

Town of Nahant
Board of Selectmen Meeting and Public Hearing
Meeting Minutes
Wednesday December 7, 2022 at 6:30pm via ZOOM
Eugene Canty, Chairman, Mark P. Cullinan, Vice Chairman
Joshua A. Antrim, Recording Secretary, Antonio Barletta, Town Administrator

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

1. Meeting Opening

GC: Opened the Meeting at 6:30PM

2. COVID Update

Deb Murphy (Public Health Nurse): There are a lot of people testing positive in town. In October 2022 we had 20 positive cases and in November we had 16 positive cases. Those are only the PCR tests however a lot of people are taking home test which are not reported. We have had 420 positive cases in 2022 from PCR tests. In the last 2 weeks we had 100 residents tested and 12 were positive.

Anna McNicholas (Public Health Nurse): COVID Booster Clinic at Nahant Town Hall December 14, 2022.

3. Opening Comments

JA: announced:

- a. PTO Christmas Tree Sales-Lowlands
- b. Annual Christmas Parade Fundraiser Saturday December 10, 2022 at Tides Restaurant starting at 6:00PM
- c. Annual Christmas Parade Saturday December 17, 2022
- d. Winter Parking Ban: December 21, 2022-March 20, 2022 from 12AM-6AM
- e. Town Hall Holiday Hours: Town Hall will be closed Monday December 26, 2022 and Monday January 2, 2023 in observance of the Christmas and New Year's Holidays.
- f. Annual Freezin' For a Reason Polar Plunge Sunday January 1, 2023
- g. Vacancy on the Conservation Commission

4. New Business

a. Declare Surplus Equipment

Motion:

MC: "I move that the Board of Selectmen vote to declare the following as Surplus Equipment and that they be placed on Municibid for Auction per MGL Chapter 30B Procurement Law

- The 2005 Elgin Sweeper
- The 1972 Portable 8" Navy Pump
- The 1982 Mounted Generator Trailer valued at \$21,603.00.

JA: Seconded the motion

Background: -The 2005 Elgin Sweeper- We are currently subcontracting town-wide street sweeping and the Sweeper is too costly to keep in service.

-The 1972 8" Navy Pump- This was replaced with two new 8" diesel pumps in 2020. We had to replace this due to the pump age and wear.

-1982 Mounted Generator Trailer- Replaced in 2021- generator was not working properly and too costly to repair.

Roll call vote: all in favor

b. Vote to Appoint Emergency Management Volunteers

Motion:

MC: "I move that the Board of Selectmen vote to Appoint Kevin Phipps as a Volunteer to the Nahant Emergency Management Department."

JA: seconded the motion

Roll call vote: all in favor

Motion:

MC: "I move that the Board of Selectmen Vote to Appoint Maeve Dubiel as a Volunteer to the Nahant Emergency Management Department."

JA: seconded the motion

Roll call vote: all in favor

5. Ongoing Business

a. Vote to Accept 6 Antigo Way Bid

Motion:

MC: "I move that the Board of Selectmen Vote to accept the only BID it received for the disposal of that part of 6 Antigo Way, Nahant, MA that rests upon the discontinued portion of Antigo Way that we declared available for disposition on October 19, 2022.

JA: seconded the motion

JA: This was Mr. Cardile's property on Antigo Way that had some encroachment on to Town land. At annual town meeting we voted to allow the town to sell that land. The Cardiles put in a bid and we are voting to accept that bid.

TA: As Josh mentioned it went through town meeting process and Town Owned Land Study Committee, The Board of Selectmen voted to put it up for sale and accept bids on it. The bid we received was for \$2500. It is less than what the market rate per square foot would typically be on property in this area based on the appraisal that was conducted however it is 192 square feet which is basically the flower box at the home owner's front steps. I recommend that we accept this. It doesn't encroach into the street but just shows on paper and is not a hardship to the Town.

Roll call vote: all in favor

b. Vote to Authorize Town Administrator to sign USDA agreement/Coyotes.

Motion:

MC: "I move that the Board of Selectmen Vote to Authorize the Town Administrator to sign the Cooperative Agreement between the Town of Nahant and the United States Department of Agriculture and the Wildlife Services."

JA: Seconded the motion

Discussion:

TA: The Board of Selectmen and the Board of Health have been following this situation very closely. There have been numerous cases in town with aggressive coyotes and it has met the definition of a problem animal or a habituated animal by Mass. Wildlife Standards. Mass Wildlife has authorized the town to dispatch those animals. Re-Location is not an option. The coyotes have not responded to hazing techniques. The traps that are legal are ineffective. If the board votes today we will be bringing the USDA in to Town in the next few weeks. We will attempt to dispatch the coyotes this way and then we will see if the aggressive behavior continues.

Dave Wattles (Mass Fish and Wildlife): While Nahant will be the first Town to use Wildlife Services for an urban coyote removal, they regularly do work throughout the state at airports etc. They are trained to work in sensitive areas and trained to remove wildlife.

TA: This is not a reaction to a nuisance or a dislike to coyotes. This is a response to animals that are comfortable around humans and are not responding to the techniques we have learned from Mass Wildlife. Even if USDA comes in and takes large amount of coyotes they could still come back. Residents and pet owners need to stay vigilant, haze coyotes, instill fear in them.

JA: There are very few options that are legal and effective that are available to us. This took time to put this plan in place with USDA. They have visited Nahant and come up with a plan.

Further discussion on the Coyote issue between the TA, Board of Selectmen and Dave Wattles

Francene Amari-Faulkner (295 Nahant Rd.): Asked a question about coyotes

Further discussion on the Coyote issue between the TA, Board of Selectmen and Dave Wattles

Roll call vote: all in favor

6. Preserving East Point

JA: Gave update on the Eminent Domain case. It continues on. The discovery phase has been continued. The judge has asked for depositions from about five people and those depositions have not happened yet. In regards to the Article 97 case. There are two prongs to that case. The statement that NEU dedicated the undeveloped areas they own at East Point as Conservation Land, the judge did not find evidence that they did that. The second is the promissory estoppel. NEU said they were dedicating the land as conservation land and that was the assumption and Nahant invested in Lodge Park that it would remain as conservation land. NEU has filed a motion for summary judgement on that.

7. Town Administrators Report

a. Overview of the Lowlands Storm Water Study

TA: Gave updated on the Lowlands Storm Water Study from Dubois and King. We modeled different flood scenarios, spoke to residents in the area and looked at how to improve our dewatering system and procedures. The results of the study we did can be found under the DPW page at nahant.org

8. Citizens Forum

Sandy Burton (296 Nahant Rd): Asked if there was a time table for the Coast Guard Housing demolition and site development

TA: No. We are still in the legal process of trying to get the tenants vacated.

9. Adjourn to Executive Session

Motion:

MC: "I move that pursuant to MGL . C30A, §21(a)(3) the Board of Selectmen Vote to enter into Executive Session to discuss pending litigation strategy for the Town of Nahant versus 7 Coast Guard Housing Tenants and the Board of Selectmen will not return to Open Session."

JA: seconded the motion

Dan Skrip (Town Counsel): "Mr. Chairman before you go ahead on that. Just declare if you deem appropriate that this particular meeting in open session would have a detrimental effect on the negotiating position of this litigation. Declare that, that is all.

GC: Yes.

Roll call vote: all in favor

Meeting adjourned at 7:43PM

Meeting Minutes Prepared by Administrative Assistant Kristin Taylor on January 3, 2023.

Meeting Minutes Approved by the Board of Selectmen on the ____4th____ day of ____January____ 2023