

IPSWICH SELECT BOARD
Meeting of Monday, December 16, 2019
Ipswich Town Hall | 25 Green Street

Pursuant to 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 Select Board was held on Monday, December 16, 2019 at 7:00pm in Meeting Room A.

Board Members present: William Whitmore, Chair; Linda Alexson, Vice Chair; Kerry Mackin; Nishan Mootafian

Also present: Anthony Marino, Town Manager; Eileen Page, Recording Secretary

Present from 7:28pm to 8:55pm: Dr. Tammy Jones

Abbreviations used: COA, Council on Aging; APDC, Architectural Preservation District Commission; DEP, Department of Environmental Protection; NOAA, National Oceanic and Atmospheric Administration; FY21, Fiscal Year 2021; IRWA, Ipswich River Watershed Association

Executive Session

“Discussion of Negotiations with Non-Union Personnel (specifically, the Electric Light Manager). To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body specifically relating to the sale of town owned property located at 85 Northridge Road.”

Vote: Mr. Mootafian moved to enter Executive Session, and Ms. Alexson seconded. The motion carried 4-0 via roll call.

The Select Board entered Executive Session at 6:30pm.

The Select Board returned from Executive Session at 7:20pm.

With a quorum present, Mr. Whitmore called the Open Meeting to order at 7:20pm.

Welcome/Announcements

The Public Safety Facilities Committee will meet on December 17 at 7:00pm in Meeting Room B-2.

Mr. Whitmore encouraged residents to visit the events and meeting calendar on the Town website to see upcoming winter events and activities.

Ms. Alexson asked the Board members to make sure they speak into microphones. Residents watching the Finance Committee meeting last week were unable to hear much of the broadcast.

Town Hall will be closed on Christmas Eve and Day, open on December 26, and closed on New Year’s Day.

Citizen Queries

None.

Board and Committee Business

- a. Rita Badami – Reappointment – Council on Aging
- b. Diane Mitchell – Resignation – Council on Aging
- c. David Swicker – Resignation – Shellfish Commission
- d. Thomas Reichard – Resignation – Bialek Park Planning Committee
- e. Robert M. Stone – Resignation – Board of Registrars
- f. Ruth Strachan – Resignation – Historical Commission

There are two openings on the Council on Aging, and five applicants. Mr. Marino stated that he will seek input from Sheila Taylor (Council on Aging Director) before conducting interviews and making a recommendation for appointment to the Select Board.

Vote: Ms. Alexson moved to reappoint Rita Badami to the Council on Aging, and Ms. Mackin seconded. The motion carried 4-0.

Department Update: Planning and Conservation

Ethan Parsons (Director of Planning and Development) and Brendan Lynch (Conservation Agent) appeared before the Board to provide an update on the Planning and Conservation departments.

STAFF CHANGES

Brendan Lynch was hired in September as the new Conservation Agent. Kristen Grubbs began in November as the new Town Planner. Terry Anderson (Housing Coordinator) has announced his retirement; his last day will be December 19.

SERVICES

The Planning and Conservation departments provide various services to the town, including staffing several boards and committees, economic development, Open Space management, responding to public inquiries, working with prospective homebuyers and realtors, and assistance in navigating conservation regulations. This year, the Conservation Commission has received 40 notices of intent, and 29 small project requests.

ARCHITECTURAL PRESERVATION DISTRICT COMMISSION

Mr. Mootafian asked about the role and authority of the APDC in relation to Planning and Conservation. Mr. Parsons explained that the Commission works in an advisory role on certain projects, and does have authority similar to the Planning Board, but does not see many projects each year. Mr. Mootafian asked if residents can appeal to the Planning Board if they feel the APDC has overstepped. Mr. Parsons responded that they cannot, and an appeal would need to be made in court.

Ms. Alexson asked for confirmation that the APDC is a commission created by the Town, not state-mandated, and asked with the Historical Commission, Planning Board, and Zoning Board of Appeals if the APDC is particularly necessary. Mr. Parsons responded that he feels it is important to have the Commission to ensure that areas with common architectural themes remain preserved.

Ms. Mackin stated that when the ADPC was formed, members met with residents living in neighborhoods that would be affected by its formation.

ROLE OF CONSERVATION AGENT

Mr. Mootafian asked what kind of influence the Conservation Agent has over the Conservation Commission. Mr. Lynch responded that he gives recommendations, but decisions ultimately lie with the Commission. Mr. Lynch believes that with time and collaboration, a trust will form between himself and the Commission.

Ms. Mackin stated that she has heard concerns that the Conservation office's permitting process is expensive and time-consuming. She asked if a general permit for invasive species control might be developed to help streamline the process. Mr. Lynch responded that there are DEP regulations that must be considered, as well as the experience of those removing the invasive species.

Consider Referral of Potential Zoning Amendment Article to Planning Board, Pursuant to M.G.L. Chapter 40A

At the Fall Town Meeting, a citizen's petition was brought forward and approved regarding the production of recreational marijuana. Mr. Parsons stated that the Planning Board has no desire to allow marijuana dispensaries to open outside of the Route 1 commercial area. Regulations surrounding the production of recreational marijuana have been drafted, and by law the Select Board must refer the article to the Planning Board so that they may hold Public Hearings. The initiated article will be available in full on the Town website.

Vote: Mr. Mootafian moved to refer to the Planning Board for review and consideration potential zoning amendments included in the December 16 meeting packet. Dr. Jones seconded. The motion carried unanimously.

Domain Registration

The Town has received notification that ipswich-ma.gov and ipswichma.gov must be re-authorized, and were given a letter to sign doing so.

Vote: Dr. Jones moved to sign the letter, and Mr. Mootafian seconded. The motion carried unanimously.

Remainder of Annual Renewals of Common Victualler, Auctioneer License, Automatic Amusement, Weekday Entertainment, Sunday Entertainment, Antiques and Old Metals, Class I, Class II, Class III Licenses

Nineteen permits are ready for renewal, pending the confirmation that their tax and utility bills are fully paid.

Vote: Ms. Alexson moved to approve the permits, and Mr. Mootafian seconded. The motion carried unanimously.

Discuss FY21 Budget Schedule and Annual Town Meeting

Last year, the Select Board met weekly to hear department updates and budget briefings. Department updates have been taking place at regular meetings throughout the year, and it was suggested that this year, budget hearings take place on January 27 and 28, with no other business on the agenda. After the January 28 meeting, the budget would be voted on and passed to the Finance Committee for further review.

Bean Counting has been given a tentative date of April 4, 2020. Annual Town Meeting is scheduled for May 12, 2020. The Board hopes to open the Annual Town Meeting Warrant on January 6.

Discuss EBSCO Ipswich Mills Dam Removal

Mr. Mootafian recused himself, as he has a relative that works for EBSCO.

Mr. Marino reported that conversations between the Town and EBSCO have been ongoing regarding the removal of the dam. EBSCO is seeking a mitigation plan to ensure that their structures will be protected if the dam is removed. Following a meeting between Mr. Marino, Wayne Castonguay (Ipswich River Watershed Association), Ms. Mackin and NOAA, it was decided that Ipswich will be applying for a grant that would match 25% of funds to be used towards the design of a mitigation plan. Money may have to be allocated in the Capital Budget for FY21.

Before money is allocated, Ms. Alexson asked the Board to consider where the dam removal sits on the Town's list of priorities. Ms. Mackin stated that the dam removal has been identified as being in the top 5% of damaging dams along the East Coast north of Virginia, and one of the most damaging in Massachusetts. She believes that as the owner of the dam, the Town needs to prioritize its removal. She also noted that the dam's removal would reduce the risk of upstream flooding. The cost of removal has been estimated at \$570,000, with additional costs for the mitigation of compressible soils. Mr. Marino stated that the entire cost is currently unknown, but once the cost is determined it will help to designate a place on the list of priorities.

Mr. Whitmore disclosed that he is a NOAA employee, but Town Counsel has determined that there is no conflict of interest as neither Mr. Whitmore nor any of his associates would benefit from the dam's removal or preservation. He supports a pre-solicitation application, and would like to make sure communication with EBSCO remains open. He noted that there would also be costs associated with maintaining the dam if it is not removed.

Mr. Marino stated that he will draft a letter of support for the dam's removal from the Select Board to be submitted with the pre-solicitation application.

Wayne Castonguay (Ipswich River Watershed Association) stated that IRWA is happy to assist in the drafting of materials for the grant application.

Approval of Minutes

- a. December 2, 2019

Vote: Ms. Alexson moved to approve the minutes with changes discussed, and Ms. Mackin seconded. The motion carried unanimously.

Consent Agenda

- I. One Day Liquor License Applications
 - a. Wine and Malt for Monarch and Rose Foods for Private Event at 1 North Main Street on 12/27
- II. Partial Sidewalk Blocking Application
 - a. Robert Poczobut requests a partial sidewalk blocking permit for 16 Central Street from 1/2/2020 to 1/6/2020 for pump jacks, staging and material installation

Vote: Mr. Mootafian moved to approve the Consent Agenda, and Dr. Jones seconded. The motion carried unanimously.

Town Manager Report

STRATEGIC PLANNING GROUP

The Strategic Planning Group met on Thursday. Adam Gray and Emily Smith were appointed to the group out of 11 applications. The next meeting of the group is scheduled for January 9 at 7:30am in either Meeting Room A or C.

IT DIRECTOR

Greg Parachojuk (IT Director) will be retiring in early January. First round interviews for his replacement are complete, and two finalists will be brought in for second interviews this week.

FIRE LIEUTENANT

The Civil Service list for the Fire Lieutenant position has been received, and the top three candidates have signed off expressing their interest. Interviews will be conducted this week.

TOY DRIVE

Mr. Marino attended a Toy Drive with Senator Bruce Tarr. The drive reached its fundraising goal of \$2,000.

TOWN HALL HOLIDAY HOURS

Town Hall will be closed on Christmas Eve, Christmas Day, and New Year's Day.

PUBLIC SAFETY FACILITIES

Mr. Marino met with the Police Chief Paul Nikas, Fire Chief Andy Theriault, and HKT Architects to start fine-tuning the needs of the departments in the new Public Safety building.

WHITTIER MOTEL

The Whittier Motel will be coming in front of the Zoning Board of Appeals with a request to make 37 units affordable housing. If approved, there will be a Local Action Application that will come before the Select Board. If approved, the 37 units will be added to the Subsidized Housing Inventory.

MMA CONFERENCE

The annual Massachusetts Municipal Association conference will be held at the Hynes Convention Center on January 24 and 25. Select Board members interested in attending should contact Mr. Marino.

New Business

ARTICLE 11 AD HOC COMMITTEE

At Fall Town Meeting, a motion was made to set up an ad hoc committee for Article 11. The committee will be made up of a representative or designee of the Select Board and Finance Committee, and the Town Manager. The committee will draft language for the article to clarify questions that would be raised. Jim Engel (362 Linebrook Road) and Bill Craft (62 East Street) have both expressed interest in participating as Select Board designees. Dr. Jones volunteered to act as the Select Board representative if Mr. Engel and Mr. Craft are not available.

URBAN HARBORS INSTITUTE

Ms. Alexson recently attended a Waterways Advisory Board meeting during which representatives from the Urban Harbor Institute presented on a proposed harbor management plan. They will be attending an upcoming Select Board meeting to discuss their plans for Ipswich.

WATERWAYS REGULATIONS

Ms. Mackin stated that she has received comments from the public about the deterioration of marshlands. She noted that there is a new grant available to assist in their preservation. She has also received messages regarding the wakes of boats and jet skis, and would like to discuss strengthening regulations. Mr. Whitmore agreed, and noted that the Select Board discussed the issue briefly over the summer. Mr. Marino stated that it will be put on an agenda in January, and Chief Nikas would be invited to participate.

Old Business

None.

Miscellaneous and Correspondence

TOWN-OWNED PROPERTIES

Mr. Marino is working with Rick Clarke (Director of Public Works) to gather quotes from demolition companies for the removal of infrastructure on a Town-owned property on Topsfield Road. Ms. Alexson added that there are several Town-owned properties taken by tax title that are currently not in use. She would like to see an effort made to review the inventory list and determine which properties could be sold or offered for sale to abutters so as to begin generating tax revenue. Mr. Whitmore agreed, and asked that the Land Disposition Committee be added to the February 3 agenda.

CORRESPONDENCE POLICY

In an effort to provide more open communication with the public, Mr. Whitmore asked that the Board form a correspondence policy at the February 3 meeting. Mr. Mootafian added that historically the Chair of the Board has responded to inquiries while CC-ing the rest of the Board.

SNOW FORECAST

A snowstorm is forecasted from 4am to 6am tomorrow morning. Mr. Whitmore advised residents to be prepared and exercise caution.

Vote: Ms. Alexson moved to adjourn, and Mr. Mootafian seconded. The motion carried unanimously.

The Select Board adjourned at 8:55pm.

*Respectfully submitted by Eileen G. Page
12.17.19*