

TOWN OF IPSWICH

Board of Selectmen  
Meeting Minutes of November 14, 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 14, 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

**Announcements**

The Town Clerk and volunteers were recognized for a smooth election. Representative Hill and Senator Tarr were congratulated on their reelection to office.

Drought update – The water ban is still in effect. The reservoir is at 41% of capacity.

A tri Board has been proposed for December 21, 2016.

Selectmen Craft requested the BOS hold a special meeting for December 12 to discuss fire arm safety in Ipswich known as Article 20 (of the 2016 ATM)

BOS are accepting applications for the following ad hoc committee:

Public Safety Building

Bialek Park

**Citizen Queries**

Benjamin Fierro, Brentwood Way, stated he was speaking as a resident, not the Vice Chair of the ZBA, although this has the potential to be relative to the ZBA.

He questioned what the Town plans to do in relation to the passing of Question 4 on the ballot related to the legalization of Marijuana such as taxes, public health, public safety, zoning etc.

The Town Manger is in discussions with Town Counsel and will continue discussion these issues with the Health Director, Planner, Police Chief to determine a process to discuss these issues and necessary policies.

Mr. Fierro respectfully suggested a working group be formed to closely look into this matter and that Senator Tarr & Representative Hill be asked to support the legislation to delay implementation of this law coming to allow for an appropriate regulatory system to be developed by the state.

He went on to request the BOS consider putting a moratorium on retail marijuana stores before the voters noting that communities cannot ban stores but may vote a moratorium to grapple with these issues. Because it is legal to grow, possess, and consume but not legal to sell until December 2018, there are concerns for a so called black market providing sales before it is legal and how this might apply to public safety and went onto talk about local control e.g. siting, signage, hours of operation, etc. saying bylaws may not be unreasonably impractical.

The town cannot limit the number of marijuana retail store below 20% of the number of liquor licenses and if the town wants to limit the sale, requires an opt out provision by referendum vote.

This also poses a serious health issue to the public not wanting to breath in marijuana smoke.

In closing, he said as an Attorney he represented two organizations opposed to legalizing marijuana for health care reasons, but was before the BOS as a private citizen who knows a lot about these issues.

The Chair will reach out the Senator and Representative.

The Town Manager will have a timeline in a couple of weeks and report back to the BOS and forward the Selectmen's Town Counsels summary.

Mr. Surpitski stated he supported a delay in the law.

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**Department of Public Works (DPW)**

Present: Rick Clarke, DPW Director and Frank Ventimiglia, Operations Manager

Mr. Clarke gave an overview of the department during the past nine years he has been in the position which includes the following staffing:

- o 6 highway employees
- o 1 mechanic
- o 2 forestry - Down one person in forestry; interviews were held last week.
- o 5 cemetery workers
- o 4 managers

Mr. Clarke identified his request for a construction manager / engineer to oversee capital projects and the crew (s) on a day to day basis, rather than hiring a consultant. Example: \$75,000 was paid to a consultant for 6 months to oversee the Linebrook Road project; this could be a salary for an employee for a full year. Consistently the Town has hired consultants, noting sometimes consultant costs are within the contracts.

The BOS asked for a spread sheet of what has been spent on consultants in the past 5 years and what is anticipated to be spent during upcoming projects.

Mr. Clarke said summer help is hired from June 30 to Labor Day and works well; there is two summer positions in the budget.

Mr. Clarke spoke briefly on the following:

- o Recently completed locally funded projects: Newbury Road (partial); Island Park Road (partial); New March Road
- o Chapter 90 funded: Broadway extension area; Linebrook Road (partial); Drain work along Linebrook Road (partial in preparation for spring paving)
- o The Linebrook project is on target; the final design will go to bid in the spring and be compared to the current bid.
- o Crack sealing was done on Topsfield Road and Argilla Road, as maintenance.
- o Local sidewalk work completed.
- o The budget includes \$55,000 for sidewalk repairs.
- o 2017 projects as listed in the pavement management plan.

Mr. Clarke and Mr. Ventimiglia referenced a PowerPoint presentation and gave an updated on recent assessments.

Assessments were done on sidewalk conditions and handicapped ramps in compliance / out of compliance

The Town Manager requested an add alternate cost out for a sidewalk replacement program be done for FY 18.

Areas with no sidewalks were included the assessment, as well as the condition of existing sidewalks, and those areas that need sidewalks to connect.

An assessment of bridges in town has been completed, prioritized, and a bid spec developed for repairs.

The bridges in town are generally in good condition with the exception of County Street bridge which was hit and needs repair work done. This has been completed and waiting state inspection.

Trash Contract - The town is in a contract with JRM through June 30, 2018.

The Town is currently receiving \$10 per ton for recycling, but Mr. Clarke noted neighboring communities that recently negotiated new trash contracts pay \$25 per ton for recycling due to the market not supporting recycling products.

One option suggested to subsidize refuse costs included separating recycling products and charging for bulky items.

Risk Tree Health Survey completed - The tree inventory in town has been completed and Mr. Ventimiglia prepared a plan for those trees identified at risk. A complete inventory tree list is also forthcoming. This includes a recommendation of tree replacement planting plan. Tree replacement costs will be included in the annual budget.

DPW responsibilities

Tree removal - 31

Tree Limb removal - 37

Electric Light Department responsibility

Tree removal - 39

Tree Limb removal - 11

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Kevin McHugh, PE, with Coneco Engineers & Scientists, was present and spoke to specific projects including Phase 2 stormwater management.

Mr. McHugh referenced a PowerPoint presentation and provided an update on:

High Street area road/ sidewalks surface, Manning Street & Mineral Street

Conceptual Phase Layout objective - Historic district, improve ADA access, bicycle lanes, green areas, parking consideration, replacement of aging stormwater system. Mr. McHugh observed that if the town wanted to put the utility wires underground, this would be the time to do it; it was thought the estimated cost per mile was about \$1 million a mile. Mr. McHugh went in to more detail regarding the specific options for travel lanes, bike lanes, parking, and sidewalks. A general discussion ensued about this project.

Ms. Crosbie noted even if the decision is made to go forward with the project, it will be 3 to 4 years before it would start.

Jeffrey's Neck Road Hazard Mitigation; This is a \$1.5 million project; 75% / 25% FEMA grant funding was awarded for this project. Chapter 90 money will be used to fund the town's 25%.

The review of the design and permitting is being completed by FEMA; the final funding will be released upon the review. This project is expected to be completed in 2018. Mr. McHugh went on to explain the general project and how the street would be raised to avoid flooding and blend with driveways. There is 18 inches for a bike lane. The road is limited due to the abutting marsh limiting the width of the existing shoulders; the shoulder will be eliminated.

Farley Brook was found to be a contributor of the Ipswich River. The project was to improve the water quality in Farley Brook and impact Ipswich River. A 60/40 grant was received for none point source and natural treatments. Bacteria has been found and dog testing was used to determine between animal or human waste sources. This must be completed by June 2017.

Mr. Surpitski commended the DEP, Health Department, and Mr. McHugh for their efforts to identify the bacteria sources and correct it. The Proposed solution is to infiltrate the flow of Farley Brook by slowing it down and directing it through the wetlands so bacteria is treated through a natural process of filtering through soil, and water before it enters the Brook again.

Pet waste will be targeted by educating residents to pick up animal waste and to not feed water fowl so they are not encouraged to stay in the area. It was also noted human food creates bacteria in duck waste, that otherwise would not carry bacteria.

NPDES MS4 General Permit - The Town of Ipswich is in good shape; the DPW has been keeping up with requirements since 2003. The new permit just came out; the EPA manages this program. The Town has until July 1 to next year to prepare to comply with a number of requirements. Six minimal control measures expanded from 2003

- Public education / outreach programs to specific audiences
- Public involvement / participation - documents available
- Illicit discharge detection and elimination – stormwater system located in the regulated area i.e. downtown, and some expanded areas based on the 2010 census; a storm water management plan by July 1, 2018, drains identified, inspected, maintenance, samples if needed. The biggest change in the updated permit is all the long term written planning / programs/ reports followed by field work.
- Projected costs depend on what is done in house, by consultants, added hours. Some of these expenses need to be included in the FY18 budget.
- DPW Garage Wash bay summary – renovating one of the bays at the DPW to a wash bay, this includes drain, treatment and tying into the system.

Jeff Puter, Superintendent Cemetery & Parks, was present and gave an overview of projects such as rebuilding the board walk at the Ipswich side of Cranes beach; this was done during the winter when time allowed. This year the department implemented a playground improvement plan. It was noted Mr. Puter is certified in playground inspections. He went on to review the projects completed, noting those done “in house” to keep the costs down.

The work to digitalize the records started 5 years ago, including cemetery records, and updated maps. This is mostly done in the winter and will continue to be updated. A study of the old North Cemetery was done and a maintenance plan created; work at the cemetery has been started such as tree removal, invasive brush removal, and path repairs.

Ms. Crosbie observed that for years cemetery trust funds were used for cemetery capital.

Capital budget use some perpetual care funds. The town applied for a matching grant application and would use \$75,000 from perpetual care rather than the trust fund. Equipment will be in the Capital Improvement Fund.

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Mr. Puter said the budget would include half-court basketball courts at playgrounds noting the popularity of this design. He spoke briefly about his desire to improve Bialek Park and other potential parks.

The Chair complimented the presentation for their preparedness and information presented. Mr. Surpitski also congratulated the DPW on their cooperation with working with other department.

**Adjournment**

The Board unanimously adjourned at 9:55 PM

Respectfully Submitted By  
Catherine Tinsley  
11.21.16