

TOWN OF IPSWICH
Finance Committee Minutes
Tuesday September 12, 2023 at 7:30pm
Ipswich Town Hall, Meeting Room A
25 Green St. Ipswich, MA

With a quorum present, the Chair called the meeting to order at 7:35pm.

Finance Committee members present: Jamie Fay (Chair), Emilie Smith (Vice Chair), Joe Bourque, Walter Hartford, Rob White, Michael Schaaf, Leah Crespi, Ken Swenson, Robert Chambers

Also Present: Stephen Crane (Town Manager), Sarah Johnson (Finance Director)

1. Citizens Queries – J. Fay

- none

2. Warrant Hearing on STM Articles – S. Johnson/ J. Fay

Article 1: FY24 Municipal Budget (State Aid)

Stephen said this article is asking to use these funds to backfill the Wetlands Fund in the conservation budget. The field inspection hours have gone up a lot which has drained this fund. The hope is to refill the fund for now and allow it to regenerate. Jamie asked how we know this is going to be an issue. Sarah said there is no money in the Wetlands Fund. The salary for this position is \$15,600 and it is for 15 hours per week.

Stephen also went over the \$120k request in the budget for the Management Transfer Fund. This will be used for a classification and compensation study. This money will be used for the study and will also be used for pay increases if needed. Jamie said Tony Marino did this before he left. Sarah said Tony went through himself to look at management positions and he also looked at it regarding gender and differences in pay for the same positions. Sarah said we don't have a formalized study looking at all salaries. In the current environment, this new study is needed and is much more comprehensive. Stephen said he has done these in other communities and has found it to be extremely helpful in hiring and retaining staff. Rob asked if Mary could write an executive summary on what has been done in the past and how that differs from what is being done now. Michael said he recalls Janice did not think the study that had been done in the past was sufficient.

- Motion to approve Article 1 made by Michael, seconded by Walter

→ *Motion passed unanimously, 9-0*

Article 2: FY24 School Budget (State Aid)

This request is for \$122, 227 for the School Budget. For the past several years the schools have overbudgeted and have returned money to the Reserve Fund.

- Motion to approve Article 2 made by Rob, seconded by Emilie

→ *Motion passed unanimously, 9-0*

Article 3: FY24 Municipal Budget

This article is an appropriation for an additional sum of \$150,694 to the FY24 Municipal Budget to authorize expenses to cover the expenditures for the Regional Animal Control. When we had to submit the budget the Regional Animal Control was still being established. Stephen said he was unaware that Ipswich, as the host community, was

required to appropriate the full amount at Town Meeting. The approved amount for Animal Control Services is \$84,381. Ipswich's share of that will go down to \$79,176. Sarah said we appropriate the funds, we bill the towns, and it will come in as a revenue source. We have increased our expenses but local receipts will be higher. We will be gaining \$5k. Rob asked if our Animal Control Officer is now making more money since she is responsible for four towns, Stephen said yes. Rob asked how they decided to charge each town. Stephen said it is based on population. Jamie said the Animal Control Officer will be making 40% more and the assistant will be making a lot more as well. We are also adding a person that needs a vehicle. Stephen said they may be able to repurpose a vehicle or another town may have one. We still have things to figure out. Bob asked about how disputes will be settled. Stephen said there is a Board of Directors which are the town administrators, and the Operations Committee are the Police chiefs.

- Motion to approve Article 3 made by Bob, seconded by Emilie.

→ *Motion passed unanimously, 9-0*

Article 4: Appropriation to Essex Tech

Stephen said this is a placeholder amount because we will get the number in early October. The motion will have the correct number.

- Motion to RATM made by Emilie, seconded by Bob.

→ *Motion to RATM passed unanimously, 9-0*

Article 5: Transfer Funds for Opioid Remediation Purposes

This is money that was given to us for opioid remediation purposes. We can do something impactful with this money but it would not be permanent. But if we were in a regional partnership with the other towns that are also receiving money, we can make more of an impact. Jamie asked if we could have used a revolving fund for this, Sarah said no it is either this way or a stabilization fund.

- Motion to approve Article 5 made by Emilie, seconded by Rob.

→ *Motion passed unanimously, 9-0*

Article 6: Water Department Infrastructure Improvements (Dow Dam)

Stephen said this article is a re-vote because the motion was made incorrectly. A grant that Vicki had applied for prior to the first vote was approved and we received a \$1M grant, so we only need to ask for \$1.5M now. Jim Engel, 362 Linebrook Rd., Town Moderator, said we need to rescind Article 20 from last Town Meeting.

- Motion to approve Article 6 made by Emilie, seconded by Walter.

→ *Motion passed unanimously, 9-0*

Article 7: Public Safety Facility Bid Contingency Funds

Town Meeting is being asked for additional funds in case they need to go slightly over the budget. That way the entire project doesn't get halted over a small amount. There is no more room for taking more away from the project without sacrificing the quality of the building or the quality of the town services.

- Motion to approve Article 7 made by Emily, seconded by Joe.

- Michael said he plans to oppose this article. While the use of the funds proposed in this article may not have a direct effect on tax payers, it does have an effect on funds we have in Capital which has an indirect effect on taxpayers

→ *Motion failed, 4-5 (camera did not show who voted)*

Article 8: Amend Town Government Study Committee Bylaw

Gary Champion, 3 Palamino Way, Chair of the Government Study Committee, and Emily Smith, 5 Birch Lane, member of the GSC. Gary said the purpose of this article is to protect the constitutional right of citizens to decide how local government is to function. Gary gave a history of the GSC. The Select Board asked that the GSC make some changes at the warrant to create more transparency. They added that language and brought this back to the Select Board and they voted 2-3 in opposition. Emily said the Select Board was looking for additional language that would clarify that the committee could not refer topics to themselves without oversight of the Select Board.

Joe stated his support for this article and said he doesn't think we should try to stifle the contributions that the GSC wants to make to the town. Rob said he is concerned about who governs what the GSC does when a topic is not provided by Town Meeting or the Select Board. Rob said he does not like that the GSC can come up with their own initiatives. Michael said he shares the same concerns Rob has. He asked what standards the GSC has for choosing its own agenda? Emily said their thought was that even if they do their own study, the study would be presented to the Select Board and Town Meeting and would still have to be endorsed and voted on. Charlie Surpitski, 17 Upper River Road, Select Board member, said their issue is the scenario where the GSC chooses topics themselves. They have great respect for what the GSC does, they just want the GSC to come to the Select Board and get their blessing first if the GSC chooses a topic to study for themselves.

Gary said they don't think the Select Board should have control over what they study because in the past the Select Board hasn't wanted the GSC to operate and hasn't approved them of studying anything. They don't want this to happen again. Jamie asked if the Select Board doesn't approve them studying something, could they bring it to Town Meeting instead. Gary said yes.

Dan Kelly, 6 North Main Street, said when the Climate Resiliency Committee wants to put something on the warrant they don't have to ask the Select Board for permission. The Finance Committee doesn't either, and there are a lot of boards that are the same. They should be allowed to put something forward before the town to see if the town wants to adopt it.

Jamie said the GSC has been around for a long time. The purpose and charge as it is today is not what it was originally set up to be. It was originally temporary to help figure out the Town Charter. There have been long stretches over the course of its 60 years where the committee did not do anything. Jamie said he thinks if we accept this article as written we are creating unnecessary conflict in town government. He would vote for this article if the sentence was removed about the GSC choosing their own topics. Joe asked Gary if they plan to meet again before Town Meeting. Gary said they may meet again and can discuss possible wording changes. Michael said he agrees with Jamie, he would approve this if they would amend the article to include Select Board approval of topics. The other members agreed.

- Motion to approve Article 8 made by Emily, seconded by Joe.

→ *Motion failed, 2-7. Joe and Emily supported.*

Article 9: Adoption of Specialized Stretch Energy Code

Carolyn Britt, 1 Shagbark Woods, Mike Johnson, 1 New Mill Place. Carolyn said this supports goals in the State plan for 2050 and in the Ipswich Housing Plan and Community Development Plan. This will help lower carbon emissions. The building code is updated every 3 years. In 2008/2009 an amendment to the building code was passed called the Stretch Code. This is a specialized amendment to the Stretch Code, called the Specialized Stretch Code. 19 communities

have adopted this and 20 communities are considering it. The concept is that if you continue to use fossil fuels in your home, you must install the wires and capability to make everything electric. Jamie asked how many buildings per year will be affected by this. Carolyn said the building inspector would know that, it might be 15-20 per year. Emily asked what the feasibility requirements are. Carolyn said the only feasibility is regarding solar. Rob asked what it costs to make the house electric compatible plus solar. Carolyn said the study that DOR did didn't look at solar. It just looked at benefits to the builder and home owner. For a small single-family residence, the benefit to the builder for solar was \$11k cheaper plus rebates that would be available. It would be almost \$6k cheaper for the down payment for the homeowner and also \$1k cheaper per month. Ken said he is on board with this but he doesn't like the solar requirement. People like it because the subsidies are good but if you had to pay for it yourself it would be a lot. Mike said they are only required to have solar if they choose fossil fuels. If you choose electric, you don't have to put in solar. Emily asked what the Select Board feedback was. Carolyn said they voted 3-2 to not support. Carl Nysten, 34 Brownville Ave, said two of the members that opposed asked for further information. They wanted an opportunity to review the information and possibly revisit this conversation again before Town Meeting.

- Motion to approve Article 9 made by Michael, seconded by Emily.

→ *Motion passed unanimously, 9-0*

Article 10: Drive-through Facilities

Brendan Conboy, Planning Director, said drive-through facilities was something that was flagged at the last Town Meeting as something that should be looked at. There was an original draft that asked for no drive-through facilities. After some discussion with the Planning Board and the Interim Planning Director, there was a revision that drive-through facilities will be treated as an accessory permit and can be used in non-residential zones. This will now require a special permit. Ken asked if there are any active participants that want to do a drive through at this point. Toni Mooradd said there are not. Walter asked if this is allowed with food. Toni said there are no drive-throughs allowed with fast food. That already exists. Robert asked how the Select Board voted on this. They voted 5-0 in support.

- Motion to approve Article 10 made by Walter, seconded by Michael.

→ *Motion passed unanimously, 9-0*

Article 11: Miscellaneous change to Nonconforming Height Restrictions

Brendan said this came at the request of the Building Inspector and it has to do with the allowances for non-conforming structures. The change ensures that changes in height to existing structures would have to be brought to the ZBA and would allow for abutters to have a voice. Ken asked if there are any active permits that this would affect, Brendan said no.

- Motion to approve Article 11 made by Emily, seconded by Ken.

→ *Motion passed unanimously, 9-0*

Article 12: Miscellaneous Change to Fence Height Regulations

This also came at the request of the Building Inspector and would require a building permit for any fence over 7 ft. in height, which is consistent with the state's requirements for fence height. This would also require anything over 7 ft. to go to the ZBA for a special permit. Jamie asked what the standard is for the ZBA to issue a special permit for a fence over 7 ft. Brendan said if the proposed height would create a public nuisance they could say no. Toni said if you have a fence that is over 7 feet it also needs to be supported in the correct way.

- Motion to approve Article 12 made by Joe, seconded by Rob.

→ *Motion passed, 8-1*

Article 13: Authorize Conservation Commission to Enter into Lease of Farm Fields at 275

Brendan provided maps of the parcel. This parcel is under the care of the Conservation Commission and has been farmed by Marini Farm for years. The Open Space Manager, Beth O’Conner realized that the previous lease had expired and needed to go to Town Meeting for a vote since it’s a 10-year lease. There will be a farm plan and a lease for 10 acres. Michael asked if they would put something in the lease that ensures the land will be actively farmed.

- Motion to approve Article 13 made by Ken, seconded by Bob.

→ *Motion passed unanimously, 9-0*

Article 14: Amending Tow Charter to Give Select Board Exclusive Authority to Appoint Members of Planning Board

Dan Kelly, 6 North Main Street, said he proposed this Citizen’s Petition. He was able to get 144 signatures in 5 days. This is a bipartisan effort to change the way in which the Planning Board members are appointed. Right now, under the charter they are exclusively appointed by the Town Manager. This citizens petition seeks to change that so that the members of the Board will instead be appointed by the Select Board. This will help with transparency and accountability, and will ensure independence is maintained between the Planning Board, the Planning Director, and the Town Manager. Jamie asked what the problem is currently. The current problem is that there is a growing concern within the town as to whether in fact the Planning Board, in its decisions, are truly accountable to the people. This would restore a sense of faith in the way the government works. Jaime asked how the Select Board voted on this, Dan said they voted 4-1 and Carl opposed because he recommended this go to the Government Study Committee first. Rob asked why Dan did not also want Town Meeting to choose 1 or 2 members. Dan said there was a citizen’s petition in 2018 which required Planning Board members to be elected. That was defeated. Having to have people run in an election seems like too much of a burden and may discourage qualified candidates. Dan said he also does not think Town Meeting is an appropriate place to choose members of this Board because we don’t get a large enough crowd to be representative of the town. The Select Board is much more representative of the town.

Leah asked if there are any potential conflicts that could come up with the Select Board appointing both the Planning Board and the ZBA. Dan said he doesn’t think so because the Select Board is the ultimate appointing board in town. Leah also asked, if the Select Board sunsets the current members, would they all change over at the same time? Dan said they would keep their current terms so there would be staggered turnover. Lastly, Leah asked if they are adding in language to a document that has specific years mentioned, or is that something we have to go back and edit in the future. Dan said he has worked with the Town Moderator who has also worked with Town Counsel on this, he has approved this language. However, Dan said he is happy to continue to work on the language.

Jamie asked if his article specifically mentions staggered terms. Dan said it does not. Jamie said someone could interpret that this would mean the Planning Board would turn over every 5 years. Dan said that’s not his intention and perhaps they should make an amendment to this that mentions staggered terms.

Joe asked if Dan consulted with the Government Study Committee about this. Dan said he did not but he did consult with Gary Champion, Chair of the GSC about this. Gary signed the petition, but in a personal capacity. Dan asked the GSC if they had any objections with him going forward with this, they did not.

Michael said the Planning Board has a really difficult job. They need people on the Board that understand legal matters. Michael said it feels like getting rid of the entire Planning Board would feel like they are undercutting an entity that has gone through some challenging times recently. Michael said he thinks a better solution would be to have staggered terms and have some of the members appointed by the Select Board but not all of them. Dan said he cannot stress enough that this is not an effort to throw out the existing Planning Board.

Joe said he thinks the Town Manager is acting as an agent of the Select Board when he appoints the Planning

Board. He said Dan made some good points. He is going to oppose this, because he likes the idea that Carl made to have this sent to the Government Study Committee. Perhaps this should be a hybrid version where some members are appointed by the Select Board and some are appointed by the Town Manager. Joe said this issue seems to have bubbled up quickly and is a quick reaction and perhaps we need to slow down and take a closer look at this.

Brendan Conboy, Planning Director, said he does not have a strong opinion either way. The only concern thus far with the proposed article is the dissolution of the current board on July 4. That is right before Fall Town Meeting and losing members at that time would complicate projects. He suggested allowing for current members to finish their terms and then the Select Board could take charge appointing new members then. Toni said the Planning Board has to adhere to the Zoning Bylaws. The Planning Board protects the town with their decisions. This should not be something that is political. Jamie sked Brendan if his role is changed at all depending on who appoints the Planning Board. Brendan said no. Jamie encouraged the Planning Board to discuss this at their next meeting and make a recommendation.

Gary Champion, Chair of the GSC, said they were asked to look at a prior Citizen's Petition regarding how the Planning Board is appointed. When they did this, it's about 50/50 if the Planning Board is elected or appointed. It is very rare for the Town Manager to appoint the board. Speaking as a citizen, Gary said the Planning Board's job is much more complicated now than it was when it was established in 1967.

- Motion to approve Article 14 made by Ken, seconded by Walter.

→ *Motion passed, 5-4*

3. FinCom Report for 2023 STM – “Write-Up” Assignments – J. Fay

Article 1: Rob

Article 2: Rob

Article 3: Rob

Article 4: Rob

Article 5: Ken

Article 6: Joe

Article 7: Jamie

Article 8: Michael

Article 9: Ken

Article 10: Walter

Article 11: Walter

Article 12: Walter

Article 13: Ken

Article 14: Emilie

4. New/Old Business – J. Fay

- There will be a Tri-board meeting on 9/26.
- STM FinCom report
- Subcommittee reports
 - Jamie said the Public Safety Facility Group received approval from the Planning Board a few weeks ago and the ZBA granted the three variances. We are scheduled to get the final vote from the Conservation Commission next Wednesday. The building was reviewed by the Design Review Board. They did not like it. The Design Review Board is an advisory board to the Planning Board. They conveyed their thoughts and comments to the Planning Board and some changes were made.
 - Joe said the Water/Wastewater Subcommittee met last week. The town received a grant for \$250k that went toward the Town Wharf Pump Station. We did not get the \$15M Brick Grant which was disappointing. The Town Hill Water Tank is being tested and they are hoping to have that online in early December. They can then start demolition of the old tank.
- Priorities for FinCom
 - Having a consistent, quality financial report on a consistent basis.
 - The Finance Committee voted to support this goal unanimously.
 - Update the Strategic Planning Subcommittee report by the end of this fiscal year.
 - The Finance Committee voted to support this goal unanimously.
 - Get a more accurate, fully developed five-year Capital Plan tied to School Dude
 - The Finance Committee voted to support this goal unanimously.
 - Look into the plans, process, and voting framework of the new Whittier School.
 - The Finance Committee voted to support this goal unanimously.
 - Facilitate the resolution and fulfillment of a full-time Finance Director.
 - The Finance Committee voted to support this goal unanimously.
 - Have the Select Board commission a study on the financial benefits of membership in a regional dispatch center.
 - A discussion ensued about the likelihood of this being supported by the Select Board and the town.
 - 3 people were in favor of this becoming a goal, 5 were opposed.
 - Look into the Payne Grant/ FEOFFEEs use of funds.
 - Jamie said this may be stepping on the School Committees toes.
 - 2 were in support of this becoming a goal, 7 opposed.

- Become more informed about 3A and understand the financial consequences of declining.
 - Michael said this is a huge deal in the town and a lack of activity to process this with the community could result in adverse outcomes. The deadline is the end of 2024. Emilie asked if this is on the Tri-Board agenda because she does not understand the Finance Committees role in this.
 - The Finance Committee voted to support this goal, 7-2.
- ESCO effort/ Sustainability Position
 - Michael said it has been advertised.
 - Ken said if we have a Climate Resiliency Manager, we will have someone that is an equivalent of the owner's project manager, which is required.
 - Michael said this position is essential for the success of the ESCO program.
 - The Finance Committee voted to support this goal unanimously.

5. Adjourn – W. Hartford

- Motion to adjourn made by Emilie, seconded by Ken.

→ *Motion passed unanimously, 9-0*

Respectfully Submitted By
Alyson von der Esch
9-18-23