

Commonwealth of Massachusetts

## Town of Ipswich

### Warrant for **Annual** Town Meeting

May 9, 2023

7:00 pm



ESSEX, ss

To the Constable of the Town of Ipswich in said County:

#### GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Ipswich qualified to vote in Town affairs to meet in the IPSWICH MIDDLE SCHOOL/HIGH SCHOOL, 134 High Street in said Ipswich, on TUESDAY, THE NINTH DAY OF MAY, 2023 at 7:00 o'clock in the evening, then and there to act on the following articles, viz:

**Index of Articles for Annual Town Meeting – May 9, 2023**

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18	<a href="#"><u>Middle/High School Roof</u></a>	School Committee
19	<a href="#"><u>Doyon and Winthrop School Roofs</u></a>	School Committee
20	<a href="#"><u>Water Department Infrastructure Improvements</u></a>	Water Department
21	<a href="#"><u>Waste Water Department Infrastructure Improvements</u></a>	Waste Water Department
22	<a href="#"><u>Authorize Select Board as Electric Commissioners to Borrow \$5 Million From USDA</u></a>	Electric Light Department

23	<a href="#"><u>Town Government Study Committee Report to Town Meeting</u></a>	Gary Champion
24	<a href="#"><u>New Construction Moratorium</u></a>	Torii Bottomley
25	<a href="#"><u>Amendment to the Noise Control Bylaw</u></a>	Robert L. Weatherall

*Under the Americans with Disability Act, the Town of Ipswich will make every effort to assure that Town Meeting is accessible to individuals with disabilities. Should any assistance be desired in this regard, please contact the Select Boards Office at (978) 356-6604.*

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**ARTICLE 1 – Consent Calendar**

Requested By: Select Board

To see if the Town will vote:

- (1) To fix the annual salary and compensation of all elected Town Officers as follows: Town Moderator: \$250.00; Select Board: member \$750.00; Chairperson \$1,000.00; School Committee: member \$ 200.00;
- (2) To transfer the sum of \$324,000 as a payment-in-lieu of taxes from the Electric Light Department;
- (3) To hear reports from the Public Safety Building Committee, Public Safety Property Reuse Committee, and the Government Study Committee;
- (4) To see if the Town will amend Section 15-29 of the General Bylaws by deleting the subpart “L.” as follows:

L. Crane Beach Maintenance Fund: funds derived from the sale of Crane Beach parking permits and the Trustees of the Reservation Crane Beach PILOT Agreement, to be expended by the Town Manager (or Select Board) for maintenance and repair of Town-owned or operated parking and pedestrian facilities at Crane Beach in Fiscal Year 2020 and subsequent years.

- (5) To establish the following expenditure limitations for the revolving funds authorized in § 15-29 of the Town Bylaws for FY2024:
  - a. Town Wharf Revolving Fund: \$17,000;
  - b. Beautification Fund: \$5,000;
  - c. Public Health Fund: \$5,000;
  - d. Sanitary Housing Fund: \$7,000;
  - e. Food Inspectional Services Fund: \$27,000;
  - f. Council on Aging Fund: \$100,000;
  - g. Historical Commission Fund: \$5,000;
  - h. Town Hall Custodial Services Fund: \$20,000;
  - i. Shellfish Enhancement Fund: \$15,000;
  - j. Electric Vehicle Charging Fund: \$3,000;
  - k. Health Reimbursement Fund: \$41,000;
- (6) To authorize the payment of any unpaid bills from prior years, if necessary;
- (7) To appropriate a sum of \$442,333.88, or a greater or lesser sum, from the state for highway improvements under the authority of M.G.L. Chapter 90, or any such applicable laws, and to authorize the Select Board, if necessary, to apply for, accept and borrow in anticipation of state aid for such projects.

**MOTION:**

Linda Alexson of the Select Board moves to set the salaries of elected officials; transfer funds from the Electric Light Department; hear reports from committees and continue listed committees as standing committees of Town Meeting; amend section 15-29 of the General Bylaws and establish expenditure limitations of revolving funds; to appropriate the sum of \$442,333.88 under the authority of M.G.L. Chapter 90 and to authorize the Select Board to borrow in anticipation of state aid for such projects, all as set forth in Article One of the warrant for this Town Meeting.

*Simple Majority*

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

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**ARTICLE 2 – Amend FY 2023 Municipal Operating Budget**

Submitted By: Select Board

To see if the Town will vote to amend the Town’s action taken under Article 3 of the May 10, 2022 Annual Town Meeting (FY 2023 Municipal Operating Budget) by transferring \$131,303 from The Stabilization Fund and amend the transfer from the Waterways Fund from \$117,631 to \$120,485, or to take any action relative thereto.

*Summary: In reviewing the budget to prepare for the tax rate setting, it was discovered that the line using the Stabilization Fund was inadvertently left off the list of revenue to balance the FY23 Town Operating Budget. The FY23 Stabilization Fund contribution was supposed to be \$131,303. Also, the prior year’s Waterways fund was not updated to reflect the FY23 Harbormaster’s Budget. The FY23 Harbormasters Budget is \$120,485 and only \$117,631 was funded. Therefore, an additional \$2,854 needs to be transferred from the Waterways Fund for a total transfer of \$134,157.*

**MOTION:**

William Whitmore, Chair of the Select Board moves to amend the FY 2023 Municipal Operating Budget as printed in Article 2 of the Warrant for this Town Meeting.

*2/3<sup>ds</sup> Majority*

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** No Position

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**ARTICLE 3 – Finance Committee Election**

Submitted By: Select Board

To see if the Town will vote to appoint one [1] member of the Finance Committee for three [3] years from any nominees to be put forward at Town Meeting, or to take any action relative thereto.

**Moderator to call for nominations from the floor.**

*Simple Majority*

**Select Board Recommend:** 4-0 RATM  
**Finance Committee Recommend:** 9-0 RATM  
**School Committee Recommend:** No Position

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**ARTICLE 4 - FY 2024 Municipal Budget**

Submitted By: Select Board

To see if the Town will vote to hear and act upon the reports of the Select Board and Finance Committee relative to the Fiscal 2024 municipal budget totaling **\$30,157,228**, and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior

appropriations, all to be used for the ensuing year’s operations, including the compensation of elected Town officers, and to authorize the Town to enter into lease-purchase contracts for equipment having a term of five years or less; or to take any other action relative thereto.

*Summary: An annual operating budget must be adopted and funded for Fiscal Year 2024 which begins July 1, 2023. A budget was adopted by the Select Board and submitted to the Finance Committee as required under the Town Charter and general by-laws. Detailed budget information is available on the town website at [www.ipwichma.gov](http://www.ipwichma.gov)*

<b>General Government</b>	<b>\$1,026,990</b>
<b>Finance</b>	<b>\$1,130,759</b>
<b>Planning</b>	<b>\$685,685</b>
<b>Public Safety</b>	<b>\$6,148,283</b>
<b>Public Works</b>	<b>\$5,385,035</b>
<b>Community &amp; Cultural Services</b>	<b>\$1,679,494</b>
<b>Benefits &amp; Other Misc.</b>	<b><u>\$6,096,963</u></b>
<b>General Fund Total</b>	<b>\$22,153,209</b>

**For a General Fund Total of \$22,153,209 including waterways; and**

<b>Water Department</b>	<b>\$4,980,493</b>
<b>Wastewater Department</b>	<b>\$2,880,916</b>
<b>Sanitation, Solid Waste, Recycling</b>	<b><u>\$142,610</u></b>
	<b>\$8,004,019</b>

**Total Municipal Budget** **\$30,157,228**

**And that the following sums be raised and appropriated or transferred to fund the FY2024 budget:**

<b>Septic Loan Program</b>	<b>\$33,740</b>
<b>Tourism Account</b>	<b>\$ 2,000</b>
<b>Debt Premium</b>	<b>\$ 580</b>
<b>Overlay Surplus</b>	<b>\$150,000</b>
<b>Waterways Improvements</b>	<b>\$144,460</b>
<b>Raise and Appropriate</b>	<b>\$21,822,429</b>
<b>Water Receipts</b>	<b>\$4,980,493</b>
<b>Wastewater Receipts</b>	<b>\$2,880,916</b>
<b>Sanitation, Solid Waste &amp; Recycling</b>	<b>\$125,610</b>
<b>Sanitation Retained Earnings</b>	<b>\$17,000</b>
<b>Total Funding Sources</b>	<b>\$30,157,228</b>

**MOTION:**

**Sarah Player of the Select Board moves to appropriate the sum of \$30,157,228 for the FY 2024 municipal budget to be expended as follows:**

<b>General Government</b>	<b>\$1,026,990</b>
<b>Finance</b>	<b>\$1,130,759</b>
<b>Planning</b>	<b>\$685,685</b>
<b>Public Safety</b>	<b>\$6,148,283</b>
<b>Public Works</b>	<b>\$5,385,035</b>
<b>Community &amp; Cultural Services</b>	<b>\$1,679,494</b>
<b>Benefits &amp; Other Misc.</b>	<b><u>\$6,096,963</u></b>
<b>General Fund Total</b>	<b>\$22,153,209</b>

**For a General Fund Total of \$22,153,209 including waterways; and**

<b>Water Department</b>	<b>\$4,980,493</b>
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Wastewater Department	\$2,880,916
Sanitation, Solid Waste, Recycling	<u>\$142,610</u>
	\$8,004,019
<b>Total Municipal Budget</b>	<b>\$30,157,228</b>

And that the following sums be raised and appropriated or transferred to fund the FY2024 budget:

Septic Loan Program	\$33,740
Tourism Account	\$ 2,000
Debt Premium	\$ 580
Overlay Surplus	\$150,000
Waterways Improvements	\$144,460
Raise and Appropriate	\$21,822,429
Water Receipts	\$4,980,493
Wastewater Receipts	\$2,880,916
Sanitation, Solid Waste & Recycling	\$125,610
Sanitation Retained Earnings	\$17,000
<b>Total Funding Sources</b>	<b>\$30,157,228</b>

2/3rds Majority

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

**ARTICLE 5 – FY 2024 School Budget**

Submitted By: School Committee

To see if the Town will vote to hear and act upon the reports of the School Committee and Finance Committee relative to the Fiscal 2024 School Department budget totaling **\$37,580,266**, and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year’s operations, including entering into lease-purchase agreements having a term of five years or less for a school bus and/or for other purposes; and to act upon a request to reauthorize existing revolving funds pursuant to state law; or to take any other action relative thereto.

**MOTION:**

**Kate Eliot, Chair of the School Committee moves to transfer \$150,000 from the Overlay Surplus account; to transfer \$962,704 from the Education Stabilization Fund; and to raise and appropriate the sum of \$36,467,562 for a total of \$37,580,266 to fund the FY 2024 School Budget as set forth in Article Five of the warrant for this Town Meeting.**

2/3rds Majority

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

**ARTICLE 6 – FY 2024 Whittier Regional High School Budget**

Submitted By: Whittier RVTHS Representative

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$606,878, or a greater or lesser sum, to cover the Town’s share of the ensuing year’s annual operating and debt service expenses of the Whittier Regional Vocational Technical High School; or to take any other action relative thereto.

**MOTION:**

**Kate Eliot, Chair of the School Committee moves to raise and appropriate the sum of \$606,878 to**

pay the Town's share of the ensuing year's annual operating and debt service expenses of the Whittier Regional Vocational Technical High School.

*Simple Majority*

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

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**ARTICLE 7 – FY 2024 Essex County Technical Institute Budget** Submitted By: Select Board

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$383,082, or a greater or lesser sum, to cover the Town's share of the ensuing year's annual operating and debt service expenses of the Essex County Technical Institute; or to take any other action relative thereto.

**MOTION:**

**Kate Eliot, Chair of the School Committee moves to raise and appropriate the sum of \$383,082 to pay the Town's share of the ensuing year's annual operating and debt service expenses of the Essex County Technical Institute.**

*Simple Majority*

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

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**ARTICLE 8 - Transfer of FY23 Appropriated Budget Funds to Educational Stabilization Fund**

Submitted By: School Committee

To see if the Town will vote to allow the School Department to transfer available funds from the FY23 Appropriated Budget to the Educational Stabilization Fund.

*Summary: The School Committee believes that there are unused funds available in the FY23 Appropriation. The intent is to transfer these available funds into the Educational Stabilization Fund for use by the School Department in future years.*

**MOTION:**

**Kate Eliot, Chair of the School Committee moves to transfer the sum of \$ 2,700,000 from the FY2023 School Operating Budget to the Educational Stabilization Fund.**

*Simple Majority*

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

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**ARTICLE 9 – Stabilization Funding**

Submitted By: Select Board

To see if the Town will vote to transfer the sum of \$70,000 from Free Cash to the Stabilization Fund, or take any other action relative thereto.

**MOTION:**

**William Whitmore, Chair of the Select Board moves to transfer the sum of \$70,000 from Free Cash to the Stabilization Fund.**

*Simple Majority*

**Select Board Recommend:** 4-0

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**ARTICLE 10 - Other Post-Employment Benefits Funding**

Submitted By: Select Board

To see if the town will vote to raise and appropriate the sum of \$89,410 and to transfer the sum of \$507,724 from Free Cash and to transfer said sums to the OPEB Trust Fund, or take any action relative thereto.

**MOTION:**

**Linda Alexson of the Select Board moves to raise and appropriate the sum of \$89,410 and to transfer the sum of \$507,724 from Free Cash and to transfer said sums to the OPEB Trust Fund.**

*Simple Majority*

**Select Board Recommend: 4-0**  
**Finance Committee Recommend: 9-0**  
**School Committee Recommend: 6-0**

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**ARTICLE 11 – Annual Capital Plan**

Submitted By: Select Board and School Committee

To see if the Town will vote to transfer from Free Cash the sum of \$1,649,069, from Overlay Surplus the sum of \$60,000, and raise and appropriate the sum of 71,776 for the following purposes, and that any remaining funds be transferred to the Capital Stabilization Fund:

SCHOOLS:

District

Wind Turbine Gear Set Aside 6 of 7	\$20,000
Technology user equipment	\$132,000
Flooring and Carpet	\$20,000
Roofing Repairs	\$35,000
Interior/Exterior Painting	\$15,000

Payne

Paint Exterior	\$12,000
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High School

Site Pavement and Curbing	\$200,000
Replacement of Flooring	\$75,000
HVAC Duct Cleaning	\$50,000

TOWN FACILITIES:

Roofing Repairs – Town Wide	\$20,000
Town Hall Gym 10 window replacement	\$75,000
Assessors CAMA Software for Recertification	\$20,000
Library Chiller 20 Ton Replacement	\$55,000
Library Back Flow preventer replacement	\$7,000
Library Elevator controls upgrade	\$13,000
DPW Parking Lots, Asphalt pavement, mill & overlay	\$100,000
Central Street Tip Design	\$45,000
County Street Bridge Design	\$350,000

EQUIPMENT:

DPW PW-41 F350 Truck	\$59,745
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Cemetery Parks 3/4ton Pickup Truck	\$55,000
Cemetery Parks Gator Utility Vehicle	\$16,000
Fire Ladder Truck Set Aside	\$100,000
Fire Mobile 2way radios	\$75,000
Fire Plow Unit for 2nd Shift	\$9,900
Fire Personal Protective Equipment	\$28,800
Police 2 hybrid cruisers	\$115,000
IT Computer/Hardware replacement	\$20,000
IT 2 tablets with Cell service Bldg. dept	\$2,400
IT Library Data Ports	\$20,000
Building Dept Electric Vehicle	\$35,000

Or to take any action relative thereto.

*Summary: This article authorizes the use of funds from various sources, primarily Free Cash for the Capital needs of the Town and Schools. The above list includes various School Building and IT needs, Town Facilities and Town equipment. In addition to the list above, the Police Department is planning to purchase an electric Ford Mustang with forfeiture funds. Under Massachusetts General Law, the use of forfeiture funds is under the discretion of the Police Chief. This car is for the undercover drug officer. The drug officer's current car was a forfeiture car and it has reached the end of its useful life.*

**MOTION:**

**William Whitmore of the Select Board moves to transfer from Free Cash the sum of \$1,649,069; to transfer from the Overlay Surplus Account the sum of \$60,000; and to raise and appropriate the sum of \$71,776 for a total capital spending of \$1,780,845 to fund the capital budget as set forth in Article Eleven of the warrant for this town meeting, and that any remaining funds be transferred to the Capital Stabilization Fund.**

*Simple Majority*

**Select Board Recommend: 4-0  
 Finance Committee Recommend: 9-0  
 School Committee Recommend: 6-0**

**ARTICLE 12 – The Empower Act**

Submitted by: Molly Smith

To see if the Town will recommend to the Select Board that they file a home rule petition with the General Court substantially as follows, viz:

Notwithstanding Section 1 of Chapter 51 of the General laws or any other general or special law to the contrary, any citizen who:

1. is 16 years of age or older, and
2. meets the qualifications to be registered as a voter pursuant to Section 1 of Chapter 51 of the General Bylaws, except that of age, and
3. is a resident of the town of Ipswich at the time he or she registers or pre-registers to vote pursuant to said Chapter 51,

may vote therein in all town elections, participate and vote in all town meetings, participate and vote in town caucuses and sign all nominating, warrant, and other petitions authorized by town bylaws.

A person shall be a registered voter of at least 18 years of age to be eligible to serve in elected or appointed town offices or on boards, committee, or other official positions.

*Summary: Everyone know how it feels to be left out of politics. We all know what it feels like to work hard every day, trying our best to support ourselves and our loved ones, while politicians, in positions of power, don't seem to care about us. We have been taught this system must persist, but since Massachusetts now bars some of the most highly educated young people in America from participating in*

*the future of our commonwealth it is time for change. As we consider the consequences of our present-day actions, let us consult the history of our nation as a guide. From the ratification of the 19<sup>th</sup> amendment, granting women the right to vote, to the passage of the Voting Rights Act, ending an era of Jim Crow voting restrictions, expanding access to the ballot box will always be seen as a step in the right direction. Now, the citizens of Ipswich have the opportunity to move their town in the right direction by expanding the right to vote in town elections to sixteen and seventeen-year olds, giving more residents a voice in creating a community where everyone can thrive.*

**MOTION:**

**Molly Smith of Fellows Road moves to authorize and direct the Select Board to petition the Legislature to enact legislation as set forth in Article 12 of the Warrant for this Town Meeting, and further to authorize the Select Board to approve amendments to the bill before enactment by the Legislature which shall be within the scope of the general objectives of the petition.**

*Simple Majority*

**Select Board Recommend:** 3-1

**Finance Committee Recommend:** 2-7

**School Committee Recommend:** RATM

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**ARTICLE 13 – Resolution in Support of Changing the State Flag & Seal of Massachusetts**

Submitted By: Rebecca Pugh

**Whereas** the history of the commonwealth of Massachusetts is replete with instances of conflict between the European colonists and the Native Nations of the region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers’ first winters on their land;

**Whereas** members of the Native Nation for whom the Commonwealth of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, at Wessagussett (now Weymouth) in April of 1623, barely two years after the Pilgrims arrived;

**Whereas** the Colonial broadsword held by a white hand above the head of the Indigenous person on the Massachusetts flag and Seal is modeled after Myles Standish’s own broadsword, borrowed for that purpose from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

**Whereas** the belt binding the Native’s cloak on the Flag and Seal is modeled after a belt worn by Metacomet, know to the English as King Philip, who was among the Indigenous leaders that resorted to a mutually destructive war in 1675-76 in defense of Native lands against Colonial encroachment;

**Whereas** the proportions of the body of the Indigenous person on the Flag and Seal were taken from the skeleton of an Indigenous person unearthed in Winthrop, the bow modeled after a bow taken from an Indigenous man shot and killed by a colonist in Sudbury in 1665, and the facial features taken from a photograph of an Ojibwe chief from Great Falls Montana, considered by the illustrator to be a “fine specimen of an Indian,” though not from Massachusetts;

**Whereas** the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called “praying Indians” on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in the winter of 1675, the enslavement of Indigenous people in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds of sterling as bounty for the scalps of Indigenous men, women and children in Massachusetts beginning in the 1686, increased to 100 pounds sterling for the scalps of Indigenous adult males by 1722, half that amount for Indigenous women and children;

**Whereas** Indigenous people were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that Colonial law was finally repealed;

**Whereas** the 400<sup>th</sup> anniversary of the landing of the Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate government politics of cultural destruction against Native

Nations of this continent, occurred in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to an appreciation of the need for better relations between the descendants of the Colonial immigrants and the Native Nations of the Commonwealth;

**Whereas** the land area now known as the Town of Ipswich, shares a rich Native history with modern tribal Nations such as the Massachusetts, the Pennacook, and the Mi'qmaq, who have inhabited this area long before the first colonial settlers arrived in 1633

Now, therefore, **BE IT RESOLVED** that the Town of Ipswich hereby adopts this resolution in support of the work of the Special Commission on the Official Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the current flag and seal of Massachusetts, and **in support of a new flag and seal for the Commonwealth** that may better reflect our aspirations for harmonious and respectful relation between all people who now call Massachusetts home. The town clerk shall forward a copy of this resolution to Sen. Bruce Tarr and Rep. Kristin Kassner with the request that they support the work of the aforementioned Special Commission and advocate for a new flag and seal for the Commonwealth.

**MOTION:**

**Zeke Allman of High Street moves that the Town Meeting adopt the resolution set forth in Article 13 of the Warrant for this Town Meeting.**

Simple Majority

**Select Board Recommend: 4-0**  
**Finance Committee Recommend: 4-5**  
**School Committee Recommend: RATM**

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**ARTICLE 14 – Ipswich River Ecological Restoration Permitting**

Submitted By: Select Board

To see if the Town will vote to express its support for the Select Board's pursuit of any and all permits necessary for the Ipswich River Ecological Restoration Project including the removal of the Ipswich Dam, and for the implementation of the project in accordance with the results of the Massachusetts Environmental Protection Act (MEPA) environmental review process.

*Summary: The Town is pursuing the necessary permits for the removal of the Ipswich Mills Dam as part of a larger effort to address five dams within the Ipswich and Parker River watersheds. This larger project has been awarded a \$2.3 million grant from the National Oceanic and Atmospheric Administration (NOAA), a portion of which would fund the permitting, final designs, and continued public engagement process for the Ipswich Mills Dam removal. This article is intended to express the support of Town Meeting for the Select Board's stewardship of the regulatory process for the removal project.*

**MOTION:**

**Kerry Mackin of the Select Board moves that the Town Meeting express support for the Ipswich River Ecological Restoration Project as set forth in Article 14 of the Warrant for this Town Meeting.**

Simple Majority

**Select Board Recommend: 3-1**  
**Finance Committee Recommend: 9-0**  
**School Committee Recommend: No Position**

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**ARTICLE 15 –Grant of Easements for 69 South Main Street**  
Board

Submitted By: Select

To see if the Town will vote to authorize the Select Board to grant one or more easements to the owners of the property known as and numbered 69 South Main Street (Assessors Map 42A, parcel 168) over the parcel on the east side of the Ipswich Dam conveyed to the Town by GTE Products Corporation in 1982 (Assessors Map 42A, parcel 186A) for the purpose of access and parking, and for maintenance of the existing front yard, on such terms and conditions as the Select Board deem to be in the best interests of the Town, or take any other action relative thereto.

*Summary: The current owner of the property is in the process of selling it and, during the due diligence period, discovered that the land that is generally considered to be the front yard and driveway is actually owned by the Town. If approved, this article will allow the Town to develop easements that both protect the Town's interests and allows access by the new property owners.*

**MOTION:**

**Linda Alexson of the Select Board moves that the Town authorize the Select Board to grant one or more easements to the owners of the property known as and numbered 69 South Main Street (Assessors Map 42A, parcel 168) as printed in Article 15 of the Warrant for this Town Meeting.**

*Simple Majority*

**Select Board Recommend: 4-0**

**Finance Committee Recommend: 8-1**

**School Committee Recommend: No Position**

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**ARTICLE 16 –Acquisition of Hammatt Street Parcel**

Submitted By: Select Board

To see if the Town will vote to:

- (1) authorize the Select Board to acquire an interest in fee (or lesser interest), in a portion of the land known as and numbered 18 on Hammatt Street (Assessor's Map 41B, Lot 296), now or formerly of Haverhill Gas Co. c/o Keyspan Energy Delivery, and being all or a portion of the land more fully described in the deed recorded at Book 3631, Page 166 in the Essex South District Registry of Deeds, said Parcel consisting of 6,061± square feet of open land, for municipal purposes; and
- (2) authorize the Select Board to acquire said parcel by purchase, gift, lease, or otherwise; and
- (3) transfer from Free Cash the sum of \$100,000, or a greater or lesser sum, for said acquisition.

or to take any other action relative thereto.

*Summary: National Grid, which currently owns the parcel, has expressed an interest in selling it to the Town. The other Town-owned parcels that abut this property are currently used for parking. This acquisition has been contemplated by the Town for many years to increase parking in the Hammatt Street parking lot. While the site has subsurface contamination from its historic uses, there is an activity and use limitation (AUL) on the parcel that gives it a status of No Significant Risk. Constructing parking spaces on the parcel will not conflict with the AUL.*

**MOTION:**

**William Whitmore, Chair of the Select Board moves that the Town authorize the Select Board to acquire by purchase the land known as and numbered 18 on Hammatt Street (Assessor's Map 41B, Lot 296) for general municipal purposes, and to fund said purchase and all costs incidental thereto, to appropriate from Free Cash the sum of \$100,000.**

Simple Majority

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** No Position

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**ARTICLE 17– Authorize Select Board as Water Commissioners to Enter into Lease of Farm Field at 16 Mile Lane**

Submitted by: Water Department

To see if the Town will authorize the Select Board serving as Water Commissioners as follows:  
The Select Board serving as Water Commissioners, are hereby authorized by the Inhabitants of the Town of Ipswich to lease land on the following municipally owned property: 16 Mile Lane, Assessors' Map 29D Lot 021A, on approximately ten (10) acres of land on the 44.71-acre parcel for agricultural use for the purpose of growing row crops, and upon such terms and conditions as such Select Board deems advisable in its discretion, for a period of up to ten (10) years, as authorized under MGL Chapter 30B Sec. 16; or to take any other action relative thereto.

*Summary: The 44.71-acre Town property at 16 Mile Lane was deeded to the Town in 2022 as part of the Planning Board Special Permit approval for the development of the 173 Linebrook Road property (formerly the Kozeneski property). The Town took ownership of the property under care, custody and control of the Select Board as Water Commissioners as authorized by the Special Town Meeting vote of October 16, 2021 Article 4, and recorded in Southern Essex Registry of Deeds in Book 40781 Page 777, for the purposes of: water supply protection; preservation of wildlife habitat; open space and scenic vistas; passive public recreation; and continued use of a decades long agricultural operation of a 10-acre farm field operated by Marini Farm. The one remaining farm field is one of two fields that Marini Farms has historically operated to grow row crops on for decades under the previous owners. The Town wants to continue to allow agricultural use of the one remaining 10-acre field and will do so under lease terms that keep water supply protection as a key component. The Water Department recommends the Select Board be authorized to enter into a lease agreement with Marini Farm to continue this valued local agricultural operation.*

**MOTION:**

**Sarah Player of the Select Board moves to authorize the Select Board serving as Water Commissioners to lease land at 16 Mile Lane, Assessors' Map 29D Lot 021A, for agricultural use for the purpose of growing row crops upon such terms and conditions as such Select Board deems advisable in its discretion, for a period of up to ten (10) years.**

Simple Majority

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** No Position

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**ARTICLE 18 - Middle/High School Roofs**

Submitted By: School Committee

To see if the Town will vote: (1) to appropriate the sum of \$420,000 to perform a modified roof overlay and partial replacement, where needed, on the Middle and High School Roofs and including the payment of costs incidental or related thereto; and (2) to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended, or any other borrowing authority; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing

authorized by this vote; or (3) to take any other action relative thereto.

*Summary: The Town and School insurance inspector has determined that the Middle/High School roofs can only be insured to actual cash value (as opposed to replacement value) and any water damage from roof leaks is subject to a substantially higher deductible. If the \$420,000 in requested funding is approved, the work will include a full restoration to all existing Ipswich Middle High School adhered EPDM roofing (flat roof areas). These areas include both the Academic and Performance Art Center wings. The replaced roof membranes will receive a 15-year manufacturer warranty and a 2-year contractor warranty. This requires a 2/3 majority vote at Town Meeting and a subsequent affirmative ballot vote at the May 16, 2023 election.*

**MOTION:**

**Kate Eliot, Chair of the School Committee moves that the Town appropriate the sum of \$420,000 to perform a modified roof overlay and partial replacement, where needed, on the Middle and High School Roofs and including the payment of costs incidental or related thereto; and to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended, or any other borrowing authority; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c. 59, § 21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote.**

*2/3rds Majority*

**Select Board Recommend: 4-0  
Finance Committee Recommend: 9-0  
School Committee Recommend: 6-0**

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**ARTICLE 19 – Doyon and Winthrop School Roofs**

Submitted By: School Committee

To see if the Town will vote: (1) to appropriate the sum of \$1,543,000 to perform a modified roof overlay and partial replacement, where needed, on the Doyon School and Winthrop School and including the payment of costs incidental or related thereto; and (2) to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended, or any other borrowing authority; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote, or (3) to take any other action relative thereto.

*Summary: The Town and School insurance inspector has deemed the Winthrop School roof uninsurable and the Doyon roof is currently covered but may be listed as uninsurable soon. The roofs need modified overlay and partial replacement, where needed. The Doyon School roof work is estimated to cost \$993,000. The Winthrop School roof is estimated at \$550,000. This article is necessary as the roofs that have been deemed uninsurable are only valued at their current actual cost value. This requires a 2/3 majority vote at Town Meeting and a subsequent affirmative ballot vote at the May 16, 2023 election.*

**MOTION:**

**Kate Eliot, Chair of the School Committee moves that the Town appropriate the sum of \$1,543,000 to perform a modified roof overlay and partial replacement, where needed, on the Doyon School and Winthrop School and including the payment of costs incidental or related thereto; and to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board, to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended, or any other borrowing authority; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c. 59, § 21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote.**

2/3rds Majority

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** 6-0

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**ARTICLE 20 - Water Department Infrastructure Improvements** Submitted by: Water Department

To see if the Town will vote:

(1) to appropriate the sum of \$2,500,000 to survey, design, permit and construct improvements to the Town's water system, including the payment of costs incidental or related thereto; and (2) to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board (Board of Water Commissioners), to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended; or (3) to take any other action relative thereto.

*Summary: This article will authorize the Treasurer to borrow the sum of \$2,500,000 to replace water infrastructure within the Town of Ipswich. Funds are anticipated to be used to construct upgrades to Dow Dam gate house, discharge, raw water piping and associated appurtenances. The upgrades are required as part of an order issued by the Massachusetts Office of Dam Safety following the dam failure in 2018 and were identified as needed in the 2020 Asset Management Plan. In addition to satisfying regulatory requirements, the upgrades will restore the useful life of these critical assets that provide 60-70% of the town's water and provide operational flexibility and increased use of reservoir storage volume. These upgrades will improve system reliability, resilience and redundancy. While debt issued by the Town is a general obligation of the town payable from all sources of revenue, it is anticipated that the cost of this project will be borne, in the first instance, by the Water Department rate payers and will be factored into future budget and rate projections. It is anticipated that there is no impact on the tax rate.*

**MOTION:**

**Linda Alexson of the Select Board moves to appropriate the sum of \$2,500,000 to survey, design, permit and construct improvements to the Town's water system, including the payment of costs incidental or related thereto; and to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board (Board of Water Commissioners), to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended; provided, however, that this vote shall be contingent upon approval by the voters under Part I, Chapter 25, §1 of the Town's General Bylaws at the annual town election.**

2/3rds majority

**Select Board Recommend:** 4-0  
**Finance Committee Recommend:** 9-0  
**School Committee Recommend:** No Position

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**ARTICLE 21 – Waste Water Department Infrastructure Improvements**

Submitted by: Waste Water Department

To see if the Town will vote:

(1) to appropriate the sum of \$7,200,000 contingent upon award of state and/or federal grant funds in the amount of \$15,000,000, to survey, design, permit and construct improvements to the Town's Town Wharf Sewer Pump Station and related wastewater system components, including the payment of costs incidental or related thereto; and (2) to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board (Board of Sewer Commissioners), to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended; or (3) to take any other action relative thereto.

*Summary: This article will authorize the Treasurer to borrow the sum of \$7,200,000 to improve*

wastewater infrastructure within the Town of Ipswich. These funds represent a 33% match of grant funds applied for in 2022 in the amount of \$15,000,000 for a total project cost of \$22,200,000. The project involves construction of a new sewer pump station on the edge of the athletic field at 25 Green Street to replace the existing Town Wharf Sewer Pump Station, construction of a new force main from the relocated station to the Wastewater Treatment Plant, construction of a small neighborhood pump station at the Town Wharf and related wastewater system improvements. This project developed as a result of a 2018 evaluation of the existing Town Wharf Pump Station that found significant improvements were critical to the continued operation of the station and the station is not properly protected from sea level rise and other climate hazards. This project was identified as a priority in the 2020 Asset Management Plan and will eliminate existing risks that failure of the current station pose to the Ipswich River, clam flats and area beaches. If grants are not awarded in the amount of \$15,000,000 or greater, this project will not proceed as presented. A request for funding for an alternate project will be made at a future town meeting. While debt issued by the Town is a general obligation of the town payable from all sources of revenue, it is anticipated that the cost of this project will be borne, in the first instance, by the Wastewater Department rate payers and will be factored into future budget and rate projections. It is anticipated that there is no impact on the tax rate.

**MOTION:**

**Linda Alexson of the Select Board moves to appropriate the sum of \$7,200,000 contingent upon award of state and/or federal grant funds in the amount of \$15,000,000, to survey, design, permit and construct improvements to the Town’s Town Wharf Sewer Pump Station and related wastewater system components, including the payment of costs incidental or related thereto; and to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board (Board of Sewer Commissioners), to issue bonds or serial notes under the provisions of Massachusetts General Laws Chapter 44, as amended; provided, however, that this vote shall be contingent upon approval by the voters under Part I, Chapter 25, §1 of the Town’s General Bylaws at the annual town election.**

*2/3rds Majority*

**Select Board Recommend: 4-0**  
**Finance Committee Recommend: 8-1**  
**School Committee Recommend: No Position**

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**ARTICLE 22 – Authorize Select Board as Electric Commissioners to Borrow \$5 Million From USDA ELD**

Submitted by: Electric Light Department

Proposed Article: The Select Board, in their role as Electric Commissioners, are hereby authorized by the Inhabitants of the Town of Ipswich to:

- (1) Appropriate the sum of \$5,000,000 to implement a customer financing program for eligible energy efficiency and climate resilience property improvements, including the payment of costs incidental or related thereto (the “Project”); and to meet this appropriation, authorize the Treasurer, with the approval of the Select Board to issue bonds or notes of the Town therefor to the United States Department of Agriculture (USDA);
- (2) Authorize the Ipswich Electric Light Department (ELD) to obtain \$5,000,000 through an interest-free loan from the USDA’s Rural Energy Savings Program (RESP) for the program;
- (3) Authorize the ELD to hold funds from the USDA RESP loan in an interest-bearing account (working capital account), with interest appropriated to program expenses;
- (4) Authorize officers of the ELD to approve loan applications and to allocate funds from the working capital account to qualified projects; and,
- (5) Authorize the Treasurer and any other appropriate Town officials to take any and all



actions necessary and convenient to carry out the provisions of this vote.

*Summary: This article will authorize the Electric Light Department (ELD) to borrow \$5,000,000 from the United States Department of Agriculture's (USDA) Rural Energy Savings Program (RESP). Credit will be accessed incrementally by the ELD, based on annual projections for real expenses until the full amount of the loan (\$5 million) has been exhausted. Funds will be utilized in accordance with program requirements, as outlined by 7 CFR Part 1719. Repayment of borrowed funds occurs interest-free over ten years.*

*The principal purpose of the loan is to provide working capital to develop and implement a financing program available to customers of the Department. Loan disbursements provide funding that is not derived from ratepayer revenues. The ELD relends these "below-the-line" funds to customers, providing them with upfront capital for eligible property improvements; the ELD then recovers the investment incrementally via a tariff applied directly to the customer's monthly electric bill. The financing program allows expanded access to energy efficiency and climate resilience improvements, benefitting individual customers and the community as a whole. It is anticipated that these funds are available with 0% interest to the ELD; there is no impact on the electric rate.*

**MOTION:**

**William Whitmore, Chair of the Select Board moves to appropriate by borrowing from the United States Department of Agriculture's (USDA) Rural Energy Savings Program (RESP) the sum of \$5 million, as printed in Article 22 of the Warrant for this Town Meeting.**

2/3rds Majority

**Electric Subcommittee Recommend:**  
**Finance Committee Recommend: 9-0**  
**Select Board Recommend: 4-0**

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**ARTICLE 23– Town Government Study Committee Report to Town Meeting**

Submitted By: Gary Champion

For Town Meeting to hear and act upon a report from the Town Government Study Committee, and to raise topics that Town Meeting might refer to the Committee for review and recommendations.

*Summary: The TGSC is an advisor to the Town Meetings on best practice in town Government. This warrant article will inform Town Meeting of TGSC activities and seek TGSC topics for review and reconsideration. 60 years ago, Town Meeting unanimously established the "permanent" Town Government Study Committee to advise the Town Meeting legislative body on Town government structure and functions within our Town Charter and Bylaws. The May 2022 Annual Town Meeting approved the GSC bylaw which requires Town Meeting to refer topics to the GSC. A GSC report will enable Town Meeting to fulfill this requirement.*

**MOTION:**

**Gary Champion of Palamino Way moves that the meeting take no action under Article 23.**

Simple Majority

**Select Board Recommend: 4-0 RATM**  
**Finance Committee Recommend: 9-0 Take No Action**

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**ARTICLE 24 – New Construction Moratorium**

Submitted by: *Torii Bottomley*

Due to the extreme drought, we propose a new construction moratorium in the town of Ipswich for a period of one year.

*Summary: This NEW residential construction pause would allow the town to assess the impact of recent and in-progress construction projects on our current infrastructure - safety, roads, schools, and water supply.*

**MOTION:**

**Torii Bottomley of Central Street moves that the meeting take no action under Article 24.**

*Simple Majority*

**Select Board Recommend:** 0-4

**Finance Committee Recommend:** 1-8

**School Committee Recommend:** No Position

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**ARTICLE 25 – Amendments to the Noise Control Bylaw**

Submitted by: *Robert L. Weatherall*

To see if the town will amend the General Bylaw of the Town of Ipswich by Chapter 145, (Noise Control) Section 6 (Specific Activities) as follows:

[ Note: ~~strikethrough~~ indicates deletions; ***bold italics*** indicates additions.]

§ 145-6 Specific activities.

The following activities are permitted as set forth below:

A.

Construction, Demolition and Commercial Landscaping Activity are allowed to operate or permit the operation of any tools or equipment used in construction, demolition or commercial landscaping work, ***except on Sundays and any State or Federal holiday***, in a Residential District between the hours of 7:00 a.m. and ~~7:00~~ ***5:00*** p.m. on Weekdays (Monday through Friday) or between the hours of 8:00 am and ~~7:00~~ ***5:00*** p.m. on ~~any other day~~ ***Saturdays***.

B.

Domestic power tools. Persons shall operate, or permit the ***non-commercial*** operation of, any power tool or any garden tool, leaf blower, chain saw or similar device powered mechanically, by electricity, gasoline, diesel or other fuel, outdoors in a Residential District between the hours of 7:00 a.m. and ~~9:00~~ ***7:00*** p.m.

C.

Dumpsters and trash receptacles. Persons/Businesses shall empty dumpsters or similar trash receptacles between the hours of 6:00 a.m. and 8:00 p.m. on Weekdays (Monday-Friday) or between the hours of 7:00 a.m. and 8:00 p.m. on any other day.

*Summary: None*

**MOTION:**

**Robert Weatherall of Labor-in-Vain Road moves that the town amend Section 6 (Specific Activities) of Chapter 145 (Noise Control) of the Ipswich General Bylaws as set forth in Article 25 of the Warrant for this Town Meeting.**

*Simple Majority*

**Select Board Recommend: 4-0 RATM**  
**Finance Committee Recommend: 3-6**  
**School Committee Recommend: No Position**

**Election of Officers**

And you are also directed to notify said inhabitants, qualified to vote in the election of Town Officers, to meet at the YMCA Hall, County Road, on Tuesday, May 16, 2023; when the polls will be open from 7:00 a.m. to 8:00 p.m. to vote on one ballot for the following offices and questions:

Moderator 1 seat, 1-year term; Select Board 2 seats, 3-year terms; Select Board 2 seats to fill unexpired two-year terms, School Committee 3 seats, 3-year terms; Housing Authority 1 seat, 5-year term.

**Question 1.**

Shall the Town of Ipswich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to perform a modified roof overlay and partial replacement, where needed, on the Middle and High School Roofs, including the payment of costs incidental or related thereto?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question 2.**

Shall the Town of Ipswich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to perform a modified roof overlay and partial replacement, where needed, on the Doyon School and Winthrop School Roofs, including the payment of costs incidental or related thereto?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question 3.**

Shall the Town vote, in accordance with Part I, Chapter 25, §1 of the Town’s General Bylaws, to approve the borrowing of \$7,200,000 to pay costs of surveying, designing, permitting and constructing improvements to the Town’s Town Wharf Sewer Pump Station and related wastewater system components, including the payment of costs incidental or related thereto, that was authorized by a vote of the Town under Article 21 of the Warrant at the Town Meeting held on May 9, 2023?

YES \_\_\_ NO \_\_\_

**Question 4.**

Shall the Town vote, in accordance with Part I, Chapter 25, §1 of the Town’s General Bylaws, to approve the borrowing of \$5,000,000 from the United States Department of Agriculture to implement a customer financing program for eligible energy efficiency and climate resilience property improvements, including the payment of costs incidental or related thereto, that was authorized by a vote of the Town under Article 22 of the Warrant at the Town Meeting held on May 9, 2023?

YES \_\_\_ NO \_\_\_

**Question 5.**

The Ipswich School Committee is seeking the opinion of voters on how to address our aging elementary buildings. This is a non-binding public advisory question that will guide the School Committee if accepted into the Massachusetts School Building Authority (MSBA) program. A feasibility study, timing, and cost will be independently determined at a later date.

Please review the potential scenarios below and vote for one:

**1: One new school (single project):** One new school serving all students Grades Pre-K through Grade 5 to be located at Doyon.

**2: One new school and repair of the Winthrop School (sequential projects):** One new school serving all students in Grades 1 through 5 located at Doyon; then repair of the Winthrop School to serve all students in Grades Pre-K through Kindergarten.

**3: Two new schools - split Grade level (sequential projects):** One new school serving all students Grades Pre-K through Grade 2 located at Doyon; then one new school serving all students Grades 3 through 5 located downtown.

**4: Two new schools - Pre-k through Grade 5 (sequential projects):** One new school serving Grades Pre-K through Grade 5 located downtown, and one new school serving Grades Pre-K through Grade 5 located at Doyon.

**Vote for One:**

- 1
- 2
- 3
- 4

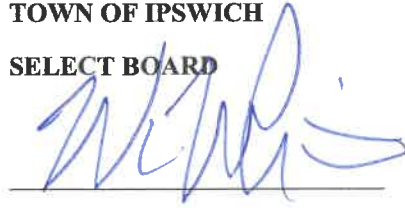
Signature page to follow.

And you are directed to serve this Warrant by posting at least one attested copy in each precinct in the Town at least seven days prior to the time for holding said meeting in a newspaper published in, or having a general circulation in, the Town of Ipswich.

Given unto our hands this 10 day of April in the year of our Lord, Two Thousand Twenty-Three.

**TOWN OF IPSWICH**


**SELECT BOARD**



*William D. Whitmore, Chair*



*Sarah Player, Vice Chair*



*Linda D. Alexson*



*Kerry L. Mackin*