NAHANT SPECIAL TOWN MEETING

SEPTEMBER 12, 2023

TRANSCRIPTS

Submitted by: Diane M. Dunfee
Town Clerk
October 19, 2023

SPECIAL TOWN MEETING

September 12, 2023

David Conlin, Moderator: There being a quorum the meeting is called to order the first item of business will be the clerk will read the return of service.

Diane M. Dunfee: Town Clerk- Reading the Constables return or service on the date of July 25th 2023:

"I have served this warrant by posting a tested printed copies thereof at the Town Hall and such other places the Selectmen deem appropriate but not less than three in each Precinct the Police Station, the Nahant Fire Station, the Nahant Library and the Town Hall.

signed Robert Scanlan Constable of the Nahant"

David Conlin, Moderator: The following non-Nahant citizens are on the floor: Alison Nieto, Anthony Barletta, Matthew Vedetta, Chief Timothy Furlong, Zachary Taylor, Jeff Blake, Dahlia Shilas, Patrick Heing.

Are there any other non-citizens on the floor. Thank you

Diane, why don't you go ahead and explain the working of the Clickers

Diane Dunfee, Town Clerk: Okay for those of you who have been here at a meeting within the last three years we're using the clickers to vote. Unfortunately, Jessica could not be with us tonight. So fortunately, we have Patrick Heing. He is here from our IT Department who does a lot for us, Patrick.

Okay, just a refresher on how the clickers work. So we will have questions on the board and to vote Yes is 1A is "Yes" and 2B is "No". You'll have 10 seconds to register your vote. It will take the last vote that you press before the 10 seconds is up. The way you can tell if your clicker is working, when you hit the yes or no button it will turn, there's a little dot hardly even able to see, but it will turn green. The voting will not it will not register your vote until the 10 seconds starts. Okay, so if you click it before and it doesn't turn color it's because it won't work. As soon as the 10 second clock goes off you can vote.

We're going to do a couple of test questions for everyone's ready they'll get their clicker ready.
Test question number one: Nahant is the best town in Massachusetts to live.
Okay, we start the clock. Okay 81% said “yes” 19% said “no”
Next question: Fall is my favorite season.
Wait, okay go ahead, Patrick. Ten (10) second clock starting.40:36
Okay, time is up. 46% said “Yes” and 54% said “No”
Can you show the numbers. Did… I switch it so that's 100 people said yes uh 100 people said “No” and 86 people said “YES”
So, we are going to show it in both numbers and percentage because this is a borrowing article and we have to pass by two-thirds. Does anyone have any questions on how to use the clickers before we start?
We have a really big crowd here today, as you can see, so if you keep your talking to each other to a minimum or not at all we would appreciate it. Thank you

Dave Conlin, Moderator: I'm sorry for the 12 percent that didn't like Nahant as much as they might have, but we're doing the best we can, I think.
Anyway, if the FIN COMM is ready, I think we can call the Article. Julie, Miss Tarmy**.**
Could we have silence in the hall please!

Julie Tarmy, Advisory and Finance Committee: I move that the sum of one million dollars is hereby appropriated for the purpose of demolishing the houses removing the in-ground oil storage tanks and leveling the land located on Castle Road and Goddard Drive known as the Coast Guard housing and all costs related or incidental there too and to meet this appropriation the treasurer with the approval of the board of Selectmen is authorized to borrow said some under and pursuant to general laws chapter 44 sections 7 and 8. or to any other enabling Authority and to issue bonds or notes of the Town therefore.

Dave Conlin, Moderator: Seconded by Ms. Dougherty
Mr. Dan McMakin, Advisory and Finance Committee: Thank you, Julie. I'd like to uh cover tonight rather briefly how the advisory and finance commission committee came up with a strong unanimous recommendation to pass this article. Good evening, thanks for coming

tonight this meeting has been called to ask you the voters to provide Town authorization to borrow up to one million dollars big number but the borrowing of this money will have me
Dave Conlin, Moderator: Excuse me Dan. Ladies and gentlemen in the back of the hall we can't hear because there's too much noise going on back there. So please keep it down to a dull roar if you can.
Thanks Dan, please go ahead.

Dan McMackin: the $ 1,000,000.00 borrowing combined with the previously authorized $300,000.00 is going to be enough to cover the costs to demo those houses and to remediate the oil tanks. It is absolutely essential that this occur and I'm going to explain why. There would be, should this pass, there will be no impact to our taxes. I say again, no impact to our taxes when this passes. The $ 1,000,000.00 borrowing combined with the previously authorized three hundred thousand should be enough to cover all the costs associated with demolishing and remediating all 12 lots of the Coast Guard housing property on Castle Road, Gardner Road and Goddard Drive. When we opened the bids for the Demolition and Remediation of the project of the current nine vacant properties we were really surprised. The original budget came in actually years ago prior to covid, prior to a bunch of other things. We've all seen a lot a lot of things going on uh that have driven up construction costs. Especially things like leaky oil tank remediation. So, this isn't something we have any choice on. Also, this $1,000,000.00 doesn't disappear to somewhere else. It gets competitively bid, the winner the qualified bidder will execute the project and the money that is unused goes back to the town so it isn't as though we're just providing a million dollars that will be used for something else. It goes back to the town and it gets appropriately accounted

for. So after double checking the results with Consultants Engineers the Board of Selectmen and the Advisory and Finance Committee, our finance director we met to discuss what the next step should be of all the options, and believe me we considered every option of all the options to consider, we determined the option in front of you tonight was the best choice for Nahant. This is the low-cost alternative.
Well, the cost of this project has increased significantly the results is less profit for the town all other considerable options resulted in greater costs and greater risks to the town. The town

owes 1.8 million dollars which must be paid 11 January in 2025 for the original loan. They purchased this property about 19 years ago. Due to the underground storage tanks and the hazardous building materials, chapter 21e forces us to remediate the property prior to selling the land, otherwise the town could be liable for future issues. Also, the land would be unsalable because no one can get a mortgage without a 21e otherwise the town could be liable for future issues, like the sale prices. The property could be significantly negatively impacted. We'd have to give it away and or the future owner could have issues and come back to us. In any event they're not going to be able to get mortgages without the 21e. So, it's a moot point. We expect the revenue from selling just six of these Lots will be enough to pay the 1.8 million which is due in January 2025. The sale of the entire property should cover the cost of this borrowing and the borrowing of the one million dollar borrowing and retire the existing debt. This borrowing will not increase our taxes. The other thing that this does is it gives us the swiftest avenue to getting those lots back onto the tax rolls. Nahant is the smallest town in the Commonwealth. At the Advisory and Finance Committee, we are constantly looking and constantly under pressure for public services, Police, Fire, Roads and Schools. We can't even have our own Middle School. Our ability to function as a town because we are on the low end of the of the economies of scale of operating a town, make it a wonderful thing to be returning these lots to the tax rolls. So, I urge you, and all of the members of the Advisory and Finance Committee are with me on this, I urge you to vote in favor of this article. Thank you.

Dave Conlin, Moderator: Thank you Mr. McMackin [Applause]. Mr. Antrim

Joshua Antrim, BOS: Thank you. Good evening, everyone. Thanks for coming out here tonight. I'm sure we'll hear a lot of interesting thoughts and questions tonight. I'm not speaking to try to convince anyone to vote one way or another but rather I wanted to make a few brief points, that I hope you'll keep in mind when you listen to other speakers tonight.
First of all, there's only one reason we're here tonight and that is because the bids for the removal and the proper disposal of the hazardous waste and demolition of the houses came in much higher than expected. Nobody's happy about that but that's where we are and we can we can debate the why the bid increased or why the initial estimate was an underestimate but that doesn't change the bids. Also, the bid in hand is for nine houses for $ 669,000. Which

works out to $ 74,333.00 each That does not mean the price is $ 74,333.00 no matter how many houses the vendor comes or how many times they have to come back. If you imagine that's the case, it's just imagination. We are here to vote on whether or not to fully fund the "higher than expected" bid with contingencies for uncertainties. That's it!

There's only one plan for the Coast Guard property that has been approved by a Town Meeting vote. That plan does not change regardless of how the vote turns out today. The Town Meating vote for that plan was not unanimous, very few votes are. You might, you may not like the plan. I may not like the plan, but we live in a democracy and that's how decisions are made. To be clear again, a "no" vote does not change that plan. If you want a different plan go see Town Clerk and she'll tell you what you have to do to get a warrant on the next town meeting article. But unless and until a different plan is approved at Town Meeting this is the plan. If Town Meeting passes a different plan in the future, that will become the plan. But this is the only plan and it doesn't change regardless of a "yes" or "no" vote tonight.

So, moving on to practical considerations. The 1.8 million dollar loan on the bond on the property is coming due January 2025. It's in all our best interests to pay that loan in full on or before that date. That's an understatement, that it's in our best interest. We need to pay that Bond off. Regardless of what the plan is for the property, the Hazardous Waste must be removed and properly disposed of. So those two things need to happen no matter what. If the vote tonight does not pass, a different approach that takes longer, is in all likelihood more expensive, and potentially risks having the 1.8 million dollar Bond money not available, when it's needed, will be pursued because the plan hasn't changed, just the approach to get there.

So, to recap, we're not voting on whether you like the plan for the Coast Guard properties. We are not voting on why the bids came up higher than expected. We are voting on whether this Town Meeting agrees that this is the most prudent approach to execute the Town Meeting approved plan by the Coast Guard properties. So please keep these things in mind as we proceed and thank you for your time.

Dave Conlin, Moderator: Thank you, Mr. Antrim. Mr. Cullinan. Before you go Mark. Folks in the back, there are some seats over here on the left-hand side and there are also some seats in the peanut gallery up above. And I think that if you're if you've gotten a clicker, it will probably work from there.

Diane Dunfee, Town Clerk: No one can be outside the room and vote.

Dave Conlin, Moderator: I take it back. But there are maybe eight or nine seats here in the front. So come up and grab them if you can. I'm sure glad we reduced the Quorum for this meeting because we could have had all kinds of trouble if we had. All right Mark please proceed, thank you.

Mark Cullinan, BOS: Mr. Moderator, I just want to summarize. I'm not going to be quite as long as either Dan or Josh because they covered most of the things I wanted to say. I will start off by saying we have got to listen to tonight's vote. The town will continue on tomorrow. The sun will rise and I'm sure we'll continue on. We're here tonight primarily because of the 2021 vote at Town Meeting to authorize the Board of Selectmen to raise the existing buildings, to remediate the site, to sell the lots and the result of that vote brings us here tonight, because the bids for that work came in higher than what was expected. So, the town needs more money in order to fulfill the wishes of the 2021 Town Meeting.

Now just in summary; a "yes" vote tonight will allow the town to issue the contract, demo the buildings, clear the sights, remediate the sites, begin selling the sites, pay off the bond and then when the new houses are built, we will be adding to our tax base. That's a "yes" vote. A "no" vote will either delay or significantly delay or not allow us to begin our demolition or remediation of the site. No sales of the properties will go on. The bond will come due next year. The town will be on the hook to go long term on that Bond and pay principal and interest on that bond, that 1.8 million dollars. And without the sales of the properties the town has two ways to pay for that. One way is to dip into a general fund to pay for that Bond. If we do that it's going to be a significant impact on you and on your services in town. The other way of handling this would be to ask the voters to pass a debt exclusion override. So, if that would have to happen, your taxes are going to go up, as a result. This alternative to this option that we're asking you to vote for, does not affect your taxes. It has the potential of adding to the tax base by putting new houses on those lots and perhaps maybe even reducing your taxes. I've been involved in town government, as you all know, for many, many years and very seldom do I see a unanimous vote from the Finance Advisory Committee, the Board of Selectmen, the Town

Manager and the Finance Director, all unanimous in asking you to vote for this. We think it's in the best interest of the town. Thank you.

Dave Conlin, Moderator: Thank you Mr. Cullinan. Further discussion on the motion. Mr. Barba

Peter Barba, 22 Emerald Rd.: I guess I'll open up the speaking. I expected to see a long line. One thing I I do want to say about this 1 million dollar loan, is it's an equity loan. Everybody's concerned about - oh we're going to take out a million dollars. No, it's an equity loan. We're going to take out what we need, when we need it. This project needs to be done in order to move forward with any project on that neighborhood property. Whether you want small houses, open space, veterans housing, elderly housing, we did vote on something in 2021, as I think Mr. Antrim said. You can go to the Town Clerk and we can put a warrant article to change that. But for ANY project that's going to happen on that property, we need to take those houses down and we need to remediate the oil tanks. For those who believe that we should sell the houses as they are, I will tell you that those houses are a detriment to the property. I say that because they're 1950s construction, they were built two by three instead of two by four and now exterior walls are even larger than that. When we did our assessment, the committee (Coast Guard Housing) in 2017 & 2018, there was an estimate of approximately $35,000.00 per house that needed to be done and that was a conservative number, as we found out in opening our bids, that tripled. So, you're looking at roughly $105,00.00 in immediate work that needs to be done. The roofs are in bad shape. the heating systems are in bad shape, the electrical systems are in bad shape and we don't know about the plumbing but maybe the plumbing needs to be done as well. In order to do any of that work you need to bring it up to National Energy Code. Because it's two by three construction the exterior walls are not thick enough which means you've got to rebuild the exterior walls. So, if you're rebuilding the exterior walls, the roof, the heating system, the electricity and the plumbing, these properties are now a detriment to the property that they sit on. So, the idea of selling these properties as is, we already know they have oil tanks in the ground and there are some other building materials that are problematic, asbestos or whatever, we need to tear these houses down and start with a fresh slate.

So, a vote “no” on this article is going to extend the inevitable in removing the tanks in the houses and eventually it's going to cost taxpayers more money, a lot more money. That 1.8 million that's due on January 11, 2025 will be divided amongst us, if Mark, his plan for a debt override happens. Regardless of what you want for that property, the right answer is a “yes” vote. I strongly urge you to vote “YES” tonight. Thank you.

Dave Conlin, Town Moderator: Thank you. Yes, sir. [Applause]

Chesley Taylor, 30 Flash Road: Wondering if, FIN Com if you've talked about alternatives to this, one(1) million dollars?? Whether we sell one, three, seven, nine and then use the rest to… if you talked about it. two questions, I have.

Mr. Barba: I have, as I think many of you have probably had, work done in your own homes, if all of a sudden, the contractor was ripping open a wall and found some rotted beams and said “hey, we have to we have to do $3,000.00 more worth of work.” If you send that contractor away and you tell them to come back in a couple of weeks or whatever it's going to cost you more money. Every time we send somebody away it's going to cost more money. The other thing is, because of the 2021 article that we voted on, in the article we stated that the receipts from the sale of this property must pay down the loan first. So, if you sell one property all of that money goes to pay the loan. We have no additional funds to tear down the next house and do the same coverage.

Dave Conlin, Town Moderator: Tony, Mr. Barletta

Tony Baretta, Town Moderator: Yes, Excuse me. Yes, we considered that alternative and it's actually not a bad idea. But as Peter said there's two reasons why we couldn't do it and two reasons why we shouldn't do it that way. It would cost more money. It would also probably take more time and put us at risk of not making enough money by January 2025. Reasons we can't do it is because the motion of 2021, as Peter just mentioned. Also, even if that wasn't the motion, chapter 44 section 63 requires that we use all proceeds from the sale to pay down that 1.8 million dollar loan first. So, if we use the $200,030.00 that we have left from the original

$300,000.00 approved in 2021, to demolish one of the lots or two, as soon as we sold that, even if we got, let's say $ 300,000.00 apiece and brought in $600,000.00 all $600,000.00 would have to go to the 1.8. We wouldn't have any money to finance the next project. So unfortunately, even though it's a good idea in theory, it's just not doable.

Dave Conlin, Town Moderator: I think that's section 33 of Article 44, but I may be wrong. Further discussion. Mr. Taylor.

Chesley Taylor: Thank you. Being involved in this since 2015-ish, as most of you know, I hope, it's really 1.866 million and $66,000.00 is a lot of money from this town.
My second question and last, how, who is going to get involved in selling these plots of land?

Tony Barletta, Town Administrator: So, when a town surpluses Town owned land, it has to go through chapter 30b procurement process. We would likely be hiring a firm. It could be KP law, could be another procurement firm, that would run that process for the town. So, it's a bid type process. A closed bid type process that the property would go up for sale and people would submit bids, close bids by a certain date and it would be sold to the highest bidder.

Mr. Taylor: Thank you

Dave Conlin, Town Moderator: Thank you further discussion. Further..yes ma'am.

Mary Magner: 27 Breezy Hill

Dave Conlin, Moderator: If you point that microphone right at you, Mary, that'll be good.

Mary Magner: I was going to sing a song! I have maybe 1 question but it's kind of part A. and part B.
Unidentified speaker: Can't hear you.
Dave Conlin, Moderator: Take it off the stand and hold it in your hand.

Mary Magner: And here comes the song! I know that some communities were left with additional ARPA money and I know part of the increased costs were caused really by COVID and all that. I don't know um the situation in Nahant. But, do you know, is there leftover funds that could be applied to reducing this. and the second part is obviously this the federal government is looks at contamination soil contamination brownfields. I'm not saying this is any of the above, but have you looked at possible ways of offsetting some of the costs from federal funds.

Tony Barletta, Town Administrator: We did receive ARPA funds like many other communities. It was it's essentially a formula based on the size of your community. So, for the Town of Nahant, we received about 1.3 million dollars. Alot of that a lot of that funds is spent on the costs associated with the pandemic, payroll costs for our public health nurse and other Public Health officials that ran covid clinics.
They paid for materials like tests, gloves, things of that nature, masks that we handed out. There's about $80,000.00 left of that. The town previously approved funding as well to spend about $300 of it towards the new fire truck back in I think 2021 as well. So, there's only about $80,000.00 left in the ARPA funds that has to be spent by the end of 2024.

Dave Conlin, Moderator: Further discussion**.**

Mr. Barba, Chair Coast Guard Housing Committee: Actually, I think your second question, could you repeat that?

Mary Magner: Second question was there's federal funds available to look at remediation efforts?

Mr. Barba, Chair Coast Guard Housing Committee: Right. So that, I know the Coast Guard Advisory Committee, did reach out. we actually went through Town Council to go back at the U.S government to request them to clean up the funding the issue became that we've used those tanks over the years if we had just taken over the property and never used the tanks the federal government would have had to come in and clean them up. Unfortunately, we're stuck with it.

Dave Conlin, Moderator: Thank you, yes ma'am

Bea Rogers 44 Pearl Road: So, I guess because the article written. Now I've lost what I was going to read. The article, as read, was not exactly what was in the warrant. My first question is; Can these funds be used for anything else than remediation – demolition. I guess the other way, demolition and remediation of the property that we're talking about.

Tony Barletta, Town Administrator: So, the answer to that is, no. I'll reread what the motion said. There are professional costs associated with this that it can be used for. You know like we hired a company named Axiom to do the assessment of the building materials. That would be eligible. Any professional services associated with preparing the land for sale. But as the motion read "was for the purpose of demolishing the houses removing the in-ground oil storage tanks and leveling the land located on castle and Goddard known as Coast Guard housing and all costs related are incidental there to."
Bea Rogers: Okay and nothing else
Tony Barletta, TA: And nothing else

Bea Rogers: One and I've also heard that the motion, a couple of people said "Well, if you don't like the decision to sell the properties come back and try to overturn in another warrant." But I'd love to know something about the timeline of getting this demolition done and the property sold. Because one of my questions was why can't we sell a property use that money to get the demolition on the things. But that's been answered.

Tony Barletta, TA: I spoke with American Environmental, which is the apparent low bidder and they said if this article passes and we're able to negotiate our contract in a timely fashion they could mobilize as early as the first week of October. I believe they said it would take them about two months to get through the nine properties. Now, you know there's an unknown of underground soil conditions that could change that time frame. But more or less they think they could have it done, the nine properties, in about two months. As soon as that's done, we start getting into the process of procuring the property once it's prepared. But the motion from

2021 had said or recommended “alternating lot’s” it said, I believe it said, “to reduce construction congestion to sell them in two offers, over two years alternating lots.” But certainly, we're trying to at least sell enough, as fast as possible, so we can pay off the 1.8.

Bea Rogers: Okay just my last question. I do not spend lots of time on Facebook but somebody sent me, I was going to read it, I lost it but I did get….Somebody forwarded me an email from Jim Walsh, it's not a secret, that said the vote in 2021 enabled but did not require the sale and in fact we could use that property for other uses. We might want to use it for affordable housing things. I mean they brought it brought in some other issues beyond what I'm listening to tonight and I'd like to know.

Tony Barletta, TA: So, it's typical that a vote like that is going to authorize a selectman. The Selectmen are the body that actually decides to move forward with that. Speaking on their behalf, that Town Meeting in 2021 was very well attended. So even though it was just an authorization, it was a pretty good signal as to what the town wanted to move forward with. That being said, you know when I look at, I've heard a lot of the same comments. And certainly, we have a Housing Production Plan Committee that's working on their own track, and looking at affordable housing. That's something that the town would need a Town Meeting article to revisit, right. But the way I look at this is we have 1.8 that we have to pay off, first. So, you really have to, to put it simply, you have to pay your mortgage before you can buy a toy. And so, once we sell enough lots to pay off 1.8 million you have the opportunity, as a community, to get back together and talk about the remaining Lots. Whether you want to use it for the same plan that's currently approved, change it for open space or affordable housing, at that point you have that luxury. I think, in my recommendation or as the Board of Selectmen and the Finance Committee has recommended is that 1.8 million is the burden that we have to take care of first and at a low-end estimation of three hundred thousand dollars ($300,000.00) per lot, six of them sold would get you enough to pay off the 1.8.

Jennifer McCarthy, 19 Range Road: I'd like to ask that we call the question, please. [Applause]

Dave Conlin, Moderator: So, Jen, I'm concerned. We really usually call the question after it's been a rather thorough discussion. But we've heard quite a bit of it, I guess. So, I guess we will go ahead. So, the moderator has some discretion if somebody got up on the first argument and said "call the question." Then I would have ruled it out of order, or I would have been tempted to, and that motion can be tabled. So, I could do that. But I think we have heard the basics from today, so the question has been called for. The issue at hand is whether to cut off further debate on the issue.

If you wish to cut off further debate then have to say "Aye"

If you're opposed to cutting off further debate, say "NO." You have the choice.

So those in favor are cutting off further debate on the issue "aye" Those opposed "no."

The "AYES" have it. Yes, the "ayes" have it.

Could we have the "No's" stand please.

Okay so this clearly, was far more than the two-thirds majority.

So, debate is cut off. The issue before the house is the motion as it was read by Ms. Tarmy.

Those in favor of the motion signify by saying "aye." Oh, I'm sorry. You know the old gray mare just ain't what you used to be. All right. If you're in favor of it use your thingamajig and do it.

Those in favor say "yes." Those opposed "no."

We have got 10 minutes. We have 10 minutes now or 10 seconds. 10 seconds, now five seconds, four three, two, one.

Those in favor 71%. Those opposed 29%. So, it's two-thirds. Ladies and gentlemen,

I have to thank you for coming out on this muggy evening for doing this and I have to thank everybody involved. Thank you

Dan McMakin: Motion to adjourn Mr. Moderator.

Motion seconded

Dave Conlin, Town Moderator: The business being completed, we stand adjourned. Thank you.

Meeting was adjourned at 7:50pm on Tuesday, September 12, 2023.

Diane M. Dunfee, Nahant Town Clerk