

Danvers Select Board Minutes

November 2, 2021

The regular meeting of the Danvers Select Board was held on Tuesday, November 2, 2021, at 6 P.M. in the Daniel J. Toomey Hearing Room, Town Hall, 1 Sylvan Street, Danvers. Present were Gardner S. Trask III, Chairman; Daniel C. Bennett; Maureen A. Bernard; Matthew E. Duggan; and David A. Mills. The **Pledge of Allegiance**, led by Select Board member Bernard, was recited by all in attendance.

On a motion by Select Board member Bennett, seconded by Select Board member Duggan, the Board voted 5-0 to accept the Minutes of the **Minutes of October 19, 2021**, meeting, as presented.

New Public Business: Mr. Bradstreet asked (1) Are volunteer board/committee members compensated in any way for their service to the Town? Select Board Chair Trask explained that there is no form of monetary or other recognition. There has been consideration of hosting an appreciation event, perhaps in summer 2022. (2) Any progress on an “info” sheet describing service charge on utility bills? Mr. Bradstreet was directed to Select Board meetings at which this topic was discussed and, in particular, the meeting of August 17 at which the Chair of the Town’s Municipal Light Board and DPW Director David Lane discussed the charge.

Marybeth Verry, representing DEEP (Danvers Educational Enrichment Program) appeared to request permission of the Select Board for tables to be placed within a public way (sidewalks) on Saturday, December 4, 2-5 P.M. for the fourth annual Holiday Festival and tree lighting. Elements of the event are as follows:

- Downtown business and other businesses without a downtown presence have been invited to participate (personal invitations have been made to these businesses). Their set-ups will likely be in front of vacant storefronts or with permission from current owner/tenant.
- **Entertainment** will be provided by Danvers Public Schools (*a capella* group and band), as well as a DJ, and dance performances courtesy of Refined Dance Studio.
- **Refreshments** in the form of cookies and cocoa will be offered by Essex Tech students.
- **Santa** will arrive via fire truck at 5 P.M. for the official **tree lighting**, assisted by tree donor family members and sponsored by East Boston Savings Bank as in years’ past.
- Streets (Cherry and High Streets [where it meets Conant & Elm]) will be shut down at 2 P.M., with assistance from Public Works and the Police Departments.
- There is potential that Town departments may have a presence at this event with an arts & crafts component, but these details remain to be confirmed.

Select Board Chair Trask, himself an appointed member of the Danvers Affordable Housing Trust, introduced a candidate to fill a vacancy created by the resignation of professional realtor and long-time Trust member Tish Lentine. Anne Casale-Skinner, a real estate broker in Town, spoke to the Select Board about her interest in joining current members who represent the following trades: construction, banking, legal, social service, and local activism to promote the growth of affordable housing. Select Board members concurred that her background and expertise would be a welcome addition to DAHT and expressed their appreciation to her for stepping up into this role. Select Board member Bernard motioned the Board to approve her appointment, seconded by Select Board member Bennett, and approved 5-0.

In the first of a series of updates by Town boards and committees, representatives of the **Human Rights and Inclusion Committee** [Dutrochet “Dee” Djoko, Chair; Kristen Perkins, Vice Chair; Bob Gamer, Paul Pawlak, Bill Graham, and Jorge Sanchez-Salazar] appeared before the Board and Dee noted that the group is a “cohesive task force against racism, sexism, anti-Semitism, or any form of discrimination, while affirming the dignity and worth of every human being.” A Select Board-appointed committee, he made a strong argument for hiring a full-time employee to

act on behalf of the goals of the committee, stressing that “buy-in from leadership is key,” according to Abu Toppin, Beverly’s Diversity, Equity & Inclusion Director. Dee added that “*expanding one’s circle of compassion enhances personal and spiritual growth*,” and that Danvers, as a diverse community, and the HRIC want to promote and celebrate this diversity by education, community outreach, and events. He explained that the HRIC meets the third Thursday of each month, 7 P.M., in the Police Department’s Training Room. With that, the podium was turned over to Kristen Perkins who shared news of upcoming events in calendar 2022:

January: MLK, Jr. tribute
February: Black History Month
March: Women’s History Month
June: Pride events and flag raising; second annual Juneteenth recognition
July (4): Reading of Declaration of Independence
December: Hanukkah

Kristen urged participation in these and other events as a way to draw people into conversations and strengthen their connection to the community. Of particular note is an upcoming “special speaker” event on Wednesday, November 17, 6:30-8 P.M. (a Zoom and in-person event) at the Holten-Richmond Middle School, with Debbie Irving and a colleague engaged in a cross-racial conversation between two friends, followed by a Q&A period. Additional details about the event are expected to be released in the next few days.

The Select Board members expressed their support for the efforts of the Committee, particularly as it involves making all residents and visitors to Danvers feel safe; however, reluctance exists to the hiring of a full-time employee as opposed to a part-time position. Members of the HRIC and Select Board offered their comments in support of the hiring of a full-time employee to become a Director of Equity & Inclusion to (1) coordinate community engagement outreach; (2) engage in work force training; and (3) establish policy, in collaboration with the School Department and Library administration.

A **public hearing** was held, under Chapter 138 of the General Laws, on the application of **Blazin’ Wings, LLC d/b/a Buffalo Wild Wings**, 100 Independence Way, Joshua Metzger, Manager, for a change of Manager at that location. Mr. Metzger, 11-year employee with Buffalo Wild Wings in various locations, appeared before the Board, attesting to his ServSafe (functionally equivalent to TIPS) certification, plan to be on site 50-60 hours per week, and has an alternate named Manager’s name on the license in the Manager’s absence. Select Board member Bennett motioned the Board to close the Public Hearing, motion seconded by Select Board member Mills, and approved 5-0. Select Board member Mills motioned the Board to approve the application as presented, motion seconded by Select Board member Bennett, and approved 5-0.

A public hearing was held under Chapter 138 of the General Laws, on the application of **Twisted Fate Brewing, LLC d/b/a Twisted Fate Brewing**, 120 Andover Street STE 4, David Pinette, Manager, for a Farmer Series Pouring License (permits the license holder to brew beer on site and to sell the beer that he brews on site [does not detract from the number of liquor licenses available for the town to dispense]). Any expansion to other types of beverages (i.e., cordials) would require a subsequent application and attendance at a Select Board meeting. Mr. Pinette offered a full and comprehensive business plan and introduced family members who constitute partners in the micro-brewery venture. Highlights of his presentation included:

- Some 250 barrels are anticipated to be brewed the first year (no cans, no bottles, or growlers to go).
- In collaboration with a local establishment, food service of pizza will be available to patrons in tap room, and he has purchased BOH-approved pizza warmers.
- Bar/wait staff, owners, and servers will be TIPS-certified, and every patron’s ID checked.
- No live entertainment on site.

- Operating 7 days per week (11 A.M. to 11 P.M.)
- Plan is to be in operation early 2022 (two-month build out to begin soon).
- IPAs on tap; porters and stouts; different Belgians

Select Board member Bennett motioned the Board to close the public hearing, seconded by Select Board member Duggan, approved 5-0. Select Board member Bennett motioned the Board to approve the license application, as presented, seconded by Select Board member Mills, and approved 5-0.

The Town Clerk presented written legal descriptions for each precinct, which do not differ from the map which was approved by Board vote at the October 19 DSB meeting. Full written descriptions of precinct boundaries are on file in the Town Clerk's office. Select Board member Bennett motioned the Board to accept the revised, written legal boundary descriptions in accordance with the **2020 Re-Precincting Plan** for the Town of Danvers, as presented by the Town Clerk, seconded by Select Board member Bernard, and approved 5-0.

The Board reviewed the **Warrant** for the upcoming **Special Town Meeting of November 15, 2021**. Additional staff (including Finance Director Rodney Conley and members of the Land Use & Community Development office, Aaron Henry and David Fields) were on hand to provide context and to answer questions. After a brief discussion of Article 3, Select Board member Bennett motioned the Board to vote **favorably** on **ARTICLES 1, 2, and 3** of the November 15, 2021, Special Town Meeting, seconded by Select Board member Mills, and **approved 5-0**. Subsequent Article Nos. 4-18 will be voted on individually, as agreed upon by the full Select Board. The Planning Board sent the articles back to the Select Board with favorable recommendations (Articles 4-16; #17 was voted to return for further study.)

ARTICLE 18: Planning Board and Preservation Commission member Louis George questioned whether it would be possible to move the article which appears as the last Article on the Warrant to earlier in the evening on November 15. It was explained to him that this is possible at the discretion of the Town Moderator. A lengthy discussion ensued with Select Board and audience members expressing their views as to the prospect of relocating/restoring the train depot for an income-generating property, given that multiple efforts over 20+ years, has resulted in no definitive plan, no State funding availability, and no certainty that a viable business option for leasing the property will materialize.

Select Board member Bennett motioned the Board to move the Article to Finance Committee with ***"no recommendation,"*** seconded by Select Board member Mills; Select Board member Duggan amended the motion to ***"favorable recommendation,"*** failed to garner a second; **voted 5-0** to move the Article to Finance Committee with ***"no recommendation."***

ARTICLES 1, 2, 3: Select Board member Bennett motioned the Board to move the Articles to the Finance Committee with a ***"favorable recommendation,"*** seconded by Select Board member Mills, and **voted 5-0**.

ARTICLE 4: Select Board member Bennett voted to move the Article to the Finance Committee with a ***"favorable recommendation,"*** seconded by Select Board member Duggan, and **voted 5-0**.

Throughout the course of the discussion, emphasis was placed on the term ***"closing the warrant,"*** not to be misconstrued as ***"tacit"*** approval of the warrant articles themselves. The Town Manager noted that ***"roughly half"*** of the articles in this warrant had undergone a full and comprehensive vetting by the Planning Board prior to the COVID shut-down. However, the usual process was followed thereafter: the Select Board voted to refer the articles to the Planning Board for public hearing, at which time the Planning Board referred the articles back to the Select Board for their recommendations.

ARTICLE 5: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation,”*** seconded by Select Board member Duggan, and **voted 5-0.**

ARTICLE 6: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation,”*** seconded by Select Board member Mills, and **voted 5-0.**

Select Board member Duggan commented that the last thing you want to see in a Zoning By-law is ambiguity, which is oftentimes leveraged by an applicant. Aaron Henry noted that what is they’ve tried to do is to remove the ambiguities and make things clearer by removing “gray areas.” Select Board member Mills responded that the law stipulates whether x, y, or z is permissible, and what applicants are seeking is, in fact, a waiver from the law. There are often misinterpretations of zoning bylaws, and he has observed a *“real weakness in terms of the granting of variances and the perception that that residents are not treated equally.”* He went on to say that he sees this as a *“step forward as it relates to variances and special permits.”*

ARTICLE 7: Select Board member Bennett, motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation,”*** seconded by Select Board member Duggan, and **voted 4-0** [Select Board member Mills was absent for this vote].

ARTICLE 8: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with ***“favorable recommendation,”*** seconded by Select Board member Duggan, and **voted 4-0** [Select Board member Mills was absent for this vote].

ARTICLE 9: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation,”*** seconded by Select Board member Mills, and **voted 5-0.**

ARTICLE 10: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation,”*** seconded by Select Board member Bernard, and **voted 5-0.**

ARTICLE 11: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with ***“no recommendation,”*** seconded by Select Board member Mills; Select Board member Duggan amended the motion to a ***“favorable recommendation,”*** seconded by Select Board member Bernard, and voted 4-1 (Select Board member Bennett opposed). The amendment became the main motion, **voted 4-1**, with Select Board member Bennett opposed to move the Article to Finance Committee with a ***“favorable recommendation.”***

ARTICLE 12: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with an ***“unfavorable recommendation,”*** seconded by Select Board member Mills; Select Board member Duggan amended the motion to a ***“favorable recommendation,”*** seconded by Select Board member Bernard, and voted 4-1 (Select Board member Bennett opposed). The amendment became the main motion, **voted 4-1**, with Select Board member Bennett opposed to move the Article to Finance Committee with a ***“favorable recommendation.”***

ARTICLE 13: Select Board member Bennett motioned the Board to move the Article to Finance Committee with a favorable recommendation, seconded by Select Board member Mills, and voted 5-0.

ARTICLE 14: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation*** with minor edits, seconded by Select Board member Mills and **voted 5-0.**

ARTICLE 15: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a ***“favorable recommendation,”*** seconded by Select Board member Mills, and voted 5-0.

ARTICLE 16: Select Board member Bennett motioned the Board to move the Article to the Finance Committee with a "**favorable recommendation**," seconded by Select Board member Bernard, and **voted 5-0**.

ARTICLE 17: Select Board member Bennett motioned the Board to send the Article back to Planning for further study, seconded by Select Board member Bernard, and **voted 5-0**.

Select Board member Duggan asked for clarification on the process followed, explaining that there were Town Meeting members who wanted an opportunity to vote on that article (Planned Developments). The Town Manager explained that the Select Board has the authority to send an Article on to the Finance Committee, recommending both aspects (1) prohibition of use variances and (2) the creation of planned developments or any combination thereof. The request of the DSB was that it be sent back to the Planning Board for further study.

Town Manager Update

- A second draft (with minor revisions to October Select Board meeting dates) was sent to Select Board members for review and adjustments, if warranted.
- A draft was presented of the Fiscal 2023 Budget policy and Select Board objectives, to be reviewed also by School Committee and Library Trustees in advance of adoption by Select Board at a December meeting. One noted change is that reference to the Budget Review Committee is being moved from this document to the Financial Policy section.
- Town Manager's letter to administration and School Committee at Essex Tech regarding stability and predictability of admissions (up 80% over past 4-5 years). As a result, the Town Manager has been invited to the November 18 meeting of the Essex Tech School committee. Details of the time and location of the meeting are to be forthcoming, and that information will be shared with major boards.

A motion was made by Select Board member Bennett to approve the **Consent Calendar** as presented, seconded by Select Board member Bernard, and approved 5-0.

Entertainment Blazin' Wings, Inc., d/b/a Buffalo Wild Wings, 100 Independence Way, 4 COADs, Juke Box

Banners DEEP Holiday Tree Lighting, over Maple Street, November 29, 2021-December 4, 2021; and Danvers Youth Lacrosse, over High Street, November 29, 2021-December 5, 2021

Correspondence, Select Board "**New Business**," previous "**New Public Business**" updates, and **Select Board closing comments**.

Select Board member Mills

- Senior Center newsletter contains a range of activities and "*I had intended to bring copies for the Select Board.*"
- Former Chair of the Town's first-ever Cable Committee, Bill Cerretani, "*a good man,*" passed away on October 29.

Select Board member Duggan

- Hopes to have a good showing for Veterans Day ceremonies at Thorpe School, emceed by Select Board member Bennett; event to be outside, weather permitting.
- He has been asked why the flag is at half-mast? This marks *National Fallen Firefighters Memorial Day*.

- Since the onset of COVID, Planning Board has been meeting remotely. With the potential for hybrid meetings available, he hopes to see return to a public meetings where residents public may participate in the proceedings.

Select Board member Bernard

- *“Thank you to DPD members and to Chief Lovell for helping keep kids safe on Halloween.”*
- Appreciated that DPW fixed the raised manhole covers to bring them to level with the street on Seneca and Longbow. *“Shouldn’t performance bonds from developers cover the cost of these repairs?”*
- Along that line, flooding problem observed by end of 62 (Summer and Maple), *are we able to hold back money from developers”* until the situation is remedied?” Select Board member Trask noted that this these questions are the purview of DPW Director Lane and Town Engineer King.

Select Board member Bennett:

- Would like the Select Board to be provided with an organizational chart for the Land Use and Community Development and Information Technology Departments (*“IT has grown from one person to six”*).
- Missing “Entering Danvers” sign at Valley Road?
- Esposito’s closed, and Select Board approved an applicant to move in there, despite their lack of a floor plan. At present, evidence that they’re moving walls in the establishments. The Town Clerk indicated that she has a floor plan as promised by the applicant.
- Remember all veterans and offer thanks when you meet.

The meeting adjourned at 11:05 P.M.

Attest: Catherine S. Ellsworth, Town Clerk