

**IPSWICH SELECT BOARD**  
**Meeting of Monday, June 15, 2020**  
**Ipswich Town Hall | 25 Green Street**

The Select Board participated in this meeting remotely utilizing Zoom in accordance with the Governor's March 12 Order suspending provisions of Open Meeting Law and to promote public health and social distancing.

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

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

With a quorum present, Mr. Whitmore called the meeting to order at 7:02 PM.

**Welcome/Announcements**

**GRADUATION**

The Board wished their congratulations to all graduating seniors, eighth and fifth-graders. The last day of school will be Wednesday, June 17.

**OUTDOOR DINING**

Outdoor seating at several downtown restaurants is now available, with free public parking. Residents are encouraged to support local restaurants as they reopen.

**ANNUAL TOWN MEETING**

Annual Town Meeting will be held on Saturday, June 27 at 9:00 AM.

**Boards and Committees**

- a. Jaime Novack – Appointment Confirmation – Historical Commission
  - b. Raymond Putnam – Reappointment Confirmation – Conservation Commission
  - c. Judith Rusin – Resignation – Library Board of Trustees
  - d. Michael Dougherty – Reappointment – Finance Committee
- *Vote: Dr. Jones moved to confirm the appointment of Jaime Novack to the Historical Commission. Ms. Alexson seconded. The motion carried unanimously via roll call.*
- *Vote: Ms. Alexson moved to confirm the reappointment of Raymond Putnam to the Conservation Commission. Dr. Jones seconded. The motion carried unanimously via roll call.*
- *Vote: Ms. Alexson moved to reappoint Michael Dougherty to the Finance Committee. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

**Citizen Queries**

Ryan and Sara Callahan (Sheppard's Way) stated that they moved into the Symes development on Linebrook Road two weeks ago. They wished to introduce themselves and make it known that they have been adhering to the water restriction guidelines. Mr. Callahan stated that they have been experiencing harassment as a result of Symes' disregard for the water restrictions. The Callahans look forward to being contributing members of Ipswich.

**Student Proposal for Installation on Town Property**

Zeke Allman, Chloe Doonan, and Carolina Weatherall appeared before the Board requesting that a memorial be installed in front of First Church in memory of victims of police brutality. Ms. Doonan and Ms. Weatherall stated that a ceremony would be held on the evening of Juneteenth (June 19) with the installation of 101 placards with the names of victims of systematic racism over the last six years. The installation would be followed by an 8 minute and 46 second moment of silence, symbolizing the amount of time George Floyd was held down by a Minnesota police officer. The memorials will be removed on July 6.

Dr. Jones, Ms. Mackin and Ms. Alexson expressed their support for the memorial.

Helen Weatherall (44 Fellows Road) expressed support for the memorial.

- *Vote: Dr. Jones moved to approve a temporary memorial at First Church as presented. Ms. Alexson seconded. The motion carried unanimously via roll call.*

**Select Board Review Draft Letter to Essex Board of Selectmen Re: Potential Marijuana Establishment**

Mr. Marino drafted a letter to the Essex Board of Selectmen on behalf of the Ipswich Select Board expressing concern about a marijuana establishment set to open at 242 John Wise Avenue, Route 133, directly across from Down River Ice Cream. The establishment sits on the Essex/Ipswich border.

The Board discussed the sentence, “The establishment may place increased demands on Ipswich’s public safety personnel.”

Ms. Mackin noted a typo in item number six.

Helen Weatherall (44 Fellows Road) asked what the nature of the marijuana business would be. Mr. Marino responded that it would be a retail marijuana establishment with a small growing facility.

- *Vote: Ms. Mackin moved to sign and send the letter to the Essex Board of Selectmen with the edits discussed. Ms. Alexson seconded. The motion carried unanimously via roll call.*

**Discuss/Vote Interim Budget Submission to Department of Revenue (DOR)**

Sarah Johnson (Finance Director) informed the Board that the DOR has requested that all municipalities that might not hold an Annual Town Meeting prior to June 30 submit a July 2020 spending plan for their review. Ipswich is submitting a spending plan in case Annual Town Meeting were to be canceled, or if the FY21 budget did not pass. The approval of the FY21 budget at Annual Town Meeting will null and void the July 2020 spending plan.

- *Vote: Dr. Jones moved to approve the interim FY21 spending plan for July 2020 if needed, pending the outcome of the FY20 Annual Town Meeting. Ms. Mackin seconded. The motion carried unanimously via roll call.*

**Symes Request for Water Ban Exemption**

Jeff Rhuda (Symes Associates) stated that Symes recently installed \$50,000 worth of landscaping at their development on Linebrook Road. Within a week of the landscaping, the Town’s mandatory water restrictions went into effect. Mr. Rhuda stated that in an attempt to save the landscaping, Symes has decided to pay daily fines for the last 10 days and run their sprinklers in spite of the water restrictions. Mr. Rhuda stated that the landscaping will require constant moisture during sunlight hours for the next 3-4 weeks. After this period, Symes expects to water twice a week, and would not water on rainy days. Mr. Rhuda stated that another reason watering is needed is to control dust issues.

Ms. Mackin stated that Ipswich’s water supply is limited, and the Ipswich and Parker Rivers are critically low. She noted that rain barrels and hand watering are viable options for watering that Symes has not used.

Ms. Alexson asked how many gallons of water Symes has used. Mr. Marino reported that there have been nine violations to date, and 16,000 gallons of water have been used. She also noted that residents have reported that sprinklers have been seen watering at all hours of the day and night, including in rainy weather.

Lisa Roth (179 Linebrook Road) stated that she lives directly across the street from the development, and there is not a dust issue that would require watering. She noted that requesting a water ban exemption is not the first time Symes has tried to make their potential loss of profit an issue of the Town. She does not support issuing an exemption.

Helen Weatherall (44 Fellows Road) stated that any risk Symes faced in terms of landscaping and water supply should have been apparent earlier on in their development.

Erika Turner (121 High Street) stated that Symes requesting a waiver is not only damaging but insulting to the people of Ipswich.

Mr. Rhuda rebutted that Symes would install rain barrels, but there has been little rainfall, so they have started bringing in water trucks. Mr. Rhuda stated that he believes there is a “coordinated attempt to trash this development,” and stated that Symes may need to rethink their development plan. Ms. Mackin responded that the only coordinated effort throughout town is to protect the water supply.

Vicki Halmen (Water and Wastewater Director) reported that Symes uses about 2,000 gallons of water per day.

John McTighe (102 High Street) stated that to hear concerns of landscaping taking precedent in the face of a potential drought was insulting to the town.

Janice Clements-Skelton (Finance Committee, Chair) asked Mr. Rhuda to expand on his statement about rethinking development plans. Mr. Rhuda declined.

Ms. Alexson asked Mr. Marino what the Town could do to ensure compliance with the water ban if the exemption was not granted. Mr. Marino reported that fines have been increased to \$900 per day. George Hall (Town Counsel) suggested that the Town could issue a cease and desist through a superior court, but the process may be expensive and lengthy.

- *Vote: Mr. Mootafian moved to deny the request for a water ban exemption. Ms. Alexson seconded. The motion carried unanimously via roll call.*

#### **Summer Rate Water Discussion**

Vicki Halmen (Water and Wastewater Director) reported that at a previous meeting, the Board voted to charge a base rate of \$11.25/100ft<sup>3</sup> for May and June. As a result, the Water budget will result in a shortfall of \$262,000, which could be made up over the next ten months through a surcharge. Ms. Halmen noted that the Town has seen an 11% increase in water usage since March. She presented three options to the Board:

1. Continue charging the FY21 base rate of \$11.25/100ft<sup>3</sup>
2. Reinstate the residential seasonal rate of \$16.88/100ft<sup>3</sup>, effective July 1
3. Reinstate the residential seasonal rate of \$16.88/100ft<sup>3</sup>, plus a \$1.15 surcharge, effective July 1

It was noted that the Water Subcommittee recommended to continue charging the FY21 base rate for one month, and reevaluate in July.

- *Vote: Ms. Mackin moved to reinstate the residential seasonal water rate of \$16.88/100ft<sup>3</sup>. Mr. Mootafian seconded. The motion carried 3-2.*

#### **Receive Draft Water Neutral Growth Implementation Plan**

Kristin Grubbs (Senior Planner) presented a study that addresses water needs as the Town experiences growth. Regarding Land Use and Development, the Town will see impact inside and outside of the water supply protection zones, and an increase in water demand. Climate change will impact water needs due to extreme weather changes that result in equipment failure and/or droughts. Heavier and more frequent rainfall will lead to flooding, erosion, and sediment sea level rise. The study recommends establishing a clear permit review process that considers water use for new and redevelopment projects, and reviewing current bylaws using tools such as Massachusetts Audubon Society’s Tool for Low Impact Development and Climate-Smart, Nature-Based Solutions. The study also suggests adopting a Water Neutral Growth Bylaw that would require developments to achieve a net zero water usage.

#### **Consent Agenda**

- a. Over 70 Recreational Shellfish Permit Application
  - a. Francis Jarmolowicz – 84 Topsfield Road

- *Vote: Ms. Alexson moved to approve the Consent Agenda. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

### **Town Manager Report**

#### LOCAL RESTAURANTS

Outdoor seating has begun at local restaurants to accommodate social distancing guidelines.

#### TOWN MEETING

Annual Town Meeting will take place on Saturday, June 27 at 9:00 AM at Ipswich High School. Electronic voting will be used, and residents who do not wish to enter the tent will be able to participate and listen by turning to a radio station in their cars.

A discussion regarding lowering the quorum for Town Meeting has been scheduled for Wednesday, June 24.

#### TOWN HALL

Town Hall is open to the public from 8:00 AM to 2:00 PM Monday through Thursday, and from 8:00 AM to 12:00 PM on Friday.

#### LIBRARY

The library is currently operating on “takeout service.” Patrons can select their books head of time by going online or calling the library, and they will be set aside for pickup.

#### COUNCIL ON AGING

The Council on Aging is open by appointment only for social services.

### **Other Business**

#### OUTDOOR SEATING

The Mayflower Restaurant has applied to host outdoor seating. Four parking spaces will be blocked off, as there is not enough space for tables on the sidewalk.

- *Vote: Mr. Mootafian moved to approve the Mayflower’s request for outdoor seating. Ms. Mackin seconded. The motion carried unanimously via roll call.*

#### TOWN MEETING ARTICLES

The Board had previously voted to Ratify At Town Meeting (RATM) three warrant articles, pending more information.

Article 2 addresses Finance Committee elections. Janice Clements-Skelton is running for reelection.

- *Vote: Ms. Alexson moved to support Article 2. Ms. Mackin seconded. The motion carried unanimously via roll call.*

Article 7 addresses a transfer of \$1,633,538 of school funds from the FY21 budget to the education stabilization fund.

- *Vote: Mr. Mootafian moved to support Article 7. Dr. Jones seconded. The motion carried unanimously via roll call.*

Article 8 addresses a transfer of \$102,000 of school funds from the FY21 budget to the special education reserve fund.

- *Vote: Ms. Alexson moved to support Article 8. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

#### DONATION ACCEPTANCE

A computer was donated by TransCOR to the Animal Control office. The computer is similar to those used in police cruisers, and is estimated to be worth \$500.

- *Vote: Mr. Mootafian moved to accept the computer donated by TransCOR. Dr. Jones seconded. The motion carried unanimously via roll call.*

#### **Old Business**

None.

#### **Miscellaneous and Correspondence**

#### SYMES DEVELOPMENT

Mr. Whitmore reported that the Board received over 100 emails and letters regarding Symes' watering during the water ban. Ms. Alexson stated that she hopes residents will continue to communicate with the Board on issues in town.

- *Vote: Ms. Alexson moved to adjourn. Dr. Jones seconded. The motion carried unanimously via roll call.*

The Select Board adjourned at 9:48 PM.

*Respectfully submitted by Eileen G. Page  
06.24.2020*