calls Nahant Police has serviced between 2018-2020 at the Northeastern property?

TA: This data is available but it would be for the Chief to look through their record book.

Brendan Baranrk-Olmstead (2 Summer Street): Is the map of the proposed eminent domain land available on the town website.

TA: It is in the Finance Committee warrant book.

8. Adjourn:

Motion:

JA: I will entertain a motion to adjourn

MC: I move

GC: Second

Roll Call Vote:

GC: yes

MC: yes

JA: yes

Meeting Adjourned to Executive Session on May 6, 2021 at 8:34pm.

Meeting Minutes prepared by Assistant, Olivia Cooke on June 14, 2021

Meeting Minutes approved by the Board of Selectmen on the ____14th____ day of
_July_____ 2021.

****Approved via BOS Zoom meeting****