

Danvers Select Board Minutes

March 21, 2023

The regular meeting of the Danvers Select Board was held on Tuesday, March 21, 2023, at 6:30 P.M. in the Daniel J. Toomey Hearing Room, Town Hall, 1 Sylvan Street, Danvers. Present: Daniel C. Bennett, Chair; Maureen A. Bernard; Matthew E. Duggan; David A. Mills, and Gardner S. Trask III. The **Pledge of Allegiance**, led by Select Board member Trask, was recited by all in attendance.

Select Board member Trask motioned the Board to approve the **Minutes of March 7, 2023**, seconded by Select Board member Bernard, and voted 5-0.

New Public Business: None

In reference to **agenda item No. 13** [The Board will continue review of the FY 2024 budget, if necessary], Select Board Chair Bennett noted that there was no necessity to continue discussion of the 3/18/23 Fiscal Year 2024 budget review, noting that areas of concern included the School Department and Essex Tech budgets, the latter continuing to *“put a great deal of pressure on the Town’s finances.”* The Chair noted the absence of Select Board members and his dismay at not having been notified in advance that a member was unable to attend.

Select Board member Mills read the proclamation, recognizing April 28, 2023 as **“Arbor Day”** in the Town of Danvers, after which Select Board member Mills motioned to approve the proclamation as presented, seconded by Select Board member Trask, and voted 5-0.

Paul Cote of Amesbury, MA was present, along with a contingent of motorcycle enthusiasts, to speak of his support for continued motorcycle awareness of the 17,000 cyclists in Essex County (606 in Danvers). Select Board member Trask read the proclamation, recognizing the month of April as **“Motorcycle Safety Period”** in the Town of Danvers, motioned to approve the proclamation as presented, seconded by Select Board member Mills, and voted 5-0.

A **public hearing** was held in accordance with Chapter 82 to **lay out the following private roads** (3) in anticipation of a vote for their acceptance as public ways at the May 2023 Annual Town Meeting: Cemetery Road, Fowler Street, and Riverview Avenue. DPW’s Town Engineer Stephen King noted that this is part of the Town’s annual program since 2000, resulting in the acceptance of 125 formerly private ways (23 miles of roadway) as public. In response to a resident’s question, it was noted that every effort is made to ensure there is no encroachment on private property and that if, in the future, a request was forthcoming from residents (i.e., sidewalk installation), all notification procedures regarding a potential modification would be followed. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 5-0. Select Board member Bernard motioned to approve the request as presented, seconded by Select Board member Trask, and voted 5-0.

A **public hearing** was held on the application of Detour Cars, LLC, d/b/a **Auto Factory**, 100 Ferncroft Rd., Unit 110, Danvers, Nick Markos, Manager, for a transfer of a Class II Dealer’s License at the location. Mr. Markos explained that this location will be for the sale of “high end, exotic vehicles” (no more than 10 indoors, no outdoor display), with no change to terms of existing license (held by RBK Motors). Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 5-0. Select Board member Trask motioned to approve the request as presented, seconded by Select Board member Bernard, and voted 5-0.

A **public hearing** was held on the application of Attorney Michael J. Splaine, 5 Elm Street (Fossa Building), Suite 11, Michael J. Splaine, owner, to hang **signage over the public way** at that location. Mr. Splaine, relocating to Danvers from Salem, asks permission to hang a small (6”x24”) on an existing bracket and has received the necessary permissions, including from the landlord, and provided bond. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 5-0. Select Board member Mills motioned to approve the request as presented, seconded by Select Board member Trask, and voted 5-0.

Christopher Chigas was in attendance to request reappointment as a Civil Constable in Danvers, a position he has held for several (3-year) terms. With several letters of recommendation, including from the Police Chiefs in Danvers and Peabody, Select Board member Trask motioned the Board to approve the three-year appointment of Mr. Chigas, seconded by Select Board member Bernard, and voted 5-0.

The Board considered applications by Bonnie Carr, event coordinator, North Shore Agricultural & Technical School, 565 Maple Street, for three (3) One-Day Wine & Malt Licenses for the following events [complete information and ticket availability on school's website].

- (1) **Thursday, April 20, 2023 5p-7p** "Workforce Summit Event" @ Smith Hall. *NEW* event which provides an opportunity to connect with commercial businesses (perhaps even bio-tech industry) to showcase our students and their skills for construction projects ongoing on the North Shore and beyond. Select Board member Bernard motioned to approve the application as presented, seconded by Select Board member Mills, and voted 5-0.
- (2) **Thursday, April 27, 2023 6p-8p** "Adult Ed. Wine Tasting" @ Farm Stand, an "enrichment event" of 1½-2 hr. duration highlighting the pairing of wines with particular foods, tutelage provided by Danversport sommelier. Select Board member Bernard motioned to approve the application as presented, seconded by Select Board member Mills, and voted 5-0.
- (3) **Saturday, May 20, 2023 6p-10p** "Larkin Gala" @ Smith Hall Lawn, fourth-year fund raiser for donations to support the re-building of Larkin Cottage. Select Board member Bernard motioned to approve the application as presented, seconded by Select Board member Mills, and voted 5-0.

Ms. Crateau, Locust Street, Danvers resident, and Advisory Board member of Angel Fund (ALS research), was present to request a One Day Wine & Malt License for a charity event under the auspices of this Fund to be held on April 22, 2023 from 7-11 P.M. at 240 Newbury Street (civil engineering business adjacent to Supino's Restaurant). The fund-raiser of which 92% of proceeds directly fund ALS research employs TIPS-certified servers for the "casino night" function. Select Board member Trask motioned to approve the application as presented, seconded by Select Board member Bernard, and voted 5-0.

The Board reviewed an application by Rising Reg LLC., d/b/a HIGHSEM, Event Coordinator, Ashley Steeves, requesting permission to host a road race, "*Danvers 7 Miller*" to benefit Danvers Rail Trail and Good Sports Inc., on Sunday, April 16, 2023, beginning at 10 A.M. at Tapley Park, 139 Pine Street, and ending across from Tapley Park on the Rail Trail. Ms. Steeves reported that this year's race will include a shorter, 4k option for those interested. Proceeds, after expenses, will benefit Good Sports Foundation and Danvers Rail Trail (approximately 50/50 donation less expenses). Parking planned at Tapley Field with overall directed to 75 Sylvan Street, with permission of owners. Select Board member Trask motioned to approve the application as presented, seconded by Select Board member Bernard, and voted 5-0.

The Select Board voted to accept a \$650 gift to the Veterans Services Office in accordance with M.G.L. Ch. 44, § 53A from Hancock Associates to distribute as gift cards to veterans and/or their families. Select Board member Trask motioned to accept the gift, with an appropriate letter of thanks, seconded by Select Board member Bernard, and voted 5-0.

Town Manager Update

- Annual Town Meeting warrant closes Friday, March 24, at noon.
- Warrant scheduled for Select Board review on April 4 and 6, including one citizen petition related to recall provision.
- Historic District (single parcel) on warrant with help of Dan Gagnon.
- Document from Aaron Henry via DOR Advisory about local option for communities to adopt related to an excise tax on aviation fuel; no language prepared as yet, but Board will have an opportunity to discuss this, if it takes shape.
- Budget review completed; several unresolved items, including four bids for trash collection and relief on Special Education front from State in the form of Governor's Supplemental Budget which includes \$75

million for out of district Special Ed placements. Impact on Danvers c. \$580,000; State-wide impact c. \$90 million. Things trending in the right direction.

Select Board member Trask motioned to accept the **Consent Calendar** as presented, seconded by Select Board member Bernard, and voted 5-0.

Gas Storage

Sunoco, Inc., d/b/a Sunoco, 140 Andover St.
Danversport Yacht Club Marina, LLC, 161 Elliott Street
Merrimack Valley Distributing Company, Inc., 50 Prince St.
A.L. Prime Energy, Holten & Pine Streets
Kane's Flower World, Inc., 64 Andover Street
Lowe's Companies, Inc., d/b/a Lowe's, 153 Andover St. #1094
Cherry Street 27 Enterprises, LLC, d/b/a Townsend, 27 Cherry St.
WalMart Stores/East, LP, d/b/a Walmart Store #2180,
55 Avalon Village Way

Roy H. Cote, d/b/a Roy's Place, 2 Wenham St.
Armando Perna d/b/a High St. Auto, 60-62 High St.
Nouria Energy Ventures 1, LLC, 149 Endicott St.
North Atlantic Airways, off Burley St.
Nouria Energy Ventures 1, LLC, 79-81 High St.
PMG Northeast, LLC, 425 Newbury Street
Eastern Propane Gas, Inc., 131 Water Street
LP Gas Equipment, Inc., 131 Water Street

Banners

Danvers Youth Football, Annual Danvers Youth Football Registration Reminder, over Maple Street May 15-21

Select Board member Duggan departed at 7:20 P.M.

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

Select Board member Bernard

- Budget meeting went well.
- Anxious to hear outcome of trash negotiations.
- There are Select Board discussions which perhaps should be held in Executive Session.

Select Board member Trask

- Budget review is one of the Select Board's most important meetings; sorry that there was an unexpected absence; "*it's important to be there and to participate.*"
- Select Board members have a larger responsibility to voters and need to demonstrate willingness to collaborate.

Select Board member Bennett

- In light of the one-day suspension imposed, Toritos's surrendered their liquor license to the DPD in a timely manner and spent the day (MARCH 21) cleaning the establishment and training staff; happy that they took advantage of the opportunity to review protocols for liquor service.
- If you meet a vet, thank him or her for service.

The meeting adjourned at 7:25 P.M.

Prepared by Ann Freitas

Attest: Catherine S. Ellsworth, Town Clerk