

Danvers Select Board Minutes

November 16, 2021

The regular meeting of the Danvers Select Board was held on Tuesday, November 16, 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** 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 November 2, 2021**, meeting, as presented.

New Public Business: Mr. Bradstreet asked if a decision has been arrived at in terms of an information sheet to utility ratepayers explaining the service charge, how the dollar amount was arrived at, and whether it will change and/or disappear. Select Board Chair Trask reported that this decision is in the hands of the Municipal Light Board.

Asst. Town Manager Jen Breaker conducted a presentation of the departmental trainings available to the members of this year's 10-week **Citizens' Academy** (September 9 to November 10) in advance of introducing the members of the graduating class (20 Cadets out of 30 applicants). At the conclusion of the presentation, "Cadet" Rob O'Keefe spoke of the "*amazing experience*" and noted, in particular, the enthusiasm of the employees who participated as presenters, closing with the comment that the experience "*opened up this town to me,*" making his affection for Danvers (as a 47-year resident) even greater than it had been. He recommended adapting the extremely valuable program to the level of school age residents. Select Board members were unanimous in their appreciation for those who gave over their time to participate and urged that each cadet consider volunteer service on a board, committee, or as a Town Meeting member. "Consider finding something that interests you and volunteer your time. "

Veterans Service Director Kelley Rayos-Teixeria introduced the Lavignes, ServPro **gift donors** of \$500 in \$25 gift cards for distribution to veterans. Select Board members thanked them for their generosity and "spirit of giving." Select Board member Bennett motioned the Board to accept the gift on behalf of the Veterans Service Division, seconded by Select Board member Bernard, and approved 5-0. Select Board Chair expressed thanks on behalf of the Select Board for a "*beautiful event on the occasion of Veterans Day.*"

A **public hearing** was held to consider two (2) pole petitions by Danvers Electric Division and Verizon (Petition Nos. 20210818-1 & 20210826-1), dated August 18, 2021 & August 26, 2021, requesting permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by petitioners, along and across the following public way or ways: (1) Relocation of Pole 13C-4 by 29 Locust Street – move 8ft +/- south (to accommodate a third-party attachment) and (2) Installation of additional pole by 92 Holten Street (for support to Pole 10-29S). Danvers Electric representatives Edward Bandar and Jason Small were on hand to discuss the details of both petitions and answered several questions which the Select Board members posed, including safety issues of sidewalk width (3' is minimum in accordance with ADA designs).

Public comment/questions included the following:

- *What happens to poles removed?* DED will reuse if it's found to be in good condition; generally, this is not the case, as these can be anywhere from 30-50 years old.
- *Is there a standard height for these poles?* DED adheres to NESC (National Electric Safety Code) standards in commercial areas.

- A residents of 92 Holten Street requested that DED consider an alternate placement of the pole (petition #2) which, as proposed, is halfway down his fence line. It was agreed that a DED representative would meet with the homeowner to find the best possible spot for the pole relocation.

Board member Bennett motioned the Board to close the public hearing, seconded by Select Board member Duggan, and approved 5-0. Select Board member Bennett motioned the Board to approve the pole petitions as presented with the caveat that there be a prior discussion with the homeowner at 92 Holten Street as to the placement of the pole (10-29S), seconded by Select Board member Mills, and approved 5-0.

A public hearing was held under Chapter 140, Section 181 of the General Laws on the application of **GIAMAR Corp, d/b/a Magia Restaurant & Bar**, 126 Newbury Street, Adriana Travaglione, Manager, for a 7-Day Entertainment License at that location. The applicants noted that multiple locations were indicated on the floor plan for potential entertainment (i.e., singer, DJ, comedian) during restaurant hours only (7 days per week [12 Noon - 10 P.M Monday - Saturday, 4-10 P.M. on Sundays), and had acquired sign-offs from Code and Fire Departments (no pyrotechnics whatsoever). Select Board member Bennett motioned the Board to close the public hearing, seconded by Select Board member Duggan, and approved 5-0. Select Board member Duggan motioned the Board to approve the Entertainment License as proposed, 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 **Packaging Center, Inc., d/b/a Super Stop & Shop**, 301 Newbury Street, Patrick Hickey, Manager, for a Change of Officers/Directors/ LLC Managers at that location. Stop & Shop representative noted that there will be no change in ownership or operations, with officers and directors as follows: Jeff Dichele (Treasurer, Secretary, and Director), replacing Mark Messier as Treas-Sec. and Gordon Reid as Director; Dean Wilkinson (Director), replacing Stacy Wiggins; with Maria Silvestri no longer listed as Asst. Secretary. A final listing of officers would be President: Gordon Reid; Treasurer & Secretary: Jeff Dichele; and Directors Robert Yager, Dean Wilkinson, and Jeff Dichele. There being no questions from Select Board members or the public, Select Board member Bennett motioned the Board to close the Public Hearing, seconded by Select Board member Mills, and approved 5-0. Select Board member Mills motioned the Board to approve the application, as presented, 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 **MB Spirits, LLC, d/b/a MB Spirits**, 139 Endicott Plaza, Unit A2, Stephen M. Casucci, Manager, for a change of location from 139 Endicott Plaza to 139 Endicott Plaza, Unit A2 and a Change of Manager at that location. Atty. Jon Aieta, accompanied by current Manager Bruce Casassa and proposed new Manager Stephen Casucci appeared before the Board on this application. Mr. Casucci, 10-year employee with the company, one year in Danvers and listed as alternate on current license is proposed to take the reins at this "new" operation (adjacent to the grocery store, accessible only through entrance outside of the store (no internal entrance available) which was previously located across the parking lot from the Market Basket grocery store. This establishment, then, is considered a stand-alone store and allows more convenient and accessible shopping to customers. Discussion ensued as to how customers' age would be verified, and each Select Board member expressed his/her preference that all customers be carded at check-out to avoid the issue of sales to underage persons, echoed by several members of the audience. Hours of operation will be Monday-Saturday 8 A.M.-9 P.M.; Sunday 10 A.M.-8 P.M. Select Board member Bennett motioned the Board to close the public hearing, seconded by Select Board member Mills, and approved 5-0. Select Board member Mills motioned the Board to approve the application, as presented, seconded by Select Board member Duggan, and approved 5-0.

The Select Board discussed their **Fiscal Year 2022 goals and objectives**, with tonight's goal to identify and prioritize five of the seven (or others not listed) goals to which the Town Manager and team should focus their attention this fiscal year. Suggested goals to be added appear in **bold** print

1. Work with staff and stakeholders to implement recommendations from April's Welcoming Committee Working Group (WCWG) report [FINAL 5]
2. Finalize options related to consolidated (or non-consolidated) DPW yard. [final :
3. Work with local and State partners to ensure sustainable Essex Tech assessments.
4. Oversee the successful launch and execution of the ARPA Community Grant Program.,
5. Work with staff to ensure adequate support to develop Climate Action Plan.
6. Work with the Select Board to launch a community-wide strategic planning process
7. Work with regional and State partners to explore water storage and capacity options.

Each Select Board member in turn offered their list of priorities for Fiscal Year 2022, some asking to consider additional options.

Select Board member Bernard: Would offer **employee retention** as a strategic goal.

Select Board member Bennett: Would support the goal of **expansion of Citizens' Academy**. However, as it pertains to goal No. 3, Select Board member Bennett went on to say that *"I have a problem saying to a parent 'we only want so many kids going to the Tech'; I don't want to hinder a student's ability to thrive. I have no use for this one, and perhaps we should put our emphasis on why so many of our students want to attend the Tech and leave the Danvers public schools."*

Select Board member Mills: *"I don't want to limit my choice; I would leave all and add two others unless it's oppressive for Town Manager."* (1) **I would add an effort to work with State legislators to identify properties (i.e., the Prep, Mass. General, Essex Tech) which require an enormous amount of town resources paid for by the taxpayers with no revenue coming back to the town** and (2) **Expand Citizens' Academy**, perhaps even putting it on video so that other citizens could take advantage of this great program.

Select Board member Duggan would like to add **open space protection**. *"A concern of mine for quite a while is about our open space and how we're not protecting it; abutters encroach on it, and it's being used as a dumping ground. That's been noticed by not just me but by other Town Meeting members (along the rail trail and along the rivers.)"*

Select Board member Trask: Would support **State regulation/PILOT programs** and **protection of open space**; and he went on to tally votes for the five strategic goals with approval of other Select Board members.

1. FIVE VOTES Work with staff and stakeholders to implement recommendations from April's Welcoming Committee Working Group (WCWG) report.
2. FOUR VOTES Work with staff to ensure adequate support to develop Climate Action Plan.
3. FOUR VOTES Work with the Select Board to launch a community-wide strategic planning process
4. THREE VOTES Work with local and State partners to ensure sustainable Essex Tech assessments
5. THREE VOTES Work with the Select Board to launch a community-wide strategic planning process

The Town Manager noted that there are more bullets being worked on behind the scenes. The Strategic Plan is the plan that does not move forward without the support of the Board, and he plans to finalize and circulate the final product to the Select Board members.

Town Manager Update

- “*Thank you*” to the 113 Town Meeting members who attended and supported the recommendations of the Finance Committee. Thank you also to the Buildings Division, Police Department, DCAT, Town Clerk’s office, Town Moderator and all who work hard behind the scenes.
- HRIC-sponsored Zoom event on Wednesday (11/17), 6:30 P.M., HRMS Multi-purpose Rm., available for viewing with friends and neighbors. Register online for more information.
- Essex Tech School Committee meeting on Thursday (11/18), 5:30 P.M., Media Center to discuss increasing enrollments of Danvers students (35%, 57%, 33% over past three cycles). Assessment five years ago of \$1.7 million has grown to nearly \$4 million this spring. Savings in our assessment could be re-invested in our schools, although Select Board member Trask commented that we “*shouldn’t only fight inequity when we’re on the receiving end.*”
- HRIC meeting on Thursday (11/17) Toomey Room, 7 P.M. to discuss recent events and hear feedback from members of the Committee.
- Interfaith Council working to coordinate get-together on Saturday (11/20) on grounds of Peabody Institute Library, check website for additional information.
- First December meeting on Tuesday (12/7), 6 P.M. to include Tax Classification Hearing with Chief Assessor John Labelle and Finance Director Rodney Conley. Select Board members expressed their feelings that the methodology is difficult to understand and that there is no rule of law that the Select Board is supposed to follow concerning people’s property rights.

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.

Banner: Danvers Art Association, “Arts A Glow,” over High Street, December 6-12, 2021.

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

Select Board Chair Trask read a statement on behalf of and with the approval the other Select Board members. Select Board members added personal comments (in each instance bullet No. 1).

Select Board member Duggan

- Thank you to Select Board Chair Trask for sharing the statement; agrees with tone and content.
- Disappointed, sad, and angry that train station article failed and felt that Town Meeting was short-sighted; would recommend adoption of the Community Preservation Act (failed in 2016) to help save open space and buildings and would support a ballot referendum in spring. “Good ideas never go away, opposition to them does.”

Select Board member Mills

- Thank you for the work that I suspect took several days to prepare; applaud your efforts and that of Town Manager, Police Chief, Chair of HRIC, and School Superintendent for responding to “*situations of a very delicate nature and ones which are important to me.*”
- Made note of letter regarding use of property on Mohawk and the pre-fab home controversy which has been an enormous detriment to the taxpayers of Danvers.
- Read the Senior Center brochure for a look at all that is offered to Town’s seniors
- Commend work of Town staff to manage issues such as Essex Tech, locker room situation, COVID management, etc.

Select Board member Bernard

- *“I feel bad for the community because of what has happened.”* This a wonderful town.
- Dick Moody and Kelley did a wonderful job in planning and executing Veterans Day ceremonies.
- Danvers Housing Authority is doing well, reviewing budget, practicing COVID protocols
- Citizens’ Academy was great; would like to do it myself.

Select Board member Trask

- Good point about CPA and there’s no decision that can’t be reconsidered.
- Would entertain a sub-committee of the Board to prepare a CPA article for ATM. (Town Manager will look at paths and report back to Select Board members.)

Select Board member Bennett

- *“This is just a start; there’s a lot of work to do.”*
- *“If you pay your utility bill online, you don’t get any informational inserts. Can we rectify that?”*
- Don’t forget to thank a veteran for his/her service.

Select Board members offered their best wishes for a safe, happy Thanksgiving.
The meeting adjourned at 8:50 P.M.

Attest: Catherine S. Ellsworth, Town Clerk