

Board of Selectmen Minutes 02/22/2016

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Board of Selectmen	February 22, 2016
Regular Session	Al Merritt Media and Cultural Center, Market Street

Present:	Philip Crawford, Chairman
	Thomas Terranova Jr., Selectman
	Christopher Barrett, Selectman

Chairman Crawford called the meeting to order at 6:30 p.m. He announced that the meeting was being recorded for transmission via cable television. He led those assembled in the Pledge of Allegiance. He announced that the planned budget presentation by the School Department and the update on the recreational fields project have been moved to the agenda for the March 7 meeting.

Joint meeting, Lynnfield Water District

Pursuant to Section 108B, Chapter 41, of the General Laws of The Commonwealth of Massachusetts, the Board of Selectmen and the Board of Water Commissioners of the Lynnfield Water District was called to set the salary to be paid to the Tax Collector and the Board of Assessors for work performed for the District in Fiscal Year 2017. Commissioners John Harrigan and Stephan Rondeau were in attendance.

On the motion of Commissioner Harrigan, duly seconded by Commissioner Rondeau, the joint meeting voted unanimously to name Chairman Crawford as chairman of the joint meeting.

On the motion of Commissioner Harrigan, duly seconded by Commissioner Rondeau, the joint meeting unanimously voted to waive the reading of the minutes from the December 1, 2014 joint meeting.

On the motion of Commissioner Harrigan, duly seconded by Commissioner Rondeau, the joint meeting unanimously voted to approve compensation for Fiscal Year 2017 annual compensation for services rendered to the Lynnfield Water District to be set as follows: Tax Collector, \$550, and Assessors, \$250 each.

On the motion of Commissioner Harrigan, seconded by Commissioner Rondeau, the joint meeting unanimously voted to adjourn the meeting sine die. The meeting was adjourned at 7:08 p.m.

Joint meeting, Lynnfield Center Water District

Pursuant to Section 108B, Chapter 41, of the General Laws of The Commonwealth of Massachusetts, the Board of Selectmen and the Board of Water Commissioners of the Lynnfield Center Water District was called to set the salary to be paid to the Tax Collector and the Board of Assessors for work performed for the District in Fiscal Year 2017. Commissioners Kenneth Burnham, Constance Leccese and John H. Kimball Jr. were in attendance.

On the motion of Commissioner Kimball, seconded by Commissioner Leccese, the joint meeting voted unanimously to name Chairman Crawford as chairman of the joint meeting.

On the motion of Commissioner Leccese, seconded by Commissioner Burnham, the joint meeting unanimously voted to waive the minutes from the December 1, 2014 joint meeting.

On the motion of Commissioner Burnham, seconded by Commissioner Leccese, the joint meeting unanimously voted to approve compensation for Fiscal Year 2017 annual compensation for services rendered to the Lynnfield Center Water District to be set as follows: Tax Collector, \$550, and Assessors, \$300 each.

On the motion of Commissioner Kimball, seconded by Commissioner Leccese, the joint meeting unanimously voted to adjourn the meeting sine die. The meeting was adjourned at 7:13 p.m.

Change of manager, seasonal wine and malt liquor license, Sagamore Spring Golf Club, 1287 Main Street

The Board took up the application of Sagamore Spring Golf Club for a change of manager for its seasonal wine and malt on-premises liquor license. Owner Richard Luff appeared with proposed manager Steven Vaughn. Members of the Board said they had no issues with the application. Chairman Crawford asked if Mr. Vaughn has TIPS or Serv Safe training in alcohol service. Mr. Vaughn said he holds both those certifications as well as CPR certification.

Mr. Luff and Mr. Vaughn asked if the Board could consider changes to the current license, specifically and expansion of the season and for earlier service on Sundays. Mr. Boudreau said that state law prohibits service on Sundays before noon unless the Town adopts special legislation for an earlier opening. He also said the state sets the parameters for the length of the season for seasonal licenses. He said that application could be made to the Board at a later date to seek these changes, but cannot be taken up at this meeting.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve the application of Sagamore Spring Golf Club for a change of manager to Steven Vaughn for its seasonal wine and malt on-premises liquor license. Board members signed the Form 43 application.

Change of manager, annual all-alcohol restaurant license, Rebel Restaurants LLC, dba Temazcal Tequila Cantina, 600 Market Street

The Board took up the application of Rebel Restaurants LLC for a change of manager for its seasonal wine and malt on-premises liquor license. Anne Marie Johenne, of counsel at the law firm of Sullivan and McDermott of West Roxbury, appeared before the Board representing the petitioner and introduced David Lovett, the prospective manager. Chairman Crawford acknowledged receipt of Mr. Lovett's TIPS and Serv Safe alcohol service training certificates. Board members said they saw no problem with the application.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve the application of Revel Restaurants, LLC, dba Temazcal Tequila Cantina, 600 Market Street, for a change of manager to David Lovett for its annual restaurant all-alcohol liquor license. Board members signed the Form 43 application.

Tyler Technologies presentation

Chairman Crawford said that the Town is looking for a way to present more information about Town finances on the website in a user-friendly manner to enhance transparency. This week, the Board will hear from Tyler Technologies, the company that provides the Town's MUNIS accounting and financial software, about its new Tyler Citizen Transparency service, which works with MUNIS. Karen Grosset, account representative of Tyler Technologies, said she worked with Town officials when Lynnfield purchased the MUNIS program in 2004, said that since the Citizen Transparency works with the MUNIS software, it is a very efficient way to meet the goals referenced by Chairman Crawford. She said 155 municipalities in the state are served by this technology, which was launched when Woburn received a state grant to integrate the Open Checkbook function with MUNIS.

Adam Soule, project analyst at Tyler Technologies said that the goal of the Citizen Transparency program is to provide a cost-effective solution for municipalities seeking to provide greater access to financial data to their citizens. This Cloud-based service can provide automated daily or weekly updates and allows residents to view financial data by function, department and other categories. It also serves as an internal tool for financial analysis. Municipalities can customize site and protect information that due to privacy concerns should not be available to the general public. It provides a centralized citizen report tool all in one location, allowing comparisons with past fiscal years, with many other detailed reporting options, including revenue, operating and capital budgets and expenses, salary data, sorting by vendor, and grouping by the various MUNIS categories. Reporting options include charts and graphs. There is a Frequently Asked Questions section which the municipality can use to help residents understand the data. He demonstrated the product.

Board members thanked the Tyler Technologies representatives for the presentation. Chairman Crawford asked about inputting of data. Mr. Soule said that it takes 60 to 90 days to extract the data, eliminate sensitive data, and review the data. Chairman Crawford asked about comparison data with other communities. Mr. Soule said some users were making custom reports to allow such comparisons, and that it is possible to implement a custom report of this type.

Ms. Grosset said the cost is a one-time fee of \$2500 and an annual fee of \$7000. She said because MUNIS is already handling the Town's financial system, there will be no need for additional servers or licensing. Updates are automatic. She said there is unlimited support available from 8:00 a.m. to 5:00 p.m.

Selectman Terranova asked whether the Town would need Open Checkbook in addition to this program. Mr. Soule said that Open Checkbook was an earlier version of this product, which will be launched in April. Selectman Terranova asked if the program would allow citizen access to compare of audited financial statements compared to budgets. Mr. Soule said it could. Selectman Terranova asked what differentiated this product from others available. Mr. Soule said that the community-to-community comparisons would be taken up in the implementation phase, working with the Town. Selectman Terranova said he liked the granularity of the data.

Mr. Soule said that most communities choose to update the data weekly, although it could be more frequently. He said that weekly works well due to payroll and payables periods.

Resident Wayne Perry asked about upgrades. Mr. Soule said that the upgrade from Open Checkbook was free. Ms. Grosset said that pricing is based on the size of the community and its payroll.

Resident Patricia Campbell asked about statements such as communities can decide not to show overtime, but base pay. She said that does not sound transparent. Ms. Campbell asked who decides what would be shown. Chairman Crawford said the decision would be made by the town administrator. In response to questions from Ms. Campbell, Mr. Soule said it benefits the Town to be as transparent as possible, and the Town would

have to request that information be omitted. One example he gave was the elimination of names of recipients of aid to veterans, as stipulated in state law. Mr. Soule said salary data could be by name as well as position. Ms. Grosset said that the data for each community could go back as far as the Town could provide it.

Resident Steve Connolly asked if the software works with all mobile systems and security issues. Mr. Soule said it does, and offers seamless authorization. The public can download data into a spreadsheet but cannot change the data on the site. Ms. Gossett said no maintenance fees are charged beyond the annual fee.

Discussion of war memorial

Former Veterans Services Officer John H. "Jason" Kimball III appeared before the Board to discuss a possible revamping of the Town's war memorial. He said he has spoken to members of the Board about his desire to address this issue, and has spoken with his successor, Bruce Siegel, on the matter. He requested that the Board appoint a five-member committee to oversee the war memorial, which he said is missing an entire generation of servicemen and women. He said that they are still adding names to the memorial for past wars as well, and there is no provision on the current memorial for extra space between the wars to add names. The committee would meet monthly, receive input from the community, and present a plan to the Board of Selectmen. The cost and funding options would be examined.

Mr. Kimball said that he hoped to raise the funds privately, and noted that Wakefield sold bricks for a commemorative walkway and raised \$250,000 in private funds for the project. He said the Lynnfield Rotary is on board with this project.

Chairman Crawford asked about the location of the memorial and eligibility requirements. Mr. Kimball said that he foresees a public hearing on the project where the public would have input, followed by the committee bringing rough plans to the Board, then later a complete plan. He said the Bostonian Society had offered to lend the Town a Revolutionary War era cannon, and if a larger memorial is contemplated, it could be placed across South Common Street in front of the Historical Center building. On the eligibility requirements, Mr. Kimball noted that the Board has adopted a policy that requires that a person must have enlisted out of Lynnfield to be included, although the Board can waive that requirement.

Board members thanked Mr. Kimball for bringing this proposal forward. Selectman Terranova said that this is a great concept and said that the eligibility protocol is probably the most difficult issue. He said we should do all we can for people who put their lives on the line for the country. Selectman Barrett agreed and thanked Mr. Kimball for his service to the country and the veterans of Lynnfield. He asked Mr. Kimball about the size he envisions for the memorial. Mr. Kimball said that would be up to the committee, the Board and the public. He said his envisions a granite monument for each war.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to form a five member ad hoc War Memorial Committee. Chairman Crawford asked for volunteers and said the Board will take up the matter in about a month to allow volunteers to come forward.

Recreation Commission Fiscal Year 2017 budget presentation

Frank DeLisi of the Recreation Commission appeared before the Board to present the commission's budget request for Fiscal Year 2017. He said that the staff consists of one full-time director, a part-time fields coordinator who is funded through fees received in the revolving account, and program directors and staff also funded through program fees. He reviewed the many activities, programs, events and trips the commission offers. Of these, the Recreation Station and Recreation Station Junior programs are the largest. He said information on these programs can be found on the Town website. In 2016, the commission's goals are to increase overall participation by 20 percent, complete the revamping of the annual holiday tree lighting event which began this year, adding a major event, which would be a Countryfest music event, working with the Capital Facilities Advisory Committee on a proposal to establish a recreation center, and completing the field maintenance plan.

Mr. DeLisi said the commission originally considered requesting an increase in the director's salary from \$44,880 to \$47,380, as part of a three-step plan to get the salary to \$52,000. Surveying local communities, they found this would still be by far the lowest salary for a recreation director. North Reading pays \$54,000 and the range is generally from \$60,000 to the high \$70,000s. The commission now proposes to raise the salary to \$52,000 for next year.

Selectman Barrett said that this is a bargain for the Town with the amount of programs and activities offered. He agreed with the commission's salary proposal. The increase in participation in programs and in the number of programs was reviewed.

Chairman Crawford asked about new programs. Recreation Director Julie Mallett said several are under consideration and a brochure with summer activities is being developed that would outline the new programs. She discussed the Countryfest that is planned. Chairman Crawford asked about the development of the field maintenance plan, which the Recreation Commission, School Department and Department of Public Works, and said that he would like to see the plan in place by the end on March. Mr. DeLisi said he is confident that deadline can be met.

Selectman Terranova said that it is exciting to see the growth and new programs. He said a recreation facility has been discussed for many years. He suggested that if the new library is put at Reedy Meadow, a recreation center, athletic fields and walking trails and other amenities could be placed there as well, since the Town already has one golf course. He said it would be nice to have some grass fields and said the creation of walking trails would eliminate the need for the proposed rail trail. He said a survey of residents said that that walking trails are the most requested recreational amenity.

Ms. Mallett answered questions about the Countryfest plan and about the Town's and participants' insurance coverage and waivers parents sign for certain activities. Resident Patricia Campbell asked about concerns about the safety of rubberized pellets on the artificial fields. She said that two national groups are studying the issue. Chairman Crawford said that there have been no studies with findings that contradict the original findings that there are no health risks associated with the use of artificial turf fields of this type. Ms. Campbell resident expressed concerns about the pellets getting into the wetlands. Chairman Crawford said they do not get into the wetlands and that only a small amount of replenishment pellets have been needed. He said pellets do tend to get stuck in athletic shoes and on clothing. Selectman Terranova suggested that those with concerns could discuss them with the Health Department.

Ms. Campbell asked about background checks done on those who work in recreational programs. Mr. Boudreau said that anyone working with the elderly or children is required to have a criminal check. Selectman Barrett said he agrees the background check should go beyond the Massachusetts check and include national check. Ms. Mallett said that most of the staff who are used are teachers who have already passed these checks, and others are high school students. Ms. Campbell asked if commission members are required to have this check. Ms. Mallett said this is not needed as they do not work directly with children or the elderly, but attend commission meetings.

Resident Steve Connolly recommended that the Town create an integrated calendar that reflects recreational events and sports scheduled as well as other events. Ms. Mallett said she would look into it. Mr. Connolly suggested adding adult-oriented recreation activities. Ms. Mallett urged people interested in such activities to bring their ideas to the commission. She said that she is seeking to add activities for adults.

Appointment of election officers

Trudy Reid sent a list of candidates to be added as election officers. Selectman Terranova asked about the process. Mr. Boudreau said that the clerk puts out a request for volunteers, reviews the applicants and makes recommendations to the Board. Ms. Campbell asked if anyone has been rejected. Mr. Boudreau said Ms. Reid could provide that answer.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to appoint the following as election officers for a term to expire on June 30, 2016: Kathleen Woytovich, Theresa Bernstein, Elaine Lowey, Beverly Merritt, Hedwig Sanni, Kristen Shinnick.

Approval of deficit spending for snow and ice

Mr. Boudreau said that while Public Works Director Andrew Lafferty has not given a final total of recent snow removal costs, it is clear that the snow removal will exceed the \$120,000 budget. He said that much of the budget is spent on sand and salt before the snow falls. He said the expense of a storm is not only dependent on how much snow falls, but when it falls, as weekend labor rates are higher.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve deficit spending in the snow and ice account.

Opening of annual town meeting warrant

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to open to the annual town meeting warrant for acceptance of articles. The warrant will close on March 21.

Referral of articles to the Planning Board for public hearing

The Board received five zoning related articles for the annual town meeting warrant from the Planning Board for the purpose of having the articles referred back to the Planning Board for a public hearing. Chairman Crawford said these are not necessarily the articles in their final form.

Resident Wallace McKenzie asked about changing the zoning bylaws to specifically name certain uses that are not allowed in the Planned Village Development District (PVDD), as the Town has done with adult uses and medical marijuana treatment centers. He said he spoke to Planning Board Co-Chair John Faria about the need to add other uses, who asked that he submit a proposed list. Mr. Boudreau said that any proposed changes to the PVDD requirements must be first approved by the state Department of Housing and Community Development. He said that Mr. McKenzie can raise his concerns with the Planning Board at their hearing on the matter.

Selectman Terranova said that he has a problem with referring these articles to the Planning Board for hearing without any explanation when he might not be in favor of what is being proposed. He said he understands this is considered merely a procedural matter. He asked if the vote could be delayed. Mr. Boudreau said that the Board need not recommend these articles now, but can make its recommendation to town meeting. He said the Board has only 14 days to refer the article to the Planning Board after receiving them.

On the motion of Selectman Barrett, duly seconded by Chairman Crawford, the Board voted unanimously to refer the five articles as summarized below to the Planning Board for public hearing.

ARTICLE. To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection to the end of Section 6, concerning signs:

6.8 STANDARDS APPLICABLE IN ALL DISTRICTS

Signs shall neither contain moving elements nor convey the appearance of movement, whether by changing pixilation or any other physical or electronic representation of movement.

Or what action it will take thereon.

Submitted by PLANNING BOARD

ARTICLE. To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection to Section 2, concerning definitions:

2.15 SIGN:

Any letter, figure, character, mark, plane, point, 414891743marquee sign414891743Thomas A. Mullen, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, corrected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors including any of the foregoing which may be visible in any manner for the outdoors.

Or what action it will take thereon.

Submitted by PLANNING BOARD

ARTICLE. To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection to Section 2, concerning definitions:

2.16 STANDARDS APPLICABLE TO ALL DEFINITIONS

12.16.1 TENSE & CONSTRUCTION: *Words used in the present tense include the future; the singular includes the plural, and the plural the singular; the words "structure", "land", or "premises" shall be construed as though followed by the words "or any portion thereof", and the word "shall" is always mandatory and not merely discretionary.*

2.16.2 PRECEDENCE: *Those definitions that are set forth in a subsection outside this Section 2 shall take precedence only in that subsection; otherwise those listed in this section shall be used.*

2.16.3 SPECIFIC DEFINITIONS: *In this Zoning Bylaw each term shall have the meaning given herein, unless another meaning is required by the context.*

2.16.4 MISSING DEFINITIONS: *Words not defined herein shall have the meaning as defined in the Commonwealth of Massachusetts Building Code in effect on April 1, 2015.*

Or what action it will take thereon.

Submitted by PLANNING BOARD

ARTICLE. To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection at the end of Subsection 9.3.3 concerning definitions used in connection with the Groundwater Protection District:

7. Acre: *For the purposes of this section of the Bylaw relating to Groundwater Protection only, an acre shall be considered to be 40,000 square feet.*

Or what action it will take thereon.

Submitted by PLANNING BOARD

Administrative matters

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve the use of the common on May 22, 2016 for the Cystic Fibrosis Foundation annual event.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve the placement of a banner above the common for the annual Townscape, Inc. Gernaumfest from May 6-21, 2016.

The Board postponed action on the draft minutes of the January 4, 2016 so that additional remarks regarding the calculation of the fuel budget calculation used by Mr. Lafferty could be included, at the request of Selectman Terranova.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to adjourn at 7:58 p.m.