

# Board of Selectmen Minutes 08/17/2015

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| Board of Selectmen | August 17, 2015                     |
| Regular Meeting    | Selectmen's hearing room, Town Hall |

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

Chairman Crawford called the meeting to order at 7:00 p.m. He announced that the meeting was being recorded for transmission via cable television. He led those assembled in the Pledge of Allegiance.

## **Continuation of hearing on allegations of liquor license violations, Yard House USA, dba Yard House, Market Street**

In attendance from Yard House were outside counsel Timothy Perry, manager Edward Maclean and director of operations Jeremy Wilks. The Board took up the matter of determining whether to impose disciplinary action as a result of incidents on May 1, 2015 and May 9, 2015, which were referred to the Board of Selectmen by the Lynnfield Police Department. Testimony on the matter was taken at the July 13, 2015 meeting of the Board.

Selectman Barrett thanked the Yard House management for its quick action in hiring police details for Thursday, Friday and Saturday evenings directly after the Board's last meeting. He asked if Yard House had signed a letter of agreement to continue police details on those three nights in perpetuity. Town Administrator James Boudreau said that matter of the letter of agreement had not been resolved between town counsel and Mr. Perry. He said the agreement on the details was to be considered as a mitigating factor regarding the disciplinary action imposed.

Mr. Perry said he had several discussions with Town Counsel Thomas Mullen and his associate Meredith Freed and said that the roadblock was that under the Open Meeting Law, the Board has to take action before the counsel can draft an agreement for execution. He said there is no question that Yard House, the Town, and its Police Department will continue to work well together. He said Yard House and Police Chief David Breen have been working on the logistics of provision of the details. Ms. Freed said that the final draft on the letter was awaiting the decision of the Board.

Chairman Crawford said that his understanding from the previous meeting was that the discipline and the detail provision were separate items, and that the detail could not be required as part of the discipline. Mr. Boudreau said the Board cannot require the detail, but can consider the agreement to hire police details as a mitigating factor when imposing discipline.

Chairman Crawford said that while he appreciated Yard House instituting the details, he was a little set back that Yard House did not take ownership of the two incidents under consideration. He had hoped to see remorse and a change in policy. Yard House denied serving the party in the first incident and said that the party in the second incident may have fallen ill from something other than intoxication. He noted in the first incident the party told police that he had been at the Yard House and in the second incident, the friends of the party who had fallen ill said they had consumed hard liquor before arriving at the Yard House. He said he would like to see the imposition of the detail and some sort of license suspension.

Mr. Perry said that before being issued notice by the Board of a hearing on these issues, after being contacted by the Police Department, Yard House hired an outside consultant to provide surveillance and assessment as well as training on alcohol service. Everyone in a position to see patrons was trained in how to recognize an intoxicated person. This was undertaken at great cost, on Yard House's own initiative.

Mr. Perry said the defense of Yard House he presented was based on the evidence presented, and Yard House feels under the law there is not sufficient evidence that its employees did anything outside of the law. Mr. Perry said in the first incident, evidence was hearsay based on a person who was identified as intoxicated, and in the second Incident, the person passed out shortly after arriving, which was just as likely to be due to something other than alcohol, and the bar tab showed that the person and two others who accompanied him were served three beers in total over a 26-minute period.

Chairman Crawford said the friends of the person in the second incident told police they were drinking before they arrived. He said it was fortunate the person in the first incident was stopped from driving. He said intoxicated people should be identified before they leave the restaurant. He said the Board appreciates the implementation of police details but wants to see greater vigilance.

Mr. Price said Yard House takes these matters seriously and has tried to be very responsive and cooperative.

Chairman Crawford said at the last meeting, Selectman Barrett had discussed a four-day suspension, Selectman Terranova had discussed a three-day suspension, and he had discussed a two-day suspension with two additional days of suspension held in abeyance if Yard House has no incidents in a

two-year period.

Selectman Terranova thanked Yard House for keeping its pledge to add the police details. He said this is a big step. He said there were errors made in the handling of the two incidents but the true measure is how the company responds to these mistakes. Bringing in the consultants and adding the details demonstrates Yard House is looking to make a serious change. He said the staff training is the most important element, so the restaurant will not have to rely on the police detail to intervene. Prevention of injuries to patrons and others is the main concern. He said he believes that it would be appropriate to impose two days of suspension to be held in abeyance for two years if there are no subsequent incidents within a two-year period.

Selectman Barrett agreed Yard House had acted quickly to add the police detail. He asked if requirement of a police detail would be separate from the penalty, and asked how long the suspension could be held in abeyance. Mr. Boudreau said two years is the longest period of abeyance he has found, and Ms. Freed agreed. Selectman Barrett asked if the requirement that a police detail be provided on Thursday, Friday and Saturday nights could be imposed indefinitely.

Mr. Wilks said that the adding of the details was an act of good faith, but he said any commitment on how long the police details would be provided would be based on the Board's decision on the imposition of a penalty. He said the responsibility of what occurs in the restaurant in Yard House's, not the police's, and he said that Yard House is committed to exercising due diligence. Chairman Crawford said that the Board cannot force Yard House to maintain police details, but can ask. He said the Board wanted a permanent detail and hoped to have an agreement in place for this meeting.

Selectman Barrett asked if Yard House decided not to make the details permanent, could the Board revisit a penalty imposed tonight. Ms. Freed said that if the Board acts tonight, it can only revisit the penalty except to impose any penalty held in abeyance once an additional incident occurred. Mr. Boudreau said that the penalty held in abeyance could be conditioned on maintaining a detail on the three designated nights over that two-year period. He said conditions could be revisited as part of the license renewal process. He asked if the Board could impose the two-day suspension if the Yard House stopped the police details before the end of the two-year period. Ms. Freed and Mr. Boudreau said that such a requirement would be allowed if the detail were part of agreement between the Town and Yard House, according to their research.

Chairman Crawford said he could agree with a penalty of two days of suspension, held in abeyance over a two-year period and only imposed if Yard House has a subsequent violation during that time period, as long as Yard House agreed to police details on Thursday, Friday and Saturday nights.

Selectman Barrett said he would want to see the signed agreement before imposing a penalty. Mr. Perry said he was told by town counsel the agreement could not precede the Board's vote. Selectman Barrett said that Yard House could sign the letter and the Board could revisit the details at the time of license renewal. Mr. Perry said he and town counsel have to work out the legal language, and he has to discuss rights and obligations with his client. He said Yard House and the Town both want what is best for the area, the Town and Yard House.

Selectman Terranova asked if Yard House would likely agree to the indefinite detail. Mr. Wilks said it would, despite the large cost, because Yard House wants to be part of the community. Mr. Boudreau said the agreement would have to be a good-faith agreement if it is in perpetuity. He said the Board could impose a penalty that requires police details on the three designated nights over a two-year period, and two days' suspension of license, held in abeyance over a two-year period and imposed only if there is a subsequent violation.

Selectman Terranova asked if the decision were to be postponed to the Board's next meeting whether an agreement on a permanent police detail for those three nights could be expected. Mr. Perry said Yard House has no legal obligation to make such an agreement, but is working on this agreement in good faith. He said town counsel and he negotiated the agreement around what penalty the Board might impose. Yard House still maintains there were no violations under the law regarding the incidents in question. Once the Board makes a decision, he will sit with Yard House management and decide what is in his client's interest.

Selectman Terranova said that Yard House has not heard from all three Board members and said that Yard House would likely be happy with the outcome if it made the agreement. Selectman Barrett said he was willing to delay action until seeing the agreement. He said Yard House was discussing a more severe penalty in absence of an agreement on the police details.

Chairman Crawford said the Board would agree to the terms discussed previously if the Yard House showed good faith with such an agreement. Selectman Terranova asked about making a conditional motion, but Mr. Boudreau and Ms. Freed said it would be cleaner to postpone action until a later time.

On a motion by Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to continue its deliberation on imposition of a penalty on Yard House, Inc. as a result of incidents on May 1, 2015 and May 9, 2015 to the Board's meeting of September 9, 2015 at 7:00 p.m.

#### **Interviews for Personnel Board**

The Board had scheduled interviews with four candidates for five vacancies on the Personnel Board. Chairman Crawford explained that the Personnel Board would be advisory to the town administrator and Board on personnel matters.

Resident Gerald Shulman reviewed his local service as vice chairman of the Housing Authority and as chairman of its expansion subcommittee. He has been active in community affairs both in Lynnfield and in Everett, served as president of two temples, chaired an Interfaith Clergy Association and the North Shore Russian Jewry Committee. He had long had his own practice as an attorney before becoming semi-retired, having employed up to five people in his practice. Board members praised Mr. Shulman's education, experience and volunteerism and thanked him for coming forward.

Resident Katy Shea reviewed her experience as president of her Lynnfield High School class for four years, her founding of the first national sorority at Bentley University during her studies there. She has worked at BASF, Motorola and Picture Tel. She and her husband manage a manufacturing business in Salisbury that they purchased and turned around. She said that she has run for selectman and has remained involved in neighborhood issues and runs a local news blog. She is withdrawing her candidacy in order to concentrate on these efforts. Board members thanked Ms. Shea.

Candidate Denis Ritchie was present earlier but had to leave due to the length of the Yard House discussion, as he had a previous engagement. Candidate Wayne Shaffer informed Selectman Terranova that he had a conflict this evening. Both interviews will be rescheduled.

### **Interviews for Board of Registrars**

The Board interviewed four candidates for a vacancy on the Board of Registrars. Nancy Fox, Wallace McKenzie and Peter Perlmutter were nominated by the Democratic Town Committee. Richard Carman was nominated by the Republican Town Committee. Board members thanked all candidates for their willingness to serve.

Ms. Fox is a Salem State graduate who taught for 40 years in the Salem, Winthrop, Saugus and Nahant school systems. She has volunteered at the Senior Center and has been involved in government and politics. She and her daughters give two college scholarships every year.

Mr. McKenzie has a bachelor's degree from Worcester Polytechnic Institute and a master's degree from Rensselaer Polytechnic Institute. He has worked in data analysis in private industry, for a business he built and sold, and now in the state Executive Office of Education. He has served as an elected official, Finance Committee member and in other capacities in other communities and on the Technology Committee in Lynnfield, which he said should be reconstituted. He served as chairman of the effort to pass a Proposition 2-1/2 override in 2004, and has managed campaigns from local elections to serving as a co-state director for a presidential race. He has worked on recounts and registration drives. He was advised earlier today that due to his state position, he cannot serve on the Board of Registrars unless the members of that board are classified as special municipal employees by a vote of the Board.

Mr. Perlmutter has been a Lynnfield resident for almost 30 years and said he values the integrity and importance of the voting process. He has worked for the City of Pittsfield, the state Department of Employment and Training, and has been a researcher on a number of topics. He owned his own business for many years.

Mr. Carman said that he does not believe politics should come into play when registering voters and observing and the voting process. He is a 24-year Lynnfield resident and has been involved with the Republican Town Committee. He is a Shriner and worked for New England Telephone, AT&T, and Fidelity Investments, as a senior data analyst and engineer. His education is from Wentworth Institute, Northeastern University and the Sloan School.

Selectman Barrett said this is an important board and it is very difficult to choose once candidate because of the quality of those volunteering. He nominated Mr. Carman for the position. Selectman Terranova said all candidates were well qualified, but he was blown off his chair by Mr. McKenzie's background. He said he thinks he would be best suited for this position. Chairman Crawford said it was a difficult choice, but that he would second Selectman Barrett's motion.

On the motion of Selectman Barrett, duly seconded by Chairman Crawford, the Board voted unanimously to appoint Richard Carman to the Board of Registrars for a term ending June 30, 2018.

### **One-day liquor license application, Wakefield-Lynnfield Chamber of Commerce and Friends of the Lynnfield Public Library**

Library Director Nancy Ryan appeared before the Board on this request for a one-day alcohol license for a comedy night fundraising event to be held at the library on October 3, 2015. The event would be held on the first floor, and alcohol to be served would be beer, wine and one signature drink. The library will be closed at 1:00 p.m. on that day to allow for set-up. Chief Breen is requiring a police detail for the evening.

Chairman Crawford said he was in favor and the main concern is safety. Selectman Terranova said he attended a similar successful event at the Wakefield library. Ms. Ryan said that it was suggested that it was suggested that the Board approve a license allowing for two weeks prior and two weeks after the event to allow for dropping off and picking up of the liquor by the distributor. The Alcoholic Beverages Control Commission allows for one-day licenses to be extended by one of two days before and after the event for this purpose.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve a one-day liquor license for the Wakefield-Lynnfield Chamber of Commerce and Friends of the Lynnfield Public Library for October 2 through October 5, 2015.

### **Status of Class II motor vehicle dealer's license, HGC Automotive**

Mr. Boudreau said that in action earlier this year, the Board required Class II motor vehicle license holder HGC Automotive, Inc., owned by Trickett Road resident Harvey Chatis, to fence in a portion of his yard and remove a portion of the paved driveway in order to prevent parking of vehicles associated with his auto dealer business, as this license does not allow for the storage or display of vehicles on his property. Mr. Chatis has erected the fence and work has begun on removing the pavement and subsequent restoration of that area. The premises will be monitored in the future. Chairman Crawford said the Town should keep an eye on this property and have the licensee before the Board if there are further complaints of unregistered vehicles on the property.

#### **Request for extended holiday hours, Market Street**

Market Street general manager Nanci Horn appeared before the Board to request extended holiday hours for the Market Street development in accordance with the terms of the development agreement. The request is for opening at 7:00 a.m. and closing at 11:00 p.m. from the day after Thanksgiving through January 1. Ms. Horn said police details are hired for weekend nights, and throughout the day on Black Friday, for traffic and presence. This has worked well in the past.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to grant Market Street extended holiday hours, 7:00 a.m. to 11:00 p.m., from November 27, 2015 through January 1, 2016, under the terms of the development agreement.

#### **Recreational fields use agreement and fee structure**

Joseph Maney, co-director and coordinator of fields for the Recreation Commission, presented the field use agreement and fee structure, which grows out of the Memorandum of Understanding on the school fields between the Board of Selectmen and School Committee.

One change from the MOU was that the MOU calls for a usage charge of \$20 per youth per season; this agreement would change that to \$30 per player per season for both youth and adult. Also added was renting the baseball field for special events at \$175 per hour with a 90-minute minimum. He said that people are happy to pay this amount. The baseball organizations baled at paying \$150 per hours, so a fee of \$150 per game was adopted. The special events fees mirror those in the MOU. One additional change from the MOU is a surcharge for lights at \$35 for a four-hour block. The Town's cost is about \$32.

Chairman Crawford said it will be good to have policies and fees in place. He said the intent is to have rental fees fund the replacement of the fields. He said the cost of replacing three fields after 12 years would require a reserve of \$100,000 per year. Mr. Maney pointed out that field usage fees were also going toward administrative and short-term maintenance costs, with \$15 of each player fee going for maintenance, \$5 for administration and \$10 for long-term reserve. He said the MOU language was vague, but indicated the majority would be going toward long-term costs. Chairman Crawford said that after a couple of years, the Town will have a better handle on what funding is needed for maintenance, and noted that proper maintenance will allow the fields to last longer.

Mr. Maney discussed the collection of fees, with some organizations still owing the Town money. He said that it is difficult to require full payment in advance as it is not clear how long they will be using the facility.

Selectman Barrett asked about people using the fields without permission. Selectman Terranova said pick-up games should be allowed. Mr. Maney said that casual use of the fields is encouraged as long as it does not interfere with uses for which permits are given. There was a discussion of the monitoring of field usage; Mr. Maney and Harvey Stone are present frequently. Mr. Maney said that the Recreation Commission wants to know who should be held accountable for damage when there are organized activities.

Selectman Terranova asked if the document before the Board or the MOU would take precedence. Mr. Maney said this document will take precedence when approved.

Selectman Terranova asked about the policy that local businesses being treated the same as local residents when using fields. He said he would prefer to see residents have first preference above those who work in Lynnfield. He suggested eliminating the preference for local businesses or clarifying the matter.

In response to questions about the setting up of accounts for maintenance and long-term replacement costs, Mr. Boudreau said this will be addressed at the fall town meeting.

Selectman Terranova said that under the heading clinics and camps, 25 percent of fees may be deposited in accounts for maintenance and administration. Mr. Maney said 75 percent would go to long-term capital, with 25 percent in the account for maintenance and administration. Selectman Terranova suggested striking the word "may" and changing it to "will." He asked if separate accounts should be made for administrative and maintenance costs. He said this could be revisited at a later time. Mr. Maney said the intent was to split the 25 percent in 20 to maintenance and five percent to administration.

Selectman Terranova asked about when police details would be required based on complaints about a recent flag football event. Mr. Maney said police details were provided but the threshold to require police detail and public works staff. He said the problem with the flag football tournament was that Lynnfield accommodated the tournament when a double-booking in another community left the tournament without a site. He said the last-minute logistics could have been handled better and the permitting process will be refined to gain more information from users. Chairman Crawford

said there was not enough parking at the high school for this event, and that for large events other parking sites and shuttles may be needed. Selectman Barrett said that the process will be refined with experience. He said he appreciated Mr. Maney's responsiveness to concerns on that day.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett the Board voted unanimously to approve the fields agreement and fee structure as amended.

Board members thanked Mr. Maney, the Recreation Commission, and the Fields Committee for their work.

#### **Requests for purchase of Town-owned land**

The Board received requests for purchase of Town-owned land on Grove Street near Harvey Park and Munroe Street.

Paul DiPietro represents RND Realty and told the Board the trust owns four lots on Harvey park and is seeking to purchase a useless triangle of land on Grove Street near Harvey park that the Town acquired in tax-title proceedings. He said if the trust is successful in purchasing the land it would be used to create a nice entrance to Harvey Park. He said the land is of no use to anyone else.

Selectman Terranova asked if the Planning Board is asked to weigh in on any Town-owned land considered for sale. Mr. Boudreau said that the request would go to all boards and departments. If there is no use found for the land by the Town, the Board can declare it surplus and bring a request to be authorized to sell the land to town meeting.

#### **Union Hospital update**

Chairman Crawford offered an update on the status of plans to close Union Hospital in Lynn. The attorney general's office said there is not a lot it can do if the hospital's owners demonstrate the hospital is losing a lot of money and can move its operations to Salem. He said he cannot believe that Union Hospital can demonstrate that it can properly serve this area in that manner. The Lynn City Council met last week and Chairman Crawford addressed them on the matter; all agreed and asked the attorney general to investigate how Partners Healthcare has handled the matter.

Chairman Crawford said that he met with the Department of Public Health's (DPH) general counsel, State Senator Thomas McGee, State Representative Donald Wong, Lynn Mayor Judith Flanagan Kennedy and several Lynn councilors. He found the closure plan not yet on DPH's radar, and noted that a lot of services have already been removed from Union Hospital. He said it is likely they will seek to close within a year. A letter giving DPH 90-day notice of closure plans is required, and DPH will hold a public hearing. The more public support generated by opponents, the better. If a full-service hospital cannot be preserved, at least core services such as emergency services should be retained. Traveling to Salem for emergency treatment does not adequately serve the local population.

Chairman Crawford said that news articles and meetings will ensue on this topic. He urges residents to contact DPH if they see a lessening of services at Union Hospital or patients being redirected to Salem Hospital.

Resident Patricia Campbell said the feasibility study presented by Partners is outdated because it does not reflect several new large-scale residential developments in Lynnfield and around the region. She asked how residents would learn about the DPH public hearing. Chairman Crawford said that opponents of closure have a website, [saveunionhospital.com](http://saveunionhospital.com). He said newspapers and social media will publicize the information.

Selectman Barrett said that this issue is not just of importance to Lynn residents, but to communities in the region. Lynnfield relies on the Union Hospital emergency room. Selectman Terranova said that a lot of people are focused on this issue. Chairman Crawford said he has not heard from anyone who favors closure other than Partners Healthcare.

Resident Wayne Perry suggested contacting the Health Policy Commission, which meets monthly, and which stopped Lahey Clinic's purchase of Winchester Hospital. Chairman Crawford said that the governor's office and attorney general's office were assisting with setting up appropriate meetings.

Resident Mary Stewart thanked the Board for its efforts. She said that those who wish to be involved in the opposition could contact her. She said she believes the opponents can make a difference.

Mr. Boudreau said the Town will work to provide information on the issue.

#### **Anticipated vacancy on the LIFE, Inc. Board of Directors**

Chairman Crawford said that Board has been informed that LIFE director Fred Santangelo is not seeking re-appointment at the conclusion of his term next month. He asked those interested in serving on the LIFE board to send a letter of interest or resume to Town Hall. Board members thanked Mr. Santangelo for his service. Selectman Terranova said he received a phone call from a former selectman who was planning to apply for appointment to this position.

Chairman Crawford said that LIFE has been successful in recent weeks in selling its remaining units after the minimum age was dropped to 58, and said the LIFE Board is not looking for further changes to its eligibility rules at this time.

#### **Kinder Morgan pipeline**

Chairman Crawford said that 14 months ago residents in the area of Glen Drive, North Hill Drive and Willis lane were contacted by representatives of Kinder Morgan about plans to place a new natural gas pipeline through their neighborhoods as part of the Lynnfield Lateral, a line that would run from Dracut to Beverly. The Lynnfield portion of the line would travel along an electrical easement in that neighborhood and through Lynnfield Center Water District land, the Sagamore golf course land, and onto Middleton and Peabody. The main pipe will be 36 inches in diameter, with the lateral having pipes of 20 to 24 inches in diameter.

Proponents say that the pipeline would supply the region with enough natural gas to meet the demand, and that this area is paying higher prices due to supply issues. There is a large group of opponents to the pipeline. When local residents raised their concerns with him, Chairman Crawford contacted John Gavin of Kinder Morgan and suggested that the route should follow the existing easement and not cross the Town's conservation area and move away from the houses on Glen Drive.

Chairman Crawford said that approval or disapproval of the proposal will be determined by the Federal Energy Regulatory Commission (FERC). The proposal is to build the pipeline by November of 2018. It will have a minor impact on Lynnfield when compared to some other communities, but it will affect some Lynnfield neighborhoods. Many communities are reviewing the proposal.

Selectman Terranova urged residents to attend a meeting he is holding on the issue later this week/. He said that while Kinder Morgan claims there is an insufficient natural gas supply in the Northeast, there are only isolated instances, and this pipeline is being sought to bring a pipeline to the shoreline for tankers to access and that there is likely another motive for the building of this pipeline. The proposed pipeline is much larger than any existing Lynnfield pipeline with double the pressure. He said there are leaks and other issues with existing pipelines, and that the Conservation Commission was given information about wetlands issues related to the pipeline. Surrounding communities such as Peabody, Danvers and North Reading are against the pipeline and the route that was announced in December of 2014. Lynnfield will have a metering station behind Sevinor Road and Kimberly terrace where the size of the pipeline is reduced. He said some will hear hissing as a result and off-gassing may be needed, requiring the burning or releasing into the atmosphere of excess gas. The water district's wells could be affected if there is a leak. He said other communities in the region are joining the coalition against the pipeline and said he would like to see Lynnfield join the Northeast Municipal Gas Pipeline Coalition as well.

Selectman Barrett asked what the benefit to Lynnfield would be if the pipeline is built. Selectman Terranova said that gas prices are expected to increase rather than decrease. Chairman Crawford said the No Fracked Gas In Mass. Group has information against the pipeline online. He said utilities can get around local regulations. He said he does not see any large benefit to the Town if the pipeline is built. He said he does not know whether the intent is to

Resident Katy Shea said that the proposed pipeline is going next to her friend's parents' property and that a sale of another property fell through because of the pipeline route. She said the intent of the pipeline is to have the pipeline reach Beverly so it would be exported. She urged residents to attend the meeting spoke on by Selectman Terranova and said she is concerned about its affect on the water supply.

Selectman Barrett said he would like to have more information about the coalition and its agenda . Mr. Boudreau said he was waiting for the fall to have a Lynnfield meeting so more people would be available after summer vacations are over. Selectman Terranova said that the Town missed one cutoff date on speaking at state hearings. Mr. Boudreau said that the federal government is the ultimate decision-maker, based on whether there is a need for natural gas, the pipeline would be approved; the route is a matter of negotiation. Ms. Shea she would continue to fight on behalf of her friend and said she was glad to hear the route would no longer be as close to Glen Drive. She said Lynnfield residents should support their affected neighbors. Resident Linda Gauvreau said she has never been affected by the gas pipeline that crosses her property. She said a call she made to Kinder Morgan was not returned.

Mr. Boudreua said that the Northeast Municipal Pipeline Coalition and Kinder Morgan representatives can be invited to a future Board meeting. Chairman Crawford suggested involving the Lynnfield Center Water District as well, in the first meeting in October.

Ms. Campbell urged Lynnfield to join the coalition. She said there was a past gas explosion in Lynnfield 30 to 40 years ago. She said Kinder Morgan plans to take land by eminent domain and asked that abutters be notified. Chairman Crawford said a Kinder Morgan representative told him no takings would be required. He said he believes existing easements will be used.

Ms. Shea asked if town counsel has reviewed the proposal. Mr. Boudreau said there have been no filings with the Town. Chairman Crawford said some residents were satisfied when the route was changed. Resident Heather Keane asked Board members where they stand on the proposal. She asked where residents could find information. Chairman Crawford said that the maps are available on the Kinder Morgan website. Chairman Crawford said that he would be against anything that would affect the Town negatively. Selectman Barrett said he sees no benefit to Lynnfield other than a small regional benefit.

#### **Administrative matters**

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to approve the use of Town streets for a road race to be held by the Best Buddies organization on September 20, 2015. A map of the route has been reviewed by Police Chief David Breen. Selectman Terranova asked if there had been complaints about past races held in that area. There had been one or two mild complaints.

On the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted to approve minutes of meetings on June 1, 2015, June 24, 2015 and July 13, 2015.

**Executive session**

Mr. Boudreau said that there is a request for an executive session under Massachusetts General Laws, Chapter 30A, Section 12 (a) (3) to discuss collective bargaining with the Fire Department bargaining unit. Chairman Crawford announced that holding discussion in open session could have a detrimental effect on that Town's bargaining position, and announced the Board would not return to open session except to adjourn.

On the motion to enter executive session, made by Selectman Terranova and duly seconded by Selectman Barrett, a roll-call vote was taken: Selectman Terranova - aye; Selectman Barrett - aye; Chairman Crawford - aye.

The Board having voted to enter executive session did so at 9:53 p.m. After the conclusion of the executive session, on the motion of Selectman Terranova, duly seconded by Selectman Barrett, the Board voted unanimously to adjourn at 10:07 p.m.