

IPSWICH SELECT BOARD  
Meeting of Monday, August 6, 2018  
Ipswich 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 Select Board was held on Monday, August 6, 2018 at 6:30 pm in Meeting Room A.

With a quorum present, Nishan Mootafian called the meeting to order at 6:31 pm.

Board Members Present: Nishan Mootafian, Chair; William Whitmore, Vice-Chair; Linda Alexson, Edward Rauscher

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

Not Present: William Craft

Abbreviations Used: DPW – Department of Public Works

Public Information: Agenda; Meeting Packet

**Executive Session**

*Vote: Mr. Whitmore moved to go into Executive Session to discuss pending litigation and to return to open session at 7:00 PM, and Ms. Alexson seconded. The motion passed by roll call vote 3-0.*

**Welcome / Announcements**

Ipswich Police Chief Paul Nikas presented the Board with a check for \$270 from the Living Faith Methodist Church, and \$50 from George and Joyce Ernstrom. He requested that the Board move to accept the checks, which will be used to purchase supplies and curriculum to implement the D.A.R.E. program in Ipswich schools.

*Vote: Ms. Alexson moved to accept the checks, and Mr. Whitmore seconded. The motion carried unanimously.*

**Citizen Queries**

None.

**Board & Committee Appointments**

Ken Savoie – Design Review Board – Reappointment

*Vote: Mr. Whitmore moved to reappoint Mr. Savoie to the Design Review Board, and Ms. Alexson seconded. The motion carried unanimously.*

**Discuss/Vote National Grid Request for Moratorium on Non-Emergency Gas Permits**

Mr. Jeff Hammel (Kensington, New Hampshire) appeared before the Board on behalf of National Grid employees. He requested a moratorium on all non-emergency National Grid work in town, citing public safety concerns that the temporary builders and contractors brought in are unfamiliar with this area and the work required. He stated that National Grid employees currently on strike have witnessed temporary workers conducting improper procedures. It was unclear whether or not the Town currently has projects that would be impacted by imposing a moratorium. Mr. Rauscher asked about negotiation progress, to which Mr. Hammel replied that there has been very little movement. Mr. Rauscher stated that he is generally not in favor of getting the Town involved in labor disputes, particularly if there is little movement towards a reconciliation. He consulted Senior Planner Ethan Parsons, and Mr. Parsons stated that though Town projects may not be impacted immediately by the moratorium, local homeowners have recently reported difficulties communicating with National Grid for private work. Mr. Whitmore stated that he would vote against a moratorium, citing an inconvenience to homeowners in Town and a reluctance to contribute to a “backlog”

of National Grid work. Mr. Rauscher suggested that if a moratorium were to be granted, perhaps it could have a sunset.

*Vote: Mr. Rauscher moved to impose a moratorium as of August 31, 2018 on all non-emergency National Grid work, and Ms. Alexson seconded. The motion failed 3-1.*

### **Planning Board Zoning Articles**

Senior Planner Ethan Parsons appeared before the Board seeking feedback on the three Articles he presented at the July 23<sup>rd</sup> meeting. Regarding Article One, Ms. Alexson noted that this is very similar to Articles presented at Town Meeting in May. Mr. Parsons stated that the main differences are that Article One affects only the central business district versus the general business district, and makes changes to housing density. He stated that if the Article passes, there are many buildings in town that will be able to add residential units without making structural changes, and would allow business owners to fully utilize their space. Ms. Alexson asked how many downtown properties this Article would affect, and Mr. Parsons believes it to be about a dozen, if all property owners choose to utilize the opportunity to add residential units. Mr. Mootafian brought up that if Article One passes, the Planning Board will also need Article Two to pass to compensate for parking. Regarding Article Two, Ms. Alexson inquired about enforcement of parking procedures. Mr. Parsons stated that enforcement would be largely dependent on a Zoning Enforcement Officer, as well as follow-ups and complaints. Ms. Alexson raised concerns regarding a note that for every 15 residential units added, two must be affordable. She stated that if a building is only adding one or two units, neither of those units are required to be affordable housing. Mr. Parsons and Town Planner Glenn Gibbs responded that if the threshold for unit requirement is set too low, it makes projects “undoable” for property owners. Regarding Article Three, Mr. Rauscher inquired as to how many dwellings are currently qualified as accessory apartments. Mr. Parsons stated that under current regulations, about 70 homes have accessory apartments. Regarding Clarifying Revisions, the Planning Board seeks to change the definition of “lot area” in reaction to a case that Town Counsel was involved in last year. They also seek to change “superfluous language” that deals with administration and building inspectors. Mr. Mootafian suggested that presentations for the public be passed to the Finance Committee as soon as possible so that it can be reviewed far ahead of Special Town Meeting.

### **Vote License Agreement with First Ipswich Bank for Digital Kiosk at 31 Market Street**

Mr. Gibbs presented the Board with plans for a digital informational kiosk to be displayed at 31 Market Street, outside of the First Ipswich Bank. The kiosk would be run remotely from Town Hall by ReCreation & Culture Director Kerry Bates. The annual cost of the kiosk will be \$100 to cover expenses, as it will be powered using electricity from the Bank. It was reported that the Town asked the bank to waive the yearly fee, but was refused. The sign itself will be about 3 feet by 2.25 feet. The kiosk cost \$17,191.20, about \$700 below the original estimate. Mr. Rauscher suggested imposing a specific time each night when the kiosk is shut off. Ms. Alexson inquired about insurance coverage, and Mr. Gibbs said the sign will be protected under the Town’s current plan in case of vandalism or malfunction.

*Vote: Mr. Whitmore moved to execute an agreement to install the sign in front of 31 Market Street, a property owned by First Bank of Ipswich, and Mr. Rauscher seconded. The motion carried unanimously.*

### **Rewritten Plastic Bag-Polystyrene By-Law**

Ms. Tessa Devoe (55 Pineswamp Rd) presented the Board with a proposed Article to be added to the Special Town Meeting Warrant. She was accompanied by Ipswich High School science teacher Ms. Lori Lafrance. The Article would make changes to the by-law’s definition section, expanding the definition of a plastic bag, and removing the allowance of biodegradable bags. Ms. Devoe stated that approving this Article will make Town by-laws surrounding plastic bag use more restrictive. Ms. Devoe stated that 80 other towns in Massachusetts currently have these restrictions, and adopting this Article would put the Town in compliance with a potential future state ban on plastic bags. Concerns regarding Ms. Devoe’s age were raised, as she will not turn eighteen before October, but she stated that she is willing to present the Article herself at Special Town Meeting.

*Vote: Ms. Alexson moved to add Rewritten Plastic Bag-Polystyrene By-Laws to the Special Town Meeting Warrant, and Mr. Rauscher seconded. The motion carried unanimously.*

### **Annual Appointment of Election Workers**

*Vote: Mr. Rauscher moved to accept the list as presented, and Mr. Whitmore seconded. The motion carried unanimously.*

#### **Vote to Set Date for Special Town Meeting**

The Special Town Meeting date was previously set for Tuesday, October 23, 2018, however, this date does not coincide with High School availability.

*Vote: Mr. Whitmore moved to hold Special Town Meeting on Tuesday, October 16, 2018 at 7:00 pm, and Ms. Alexson seconded. The motion carried unanimously.*

#### **Vote to Open Special Town Meeting Warrant**

*Vote: Mr. Rauscher moved to open the Special Town Meeting Warrant, with all items to be included delivered to the Town Manager's office by 4:00 pm on August 20, 2018. Mr. Whitmore seconded. The motion carried unanimously.*

#### **Bialek Park Committee – Discuss/Vote Grant Award and Location of New Skate Park**

Ms. Bates, Alex Pechilis (15 Newmarch Street) and Thomas Dupere (291 Main Street, Amesbury) appeared before the Board to discuss The Switch Rideable Art Area, and a \$30,000 grant awarded for its construction. The project is described as a “rideable artscape” which will be located behind the Bialek Park playground. The Town would be responsible for the ownership of the park, and it would be covered under the Town’s current insurance policy as a public recreational facility. Ms. Bates stated that she is happy to step into the role of manager for the park. The Switch will follow the same rules as all other public parks in town, with operating hours designated from sunrise to sunset. There will not be any floodlights, only “artistic lighting.” The construction will be supervised by Mr. Dupere, acting as an independent contractor. The \$30,000 grant will cover the first of three phases, including material and professional work, and may cover some of the cost of Phase Two. Phase One must be completed by January 1, 2020, and the first payment of the grant will be received in September 2018. Several citizens were in attendance, and spoke in support of The Switch. Ms. Bates stated that Ipswich High School Assistant Principal Jeff Carovillano has agreed to add skateboarding to the Lifetime Sports gym class as soon as the park is completed. Ashley Kesack (53 Farley Avenue) is a member of the Bialek Park Planning Committee and stressed that the \$30,000 grant would at least cover the construction of the skate park, even if it is not able to expand into an art display. Kristina Brendel (403 Linebrook Road) is the president of IMADA and believes The Switch will give local artists an opportunity to display their talent, and as a parent of a skater, describes the sport as a cross between exercise and dance. Stephanie LaVita (Everett, Massachusetts) was in attendance representing New England Female Skateboarding and stated that most students aren’t ready for the advanced skatepark in Newburyport, and having a skate park appropriate for all abilities would be convenient for new skaters. Tammy Jones (1 Seaview Road) spoke to her confidence in Ms. Bates’s ability to make the most of this park in a fiscally responsible manner. Carla Villa (20 Masconomet Road) endorsed the park as a great investment for local youth. Mr. Mootafian suggested putting the park on the August 20<sup>th</sup> meeting agenda to discuss a better financial timeline. Mr. Whitmore would like to study the public’s response to the idea on social media and through emails.

#### **Ant Bicycle**

John Gallagher, co-founder and Head of Development for Ant Bicycle, appeared before the Board to gauge interest in bringing a bicycle sharing program to the Town. Using the Ant Bicycle app available on iPhones and Androids, users locate a bike through GPS. There is no central dock, and if a bike is left unused for 48 hours, Ant employees move it back to a “hot spot” for pickup. The program will be available at no cost to the Town, and insurance coverage would be provided by Ant. It was decided that Mr. Marino will begin working with Ant to set up a pilot program.

*Vote: Mr. Whitmore moved to establish a pilot program with Ant Bicycle that allows the community to try a bike sharing station at no cost to the Town. Ms. Alexson seconded. The motion carried unanimously.*

#### **Approval of Minutes**

June 4, 2018

June 9, 2018

July 23, 2018

*Vote: Ms. Alexson moved to approve the minutes, and Mr. Rauscher seconded. The motion carried unanimously.*

**268a. Section 20(a) Exemption Request to Enter into a Power Purchasing Agreement**

Whitney Hatch (176 Argilla Road) is an Electric Light Department Sub-Committee Member and metering customer for the Town. Following a recommendation by Town Counsel, he requested to be named a special employee for the Town to allow for negotiations of a power purchasing agreement. Under the agreement, the Town would purchase solar power generated by Mr. Hatch's panels.

*Vote: Mr. Rauscher moved to declare Mr. Whitney Hatch a special town employee, and grant an exception for Chapter 268(a), Section 20(a). Mr. Whitmore seconded. The motion carried unanimously.*

**CONSENT AGENDA: One Day Liquor License Applications (Item A)**

Manchester Summer Chamber Music, LTD, Summer Concerts at the Barn at Castle Hill on 8/11, 18, 25  
Ipswich Ale Brewery, 1K Road Race on August 17 and BONS event at Castle Hill on August 22

**CONSENT AGENDA: Partial Street Blocking Applications (Item B)**

Jim Dorau for the Ipswich Ale Brewery 1K Road Race from 7:00 pm to 7:30 pm, see map for locations

*Vote: Mr. Whitmore moved to approve Items A and B on the Consent Agenda, and Ms. Alexson seconded. The motion carried unanimously.*

**CONSENT AGENDA: One Day Liquor License Application (Item C)**

Ipswich Sports Bar & Grill, 11:00 am service on July 15, 2018 for World Cup Soccer, Select Board vote Nunc Pro Tunc

Ms. Alexson expressed concern that Item C could have been presented by the Ipswich Sports Bar & Grill at the July 9<sup>th</sup> meeting, but the establishment did not present before the Board until after their event. She declined to vote for the approval, citing that they should have been more proactive.

*Vote: Mr. Whitmore moved to approve Item C on the Consent Agenda, and Mr. Rauscher seconded. The motion carried 3-1.*

**Vote Acting Town Manager, Sarah Johnson from August 10-17, 2018**

Mr. Marino presented Finance Director Sarah Johnson as the Acting Town Manager for the week of August 10-17. Mr. Mootafian asked if anyone can be appointed as Acting Town Manager. Mr. Marino stated that they can, according to the by-laws.

*Vote: Mr. Whitmore moved to appointed Sarah Johnson as Acting Town Manager, and Ms. Alexson seconded. The motion carried unanimously.*

**Town Manager Report**

**GOAL SETTING**

Mr. Marino has sent a draft of the Select Board goals to the Board members for review, and would like it put on the agenda for the August 20<sup>th</sup> meeting for discussion, feedback, and changes.

**FIRE CHIEF**

An Assessment Center was conducted on July 25<sup>th</sup>, and based on the scores, two finalists were interviewed on August 3<sup>rd</sup>. Mr. Marino anticipates making a final decision fairly quickly.

**COMMUNITY BENEFITS AGREEMENT**

Mr. Marino is waiting on minor changes to the Community Benefits Agreement by Town Counsel George Hall.

**UNION CONTRACTS**

Union contracts are due at the end of the fiscal year (June 30, 2019), and negotiations will be started this fall. Their discussion is on the agenda for the August 20<sup>th</sup> meeting. Mr. Marino would like a Select Board Member to be present for negotiations.

#### 85 NORTH RIDGE ROAD ABUTTERS

Mr. Marino is currently working with abutters to create an easement on the 85 North Ridge Road property in an effort to avoid land court.

#### LIBRARY

Library Director Patty DiTullio has created a part-time position for a local history and archivist librarian. She will have a presentation on the position for the Board soon.

#### New Business

Ms. Alexson would like to discuss turning Pavillion Beach into a resident-only beach in the summer season. Mr. Mootafian suggested discussing it later in the year. Ms. Alexson would also like to see a bike rack placed at the Town Wharf. Mr. Marino will talk to the DPW, as he believes they may have some extra racks. Mr. Marino also gave a water update, reminding residents that the town is currently at a moderate mandatory restriction. This prohibits:

- A) the irrigation of laws via any system other than a handheld hose or bucket;
- B) The washing of vehicles, except to meet core function of a business;
- C) Washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement, or cement; and
- D) Filling or refilling of swimming pools

Mr. Marino stated that Water & Wastewater Director Vicki Halmen has been monitoring water levels, and will put a severe water ban in place if she feels it is appropriate. Ms. Alexson circled the conversation back to residential development, saying that it is irresponsible to consider taking on non-40B housing projects when expansion is not sustainable with current water resources.

#### Old Business

None.

#### Miscellaneous & Correspondence

The Board reviewed the Approved Banner List.

*Vote: Mr. Rauscher moved to adjourn at 9:57pm, and Ms. Alexson seconded. The motion carried unanimously.*

*Respectfully submitted by Eileen Page  
08.10.18*