

## TOWN OF IPSWICH

Board of Selectmen  
Meeting Minutes of November 21, 2016  
Town Hall, 25 Green Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Board of Selectmen (BOS) was held on Monday, NOVEMBER 21, 2016 at 7 pm in Selectmen's Meeting Room A.

With a quorum present, Mr. Rauscher called the meeting to order at 7 pm.

Selectmen present: Edward Rauscher, Chair; Charles Surpitski, Vice Chair; Judy Field; Nishan Mootafian

Not Present: William Craft

Also present: Robin Crosbie, Town Manager; Catherine Tinsley, Recording Secretary

### **Welcome / Announcements**

Representatives from Blue Cross Blue Shield & MIIA presented the Town with a \$1000 check for coming in fourth place of the Steps Challenge, which tasked participants in walking for 6 weeks. Jennifer Breaker was recognized for her work organizing programs to encourage walking.

### **Citizen Queries**

Paul McGurin, 7 Hood Farm Road, spoke to an ongoing issue related to the Town's annual water flushing that causes air to go back into the house stressing the plumbing and reducing water pressure.

Mr. McGurin provided a copy of his June 23, 2016 letter to the Water Department and Water Committee asking for this issue to be resolved. Mr. McGurin requested the BOS put this on a future meeting agenda for discussion, stressing the potential danger to public safety.

Chairman Rauscher responded this was an issue when he was on the Water Committee last year and he thought the issues had been resolved. Ms. Crosbie reported that part of the problem is now many homes this effect and what the solution. A water system study is being done and the Water Manager has been tasked with making a recommendation to the BOS.

Water Manager Vicki Halmen was present and spoke to this saying it has taken a long time to get information and the solution appears to be greater than a simple plumbing. Further investigation i.e. engineering, was not budgeted and the resources available have not yielded a resolution which may include a such projects as a water main replacement, land acquisition, a water tank, and booster station. This situation has been placed on the Town's Master Plan.

### **Scheduling of Special Town Meeting (STM) Pony Express**

The vote before the BOS was whether to hold a STM on January 24th or 31st for the purpose of using Open Space bond funding to purchase the property known as Pony Express off Candlewood.

Present for this discussion were Glenn Gibbs, Town Planner; Chris LaPointe, Director of Land Conservation Essex County Green Belt; Michelle Vaillancourt, Open Space Program Manager; Wayne Castonguay, Chair Open Space Committee

The Town has been working with Green Belt, and the Commonwealth Division of Fisheries and Wildlife to reach an agreement with the Estate of Robert Daniels and Pony Express Farm, Inc. to acquire the Pony Express Farm located on Essex, Candlewood and Chebacco Roads in Ipswich. A Purchase & Sale Agreement between the parties was reached / signed for a purchase price of \$4,050,000; the Town's cost for its portion of the property is \$2.15 million dollars plus \$277,000 for preparing athletic field (s). The state is committed to \$500,000.

According to the P & S, funding must be secured by the end of January and the closing completed by March 15, 2017. This timing forces the Town to hold a STM in January 2017. Greenbelt has offered the Town up to \$10,000 to help defray the cost of the STM.

The hearing was open to the Board for questions and comments.

Mr. Surpitski questioned if anyone from the Town was involved with negotiations and was told it was primarily Greenbelt and the Seller, although the Town was kept up to date and informed.

Mr. Surpitski went on to ask if extending the timing for this to be on the ATM warrant would be detrimental, observing the property has been on the market quite a while and was told it could potentially result in the loss the property; the Estate is not willing or in the position to extend the date at this time.

It was noted that this is a Chapter 61 property but because it is not changing use, it does not trigger the Town's Right of First Refusal.\

The Chair recognized Tom Murphy, Town Moderator, who noted his concern regarding the low turnout recently at Town Meetings and said that child care will be provided by High School students during the STM meeting.

Mr. Mootafian suggested the Town consider selling a portion of this land for homes to help recover costs associated with this purchase and was told the land is buildable but the purpose of this project was to provide open space and needed athletic playing fields. He also supported that this be held to the ATM.

The Chair recognized Wayne Castonguay who reported the Committee looked at potential development but the addition of contiguous open space connecting other open space parcels was very valuable and recommended the property remain as open space. The two existing house will be renovated and sold and the stable will be sold subject to a Conservation Restriction.

Mr. Surpitski asked if this property is a viable well site as an additional water supply to the Town and was told that the Water Department has been consulted and once the Town has control, a review of this area would be done. This would not affect any of the plans for fields. He went on to ask in the event there is water on the property, if Greenbelt would allow the Town access on their portion of the property and was told the state has no interest in a core structure on the state owned property and it would not be a problem if a portion of zone one was over the property line, "if it gets to that point."

Ms. Field asked what deed restrictions would be imposed on the property as part of the contract with the seller and was told there were no restrictions between the seller and Greenbelt.

Regarding the language in the agreement, the Finance requested the language to acquire the property be amended to include for "other municipal purposes".

Mr. Gibbs recommended the STM warrant close on December 5 to meet publication requirements.

The Chair opened the meeting to public comment.

- Phil Goguen requested the BOS take no action and wait until the Annual Town Meeting
- Kelleyjane Kloub pointed out that it is unusual for a third party to pay for a Town Meeting. She went on to review some of the Towns' current large projects that have and will increase taxes such as building a new elementary school, looking into a new public safety building, and resolving water issues, and suggested these have a priority over bonding for open space.
- Pam Irwin, 2 Sagamore Road, expressed her concern with the additional taxes residents are facing with a new school, public safety building and that although Greenbelt does not have a fiduciary responsibility to the residents but the BOS does and should reconsider waiting to the ATM as a more appropriate for this consideration.
- Robert Irwin, 2 Sagamore Road, noted this property will come off the tax roll, and have ongoing maintenance costs and tax payers cannot afford this property. He also observed this area has high volumes of beach traffic from May to October. He opined it was such a great deal it could wait a few months for the ATM.

It was noted that Town Meeting directed the BOS to find athletic fields and approved the addition of \$5 million to the Open Space bond specifically for playing fields.

*Vote: Mr. Surpitski moved, and it was seconded to open the Warrant for a Special Town Meeting to be held on January 24, 2017 and the warrant for this meeting be closed on December 5, 2016. The motion carried unanimously 4 to 0.*

#### **PUBLIC HEARING – Real Estate Tax Classification Hearing**

The Chair read legal notice to set the real estate tax classification hearing as published and declared the hearing opened.

Present Robin Nolan, Chief Assessor, Finance Director Sara Johnson;

The BOS must adopt a residential factor which is used to determine the percentage of the tax levy to apply to each class of real and personal property. Historically the BOS has voted a tax factor at one, to keep a single rate for both residential and commercial properties.

Ms. Nolan addressed the Board and reviewed the financial impact with an estimated tax rate of \$14.19 per \$1000 assessed value. Because 89% of the tax base is residential and commercial 11%, there is minimal impact on homeowners of a \$44 savings with a split tax factor but for businesses the tax increase would be (average estimated) \$477 annually.

The meeting was open for questions / comments. Seeing none, the Chair closed the hearing.

*Vote: Mr. Surpitski moved and it was seconded, to set the real estate a personal tax factor at one. The motion carried unanimously 4 to 1.*

Residents can file for an abetment through January 1 - February 1

#### **Utilities Lien List**

IBOS 11.21.16

Vicki Halmen, Water/Wastewater Manager was present to ask the BOS to approve the (public) list of Water and Wastewater customer accounts with unpaid charges in excess of \$200.00 as of July 31, 2016 be included in the third quarter of FY 2017 real estate tax bills. One this action is taken by the Board, the process starts immediately and charges will be transferred to real estate bills.

Ms. Halmen noted uncollected charges for FY17 are \$104,000 compared to \$81,000 in FY16 and \$90,000 IN FY15.

Interest on unpaid charges is applied by statute at a rate of 14%-15%. Payment plans are available.

The BOS requested to know why some overdue accounts appear to not have interest charges.

*Vote: Mr. Mootafian moved, and it was seconded, to sign the Fy 2017 Water / Wastewater Lien List as of July 31, 2016 and approve its inclusion in the FY17 tax bill. The motion carried unanimously 4 to 0.*

**Cable Advisory Committee** – Status of Negotiations with Verizon. This agenda item was held for a final version of the contract.

### **Strategic Planning & Community Development Update**

Ethan Parson was present to update the BOS on the Strategic Planning & Community Development saying there is an agreement the Community Development plans needs updating; this can be done in house with the assistance of consultants as needed for i.e. map making, graphics, layout, etc.

- A significant part of the Housing Chapter has been completed.
- There is a plan to incorporate updated non motorize transportation plan, and economic development plan in the Community Development Plan.
- The public process includes forming a Task Force, public outreach, and subcommittees to address e.g. housing, transportation, infrastructure, etc.
- It was thought a selectman liaison would be beneficial. This will be taken under consideration when there is a full board.

Mr. Surpitski reiterated the importance that the Community Development determines the future of the Town and citizens need to be made aware of the impacts and that a strong effort be made to keep the public informed.

### **Update on Status of Dam Study - Dam Removal**

Ethan Parsons gave a brief overview of the status of the dam study saying the field work has been completed. He described the process to draw the water out from under the bridge, during which time the consulting team took soil bearings, did in-river test pits, surveyed the river bed, and inspected the infrastructure of the dam. He added that others took advantage and picked up trash and removed an old gas line.

- The consulting team began on August 22, 2016; refilling the river started August 25, 2016 and completed October 10, 2016.
- Information and documents are posted on the town's web site.
- Mr. Parsons is working ICAM preparing a video on the study.
- The technical team will meet to talk about the preliminary findings.
- The Town submitted a proposal to Mass Environmental Trust Fund for assistance with costs related to portions of the feasibility studies.

Ms. Crosbie summarized there is equal interest in removing the dam and in maintaining the dam, noting while the water was drawn down, the consultant inspected the dam and reported it to be very good shape.

Mr. Parsons observed that there is a question of this being an important historic crossing and a preliminary assessment is a part of the project. There is possible evidence of man-made work of the placing of boulders prior to the dam.

### **Consideration of Response to MassHousing** relative to Primrose Path 40B Project at 30-34 Town Farm Road.

Ethan Parsons gave an update on the proposed 40B project proposed for Town Farm Road.

The applicant, 30 Town Farm Road LLC, submitted a letter to Board dated October 11, 2016 notifying the Town of their filing with MassHousing of a 40B applications for a project at 30-34 Town Farm Road; MassHousing requested comments from the BOS regarding this application by December 1.

Mr. Parsons noted there was an application for a 40B project for this site about 10 years ago; he reviewed these documents and prepared comments for the Boards' consideration to submit to MassHousing.

The BOS requested an extension to the thirty day (December 1) due date to receive input from The Ipswich Housing Partnership. The request will be to submit a response by December 12, noting the Selectmen meet on December 5.

Some considerations:

The number of units, type of units (rental/ownership), density, layout, driveways, stormwater management, utility connections, located in the water protection district with a water main easement running through the property.

Mr. Parsons noted the application proposed 40 - 3 bedroom / multilevel units with a first floor master for handicapped accessibility.

The meeting was open to the public.

Linda Alexson expressed her concern with the impact the project would have on the Town's water supply and referenced the current drought and water ban stressing the town can't just find more water. The concern of the limited water resources will be made prominent in the letter as a major consideration.

It was questioned if such a 40-unit project could be denied / reduced due to water shortage; the Town Manager will confirm this suggesting a project cannot be denied based on water issues.

This will be on the BOS December 5 meeting agenda.

### **Approval of Minutes – October 25, 2016; November 7, 2016**

*Vote: Mr. Mootafian moved to approve the November 7, 2016 with the two edits as indicated and it was unanimous to do so.*

*Vote: Mr. Mootafian moved to approve the October 25, 2016 as written and it was unanimous to do so.*

### **Consent Agenda**

- Winter Parking Permits
- One Day Liquor License: Wine & Malt for Ipswich Ale Brewery, December 10, 2016
- Street/Sidewalk Blocking Application: 48 Market Street November 30 – December 15 with the condition that there be two police details.

*Vote: Mr. Mootafian moved, and it was seconded, to approve the Consent Agenda. The motion carried unanimously.*

### **Town Manager Report**

Ms. Crosbie reported:

- The draft warrant article for the authorization for the use of Open Space bond funds for the property known as Pony Express has been done; as requested the language include the use of the property for “and /or municipal purposes” to give a broad interpretation allowed under the Open Space bond language. She went on to summarize that the care and custody of the property resides with the BOS. This proposed article will be reviewed by Town Counsel.

Mr. Mootafian asked Town Counsel confirm the town's ability to use a portion of the property to build homes in the future.

- A Business Forum is scheduled on January 10, 2017.
- The Assessment Center was held last week for the Fire Lieutenant candidates; there were nine candidates.
- The Capital Plan draft for the BOS, noting this includes the 5-year lease of two fire pumpers
- Preparing for December Tri-Board meeting

Mr. Rauscher reported that Representative Hill has offered to attend a meeting to responded to questions the Board had regarding the new marijuana laws (Question 4) recently passed in Massachusetts. A night meeting was preferred. This will be scheduled for a meeting in December.

### **New Business**

A Tri Board meeting has been scheduled for December 21.

The Chairman reviewed the proposed agenda and it was agreed to be a budget focused meeting to include:

- Meet from 7 pm to 10 pm
- Budget
  - Review of FY17 actuals
  - Estimated revenues FY18
- Brief (5 to 10 minute) Audit summery of the clean audit
- January Special Town Meeting – financial implications
- School Building project update – placeholder

Mr. Rauscher proposed the following not be included:

- Town Meeting recap
- Feoffees Investment Performance

## **Old Business**

### **School project update – Mootafian**

Mr. Mootafian reported on the recent presentation on the proposed configurations for a new school located on the Winthrop School site. This meeting was well attended. Also included was a renovation design of the school as required by state

## **Miscellaneous & Correspondence**

The Board unanimously adjourned at 9:56 pm

Respectfully Submitted By  
Catherine Tinsley  
11.29.16

June 23, 2016

To: Water Department and Water Committee

**Subject: Water Pipe Flushing Impact**

I would like to document my concerns from the past year regarding the impact of the Town of Ipswich annual water flushing on my home on and possibly my neighbors on Hood Farm Rd. and Abbott Lane.

For Twenty Plus years, I have experienced the impact of the water flushing on my home at 7 Hood Farm Rd. During the annual process (1-2 weeks) water is drained from my house. I originally thought this to be normal. This is not the normal impact, not to mention any water Bill accuracy verification. I have no water each day for a four hour period from 8-12PM. This has a huge impact on my family and guests. I cannot drink water, cook, wash or flush toilets. Also, it is unsanitary.

When water returns there is still excessive air in the water pipes even though attempts have been made to reduce the air. Additional Hydrants and valves during flushing have not worked. The banging that occurs when water is turned on from faucets, showers, tubs and toilets is unacceptable each morning. I am concerned about interior plumbing and gas lines. The annual wear on the burner, pipes, water heater, faucets and especially gas lines because of the banging adds up each year. The town employees who are aware of the issue may move on and over the years issues get forgotten.

At the last Water Department Meeting I attended, I mentioned that each year I service my burner in preparation for winter. Prior to 2016, I specifically asked Home Serve to look at my burner to insure that I was prepared for the winter and the Town of Ipswich Annual Spring Water Flushing. Unfortunately, in 2016 I had to call Home Serve because of water on my basement floor each day of the flushing. Also, I had to stay up until midnight to insure no further damage to the burner and to collect overflow water. What if I was not home? I was told by Home Serve Tech. that a Watts 9D-M3, 1/2 inch Backflow Preventer was leaking after water pressure supply interruption by the Town of Ipswich, Water Flushing. The part is not covered by my repair plan and cost \$196.00 to replace.

In closing, the Town of Ipswich-Water Department must address all Hood Farm Rd. and Abbott Lane, Annual Water Flushing issues and concerns. I am especially concerned about the 8 inch pipe, looping and hydraulics issues, that Water Department has mentioned and are aware of in our area. Why was the water pipe design (no loop system) allowed to be permitted, approved and installed. The water pressure issues need to be addressed, buy the Town of Ipswich, so that emergencies, gas or fire, can be responded to quickly.

Thank You,

Paul D. McGurin