

**Town of Nahant, MA
Board of Selectmen**

**Meeting Minutes
August 16, 2017 7:30pm**

**Frank Barile, Chairman
Chesley R. Taylor Jr., Vice Chair
Richard J. Lombard, Secretary
Jeff Chelgren, Town Administrator**

1. Meeting Opening 7:30 pm

Pledge of Allegiance – Led by Mr. Barile

- a. **Opening Comments** – Mr. Lombard offered condolences to Paul English's family. Both Mr. Barile and Mr. Taylor praised Mr. English for his many years of service to the Town.
- b. **Selectmen Meeting Schedule** – End of summer schedule – September resumes normal schedule of first and third Thursdays of the month.
- c. **Approve Prior Minutes of 7/19/17** Mr. Lombard made a motion that the Board of Selectmen vote to approve the prior minutes of 7/19/17. Mr. Taylor seconded the motion. Unanimous vote to approve.

2. Ongoing Business

- a. **Citizen's Forum** – Mr. Rogal -391 Nahant Road appealed to the Town to enforce no parking in front of his house to limit noise. Mr. Lombard made a motion that Board of Selectmen take his testimony under advisement and the Board, Town Administrator and Police will formulate a tagging and towing plan. Mr. Taylor seconded the motion. Unanimous vote to formulate a solution.
- b. **Special Town Meeting** – Discussion of setting a date. Mr. Chelgren stated meeting needed in fall/winter for bonding for \$1.5M sewer repairs. Mr. Lombard made a motion that the Board of Selectmen vote to schedule a special town meeting in November. Mr. Barile seconded for discussion. Mr. Barile wants Fox Hill Road drainage done immediately. Mr. Taylor stated the primary reason for special town meeting is sewer bonding and Coast Guard Housing and wishes to wait until the Coast Guard Committee is ready to present their recommendations. Mr. Barile stated the sewer deserves its own special town meeting before the Coast Guard Committee may be ready. Mr. Lombard amended his motion that the Board of Selectmen vote to schedule a special town meeting on Monday, November 20, 2017. Mr. Barile seconded the amended motion. Mr. Barile called for a vote. Mr. Lombard Yes. Mr. Barile Yes. Mr. Taylor No. Motion passed 2-1. Mr. Chelgren will invite the Coast Guard Committee to the next September 7 meeting.

3. Town Administrator Report

- a. **National Grid Public Hearing – Willow Road – PVC Conduit** – Tim Lifert from National Grid Electric petitioned for three feet of one inch underground conduit from existing pole 99 to 132 Willow Road for new service. Mr. Taylor made a motion that the Board of Selectmen vote to approve the petition submitted by National Grid and advertised in the Lynn Item on 8/2/17 and 8/9/17 for the installation of a series of underground electrical conduits including the necessary sustaining and protecting fixtures under and across the public way located on Willow Road from pole 99 to serve residential customer at 132 Willow Road Nahant. Mr. Lombard seconded the motion. Unanimous vote in favor. (see Attached 1)

- b. Verizon – License negotiations** – Mr. Chelgren explained that Verizon would pay \$7,500 annually for 10 years which is 81 cents a month pass through to subscribers. Attorney John Harrington of Kirby, Harrington & Pinkard represented Verizon and answered questions. Mr. Lombard not in favor of passing through costs to residents. The Board will review and table a decision until 9/7/17 meeting.
- c. Recycling Petition (April, 2017 ATM) – Follow-up actions** - Mr. Chelgren read recycling petition that was passed at town meeting. Now need a bylaw to make it enforceable with \$100 fine for not recycling. Ms. Vi Patek of SWIM said that fines would pertain to large apartment and condo buildings to get them to provide a recycling dumpster. Mr. Barile opposes it if causes increased fee to tenants. Mr. Chelgren will investigate. Action tabled until 9/21/17 BOS meeting.
- d. Surplus Designation**
- i. Fire Department - Mr. Lombard made a motion that the Board of Selectmen vote to declare the following equipment surplus as requested by the Fire Chief Michael Feinberg -Yamaha 4HP 4-stroke outboard boat motor and Honda 20HP 4-stroke outboard motor. Mr. Taylor seconded the motion. Unanimous vote to surplus.
 - ii. DPW – Mr. Taylor made a motion that the Board of Selectmen vote to declare the following equipment surplus as requested by the DPW Superintendent Dennis Ball: John Deere 1435 Diesel ride on lawnmower and miscellaneous ductile iron, HDPE and PVC Pipes. Mr. Lombard seconded the motion. Unanimous vote to surplus.
- e. Beaches:** i. Doggie Beach; and ii. Kite surfers - Mr. Scott Grieves, Animal Control officer stated that Doggy Beach was out of control with out of towners and dog walkers. Mr. Barile stated it should be for Nahant residents only. Mr. Lombard stated kite surfers were also a problem, and Mr. Taylor stressed the liability to the Town. Mr. Chelgren will outline a process for closing dog beach and restricting kite sailing as well as having police stop pull-offs on grass along beach. He will reinforce – no bikes on Causeway and contact the MBTA re: no bus training on Nahant streets. Discussion about a dog bite incident on Willow Road. Mr. Chelgren warned Mr. Barile about not discussing the case because it may have legal ramifications. Mr. Chelgren will get a full report from Mr. Grieves and submit to the Board.
- f. Quarterly Billing (Review)** – Water, Sewer, Taxes, etc. - Mr. Chelgren presented quarterly billing statistics – costs/benefits. The Board will review and table until 9/21.

4. Old Business – None

5. New Business

- a. A.G's Office Ruling – Review** – Mr. Lombard wants to review the ruling in executive session with Counsel and Mr. Chelgren. Mr. Barile stressed the need for public postings of meetings and transparency. Mr. Chelgren stated that his assertion is that Town Hall is not transparent and it is. Board will review the ruling at 9/7/17 executive session.
- b. Public Pathways** – Mr. Barile explained that public rights of way are being encroached upon. Mr. Chelgren will get an estimate of the legal costs of reclaiming the rights of ways.
- c. Green Communities** – Committee – Mr. Barile discussed the Green Community meeting. Neil Duffy and Tony Barletta, Northeast Coordinators outlined the process. Mr. Lombard made a motion that the Board of Selectmen vote to appoint the following to the Green Community Committee: Margaret Alexander, Meredith Tibbo, Chet Hopkins, Diane Monteith, Abbey Roberts, Susan Thomas, Nicole Gogan, Johnny Ward, Nick Bokron, Teri Motley, Ellen Quigley and Lisa Haley and Margaret Alexander and Diana Brandi to Open Space Committee. Mr. Taylor seconded the motion. Unanimous vote to appoint. Mr. Chelgren will forward Open Space recommendations to Moderator.
- d. Fire Dept. letter** – Mr. Lombard presented a letter from Fire Fighter Antrim and the Fire Union dated 7/4/17 that cc'd the Board, but the Board never received a copy. Mr. Chelgren stated that is

was submitted for the record to the Chief but not formally submitted to the Board and that is why the Fire Chief is not present at the meeting. Discussion about whether the letter was submitted to the board. Mr. Lombard read the letter and Mr. Chelgren voiced concerns about reading the letter. As HR director Mr. Chelgren is uncomfortable with the conversation and refused to participate in the conversation. Mr. Chelgren feels it is inappropriate without further investigation and will talk to labor counsel. Firefighter Josh Mahoney stated Austin Antrim wrote the letter and asked Chief Feinberg to pass it on to the Board of Selectmen. Mr. Taylor was unaware of the letter. Mr. Barile feels it's a trust issue and will put it on the agenda next meeting.

- e. **Golf course concessions review** – The Golf Course Committee will meet with Anthony DeDominicis and John Moore to review their capital plan.
- f. **Wharfinger and Harbor Master appointments** – Mr. Barile wants to make sure that new appointees who are police officers, do not get overtime when serving. They do not according to Mr. Chelgren.
- g. **Housing authority review** – Mr. Barile wants the wiring inspector called because of wires strung outside the housing authority. He states the property is a disgrace. Mr. Lombard would like to invite the Housing Authority Board to the next meeting. Mr. Chelgren will invite them.
- h. **Police towing and parking** – Mr. Barile reiterated that the Police need to tag and tow.

6. Closing Announcements

- a. Town Hall Closed on Mon., Sept. 4, 2017 in observation of Labor Day.
- b. Havana Nights – 01908 fundraiser – August 26 at 6:00 PM Baileys Hill

- 7. **Adjourn** – Mr. Lombard made a motion to adjourn the public meeting and move into executive session, not to return to open forum. Mr. Taylor seconded the motion. Unanimous vote to adjourn the public meeting.

Meeting Minutes prepared by Mary Ellen Schumann, Administrative Assistant

Minutes approved by the Board of Selectmen on the 14th day of Sept 2017.



Board of Selectmen.

**NAHANT
BOARD OF SELECTMEN
NOTICE OF PUBLIC HEARING**

The Nahant Board of Selectmen will be holding a public hearing on Wednesday, August 16, 2017 at 7:40 pm at the Nahant Town Hall, 334 Nahant Rd, Nahant, MA on a petition received from National Grid, North Andover, MA 01845, to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures under and across the public way located on Willow Road from pole 99 to serve residential customer at 132 Willow Road Nahant

BOARD OF SELECTMEN
Francis Barile, Chairman
Chesley Taylor, Vice Chairman
Richard Lombard, Secretary

Lynn Item
8-2-17
8-9-17

Questions contact – Annette Thompson 781-907-3450

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the Board of Selectmen of Nahant, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

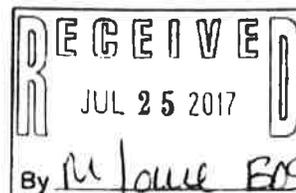
Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked Willow Road – Nahant - Massachusetts.

The following are the streets and highways referred to:
Plan # 24211310 Willow Road - National Grid to install +/- 10' of PVC conduit in the northern direction from pole 99 to serve residential customer located at 132 Willow Road, Nahant, Ma 01918.

Location approximately as shown on plan attached

NATIONAL GRID
BY Bob Coulter
Engineering Department

Dated: July 19, 2017



COPY

Verizon

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 19th day of July 2017.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Willow Road - Nahant - Massachusetts. Plan # 24211310.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Willow Road - National Grid to install +/- 10' of PVC conduit in the northern direction from pole 99 to serve residential customer located at 132 Willow Road, Nahant, Ma 01918

I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

.....
.....
.....

National Grid

ORDERED

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 19th day of July 2017.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Willow Road - Nahant - Massachusetts. Plan # 24211310.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Willow Road - National Grid to install +/- 10' of PVC conduit in the northern direction from pole 99 to serve residential customer located at 132 Willow Road, Nahant, Ma 01918

I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:

.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

.....
.....
.....

Nahant

ORDERED.

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 19th day of July 2017.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Willow Road - Nahant - Massachusetts. Plan # 24211310.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Willow Road - National Grid to install +/- 10' of PVC conduit in the northern direction from pole 99 to serve residential customer located at 132 Willow Road, Nahant, Ma 01918

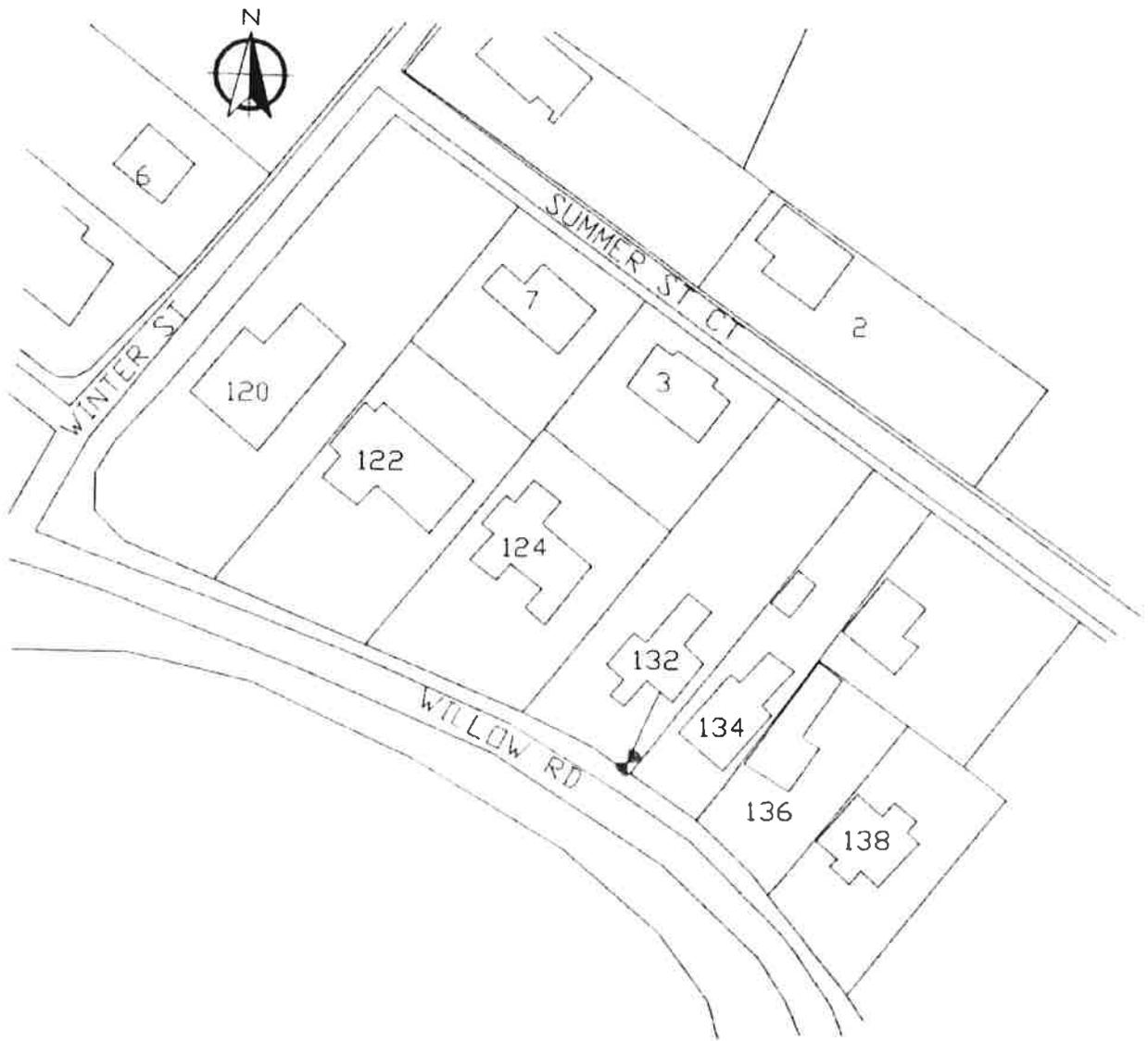
I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

.....
.....
.....



UNDERGROUND PETITION

POLE (EXISTING)

PROPOSED CONDUIT 1-3'

nationalgrid

CUSTOMER AT 132 WILLOW ROAD TO INSTALL SIPHON AND UNDERGROUND SERVICE FROM POLE #99 TO METER PEDESTAL.

Date: 7/10/2017

WORK REQUEST: 24211310

To The: TOWN OF NAHANT

For Proposed: SIPHON Location: WILLOW

Drawn By: BRENDAN POWELL

DISTANCES ARE APPROXIMATE

ABUTTERS FOR WILLOW RD, NAHANT 01908

132 Willow Road, Nahant
Mark J Irvine
132 Willow Road, Nahant



124 Willow Road Nahant
Connor, Michael J and Ilona O Trustees
124 Willow Road Nahant RLTY TR



*Mailed
7/25/17*

134 Willow Road, Nahant
Pawelski, Ronald J & Newlands Ellen J-Trustees 134 Willow Rd Realty TR
45 Whitcomb st, Boston Ma, 01740



Town Of Nahant
334 Nahant Rd, Nahant Ma,01908

*Bob Gaulte
Annette
Thompson* } *Nat'l
Gov*

Commonwealth, bounded and described as follows: Northeastly by the southwesterly line of Eastern Avenue fifty and 06/100 (50.06) feet; Southeastly by land now or formerly of Nicholas P. Flore et al eighty six and 57/100 (86.57) feet; Southwesterly by lands now or formerly of Nicholas P. Flore and Henry O. Silsbee, II et al Trs. fifty (50.00) feet; and Northwestly by land now or formerly of Jacob M. Gerson et al eighty four and 12/100 (84.12) feet. All of said boundaries are determined by the Court to be located as shown upon plan numbered 33577-A drawn by O.W. McIntosh, Surveyor, dated January 9, 1965, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with original Certificate of Title #35418 in said Registry. The above described land is subject to the restrictions set forth in a grant made by Henry Silsbee to George A. Fowler et al, dated October 4, 1926, duly recorded in Book 2709, Page 251, in said Registry, so far as in force and effect at date of original decree. The above described land is subject to the agreement and stipulation set forth in a grant made by the City of Lynn to Gaston H. DuPlessis et ux, dated February 12, 1943, duly recorded in Book 3323, Page 473 in said Registry. For Title reference see Deed recorded with the Essex South Registry of Deeds in Document #431743.

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, liens, attorney's fees and costs pursuant to M.G.L.Ch.183A, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of tenants and parties in possession.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check, bank treasurer's check or money order will be required to be delivered at or before the time the bid is offered. The successful bidder will be required to execute a Foreclosure Sale Agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney. The description of the premises contained in said mortgage shall control in the event of an error in this publication. **TIME WILL BE OF THE ESSENCE.**

Other terms if any, to be announced at the sale.

Ditech Financial LLC fka Green Tree Servicing LLC

Present Holder of said Mortgage,
By Its Attorneys,
ORLANDS PC
PO Box 540540
Waltham, MA 02454
Phone: (781) 790-7800
16-010337

Item: July 19, 26, August 2, 2017

**NAHANT
BOARD OF SELECTMEN
NOTICE OF PUBLIC HEARING**

The Nahant Board of Selectmen will be holding a public hearing on Wednesday, August 16, 2017 at 7:40 pm at the Nahant Town Hall, 334 Nahant Rd, Nahant, MA on a petition received from National Grid, North Andover, MA 01845, to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures under and across the public way located on Willow Road from pole 99 to serve residential customer at 132 Willow Road Nahant.

BOARD OF SELECTMEN
Francis Barile, Chairman
Chesley Taylor, Vice Chairman
Richard Lombard, Secretary

Item: August 2, 9, 2017



the Contract time shall be 140 calendar days from the date of the Agreement.

Contract Documents may be examined at the office of the Architect, Smith, 75 State Street Suite 701, Boston, MA 02109.

Contract Documents are available for examination at the following website: www.construction.com.

A deposit of \$50 in bank or certified check in the amount of \$50 in Massachusetts will be required for each Bidder requesting the Contract Documents. The deposit shall be in the form of a bank or certified check payable to the Town of Nahant.

Bidders may not withdraw their Bids until the opening of bids on Saturdays, Sundays, and legal holidays after 12:00 noon.

The Successful Bidder must furnish a 100 percent Payment Bond with a surety company acceptable to the Town.

Complete Instructions for filing Bids are included in the Contract Documents.

Wage Rates for this project are subject to the provisions of Chapter 149, Section 26 to 27H. It is the policy of the Town to request if necessary, any applicable wage rates for those tradespeople who may be employed on this Contract.

The bidding and award of this Contract shall be in accordance with Chapter 149, Section 44A - 44J.

The work under this Contract is funded by the Town of Nahant.

Item: August 2, 2017

(SEAL)

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LAND AND CONSERVATION**

ORDER OF SALE

TO: John J. Cammarata a/k/a John Cammarata Cammarata, and to all persons entitled to the benefit of U.S.C. App. § 3901 et seq.; U.S. Bank Trust, N.A., as Trustee for LSH, have an interest in a mortgage covering Willowdale Drive, given by John J. Cammarata Manhattan Mortgage Corporation, dated 08/01/2011 (Southern District Registry of Deeds held by Plaintiff by assignment, has/had determination of Defendant's/Defendants or recently have been, in the active market of America, then you may be entitled to the Relief Act. If you object to a foreclosure on the basis, then you or your attorney must file a petition in court at Three Pemberton Square, Boston, MA 02108 on or before August 2, 2017 or you will be forever barred from the benefits of said Act.

Witness, Judith C. Cutler, Chief Justice
Attest:

53875 (Cammarata) FEI # 1078.02287
Item: August 2, 2017



National Grid

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 19th day of July 2017.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Willow Road - Nahant - Massachusetts. Plan # 24211310.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Willow Road - National Grid to install +/- 10' of PVC conduit in the northern direction from pole 99 to serve residential customer located at 132 Willow Road, Nahant, Ma 01918

I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:

.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.


.....
Charles R. Taylor
.....
.....