

IPSWICH SELECT BOARD
Meeting of Monday, March 7, 2022

The Select Board participated in this meeting remotely utilizing Zoom in accordance with the Governor's March 12, 2020 Order suspending provisions of Open Meeting Law and to promote public health and social distancing.

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

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

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

Welcome/Announcements

The mask mandate has been lifted in schools.

Town elections will be held in May. Two (2) incumbents are running for the Select Board. Residents who wish to run can request nomination papers from the Town Clerk's office. To run for Finance Committee, residents can either: 1) apply through the Town Manager's office for consideration by the Select Board, 2) contact the Town Moderator for consideration, or 3) nominate themselves or be nominated by another person at Town Meeting.

A full list of Board and Committee vacancies can be viewed on the Town website.

The Public Safety Property Reuse Committee has been seated, and will meet on March 16 at 7 PM via Zoom. Ms. Alexson emphasized that regardless of speculation on social media, no discussions have been held, nor decisions made, about the use of the current Police and Fire department properties.

Ms. Mackin stated that neither of the two wind turbines are functioning.

GIFT ACCEPTANCE, DONATION TO IPSWICH POLICE DEPARTMENT FROM ALLSOP DESIGN

\$500 was donated from the John Mark Rudkin Charitable Foundation Inc, via Allsop Design of Hamilton, Massachusetts, to be placed in the Police Department Gift Account (C12). Such funds are appropriated for the purchase of PPE safety equipment or to enhance community outreach programs.

➤ *Vote: Mr. Whitmore moved to accept the donation. Ms. Player seconded. The motion carried unanimously.*

Citizen Queries

None.

Application for Change of Manager for Off Premise Wine and Malt Liquor Licensee Cumberland Farms, 66 Turnpike Road

Ms. Alexson stated that there was an inference to an ABCC violation in the meeting packet, and asked for clarification. Mr. Marino stated that Cumberland Farms had mistakenly incorrectly listed their Board of Directors, which has since been corrected. A hearing was held on the issue in December, and the ABCC has recommended that the Select Board vote on the change contingent upon a favorable outcome of the hearing.

➤ *Vote: Mr. Whitmore moved to approve the change of manager application. Ms. Player seconded. The motion carried unanimously.*

Consent Agenda

- I. One Day Wine and Malt License Applications
 - a. Gary Rogers of True North Ale Company for Pizza Picnics at Appleton Farms on April 2, 9, 16, 23, 30, and May 7 14, 21, 28, and June 4, 11, 18, 25, 2022.

- b. Beth Donhauser of Essex County Brewing Co. for Pizza Picnics at Appleton Farms on April 3, 10, 17, 24, and May 1, 8, 15, 22, and June 5, 12, 18, 19, 26, and July 3, 10, 17, 24, 31, 2022.

➤ *Vote: Ms. Alexson moved to approve the Consent Agenda. Ms. Mackin seconded. The motion carried unanimously.*

Approval of Commercial Shellfish Licenses

➤ *Vote: Mr. Whitmore moved to approve the licenses. Ms. Player seconded. The motion carried 4-0, with Ms. Alexson abstaining.*

Approval of Minutes

- I. February 14 2022

➤ *Vote: Ms. Alexson moved to approve the minutes. Ms. Mackin seconded. The motion carried unanimously.*

Common Victualler Licenses, Weekday Entertainment, and Sunday Entertainment Licenses for the Mansion Club and Clubhouse Grill at Turner Hill

Moved to March 21 due to late submission.

Town Manager Report

COVID-19

Extra COVID-19 home tests are available to Ipswich residents at the Treasurer/Collectors office or Library.

UNION NEGOTIATIONS

Union negotiations are ongoing. The Firefighters contract was recently settled.

LOCAL BUSINESS

Mr. Marino met with Bud Siciliano (Heart & Soul Cafe) to review planned changes to Market Street and how they will affect the sidewalk space outside his cafe.

The Greater Cape Ann Chamber of Commerce met last week to discuss organizing community events with local businesses.

MBTA

The MBTA shuttle bus will be used in place of the commuter rail throughout March and April. Commuters will be bussed to Beverly to access the train in March, and bussed to Salem in April.

PUBLIC SAFETY BUILDING

CHA Project and Construction Management was hired as the Owner's Project Manager (OPM) for the Public Safety Building.

PUBLIC HEARING: 2022 Annual Town Meeting Warrant

“Residents of the Town of Ipswich, please note that the Select Board will conduct a Public Hearing on Monday, March 7, 2022 at 7:20 PM in Meeting Room A of Town Hall, 25 Green Street, relative to the warrant for the Annual Town Meeting to be held on Tuesday, May 10, 2022.” - Dr. Tammy Jones, Select Board Chair

➤ *Vote: Ms. Player moved to open the Public Hearing. Ms. Alexson seconded. The motion carried unanimously.*

ARTICLE 4: FY 2023 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 2023 School Department budget 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.

Greg Stevens (Chair, School Committee) reported that the budget has been finalized at \$34, 930,486 for FY23.

ARTICLE 12: Override - School Operating Budget

Submitted by: School Committee

To see if the Town will vote to raise and appropriate an additional sum of two million dollars (\$2,000,000) for the purposes of funding a portion of the Town's Annual Operating Budget for the fiscal year beginning July 1, 2022; provided, however, that the vote taken hereunder shall be expressly contingent upon the approval by the voters at an election of a Proposition 2 ½, so called, override allow the Town to raise the funds appropriated hereunder outside the limits established by MGL Chapter 59, Section 21C. Or take any other action relative thereto.

Mr. Stevens reported that the School Committee is seeking a \$2 million override. In FY15, the schools received a \$2.9 million override that was expected to last about five (5) years, and is currently in year (7). Mr. Stevens reported that 80% of the school budget is staffing, and overrides allow for more predictable funding of staff and programs. He also noted that the override was carefully considered and written into the Strategic Plan.

Ms. Alexson asked what the anticipated schedule is for pursuing construction of a new elementary school. Mr. Stevens responded that listening sessions are being organized in an attempt to come to a consensus on a site location. Once a site is finalized, the School Committee can approach the State with a plan in the spring of 2023. Ms. Alexson asked if it would be more prudent to pursue a new school rather than an override, as a new school may provide efficiencies that are being addressed in the override request. Mr. Stevens responded that it would not be prudent at this time, as supporting existing infrastructure needs to be the priority right now.

Mr. Stevens will return to a future Select Board meeting to discuss the override budget in further detail.

ARTICLE 10: Annual Capital Plan

Submitted by: Select Board and School Committee

To see if the Town will vote to transfer from the Capital Stabilization fund the sum of \$17,321, from Free Cash the sum of \$1,369,717, from Overlay Surplus the sum of \$40,000, from the Waterways fund the sum of \$40,000, from the Fire Pumper Set-Aside fund the sum of \$51,084 and raise and appropriate the sum of \$70,025 for the following purposes, and that any remaining funds be transferred to the Capital Stabilization Fund.

Ms. Alexson asked if any School-related Capital plan items could wait to be addressed next year. Mr. Stevens responded that the budget was thoroughly reviewed by the Superintendent and Facilities Director, and all items were determined to be absolute necessities.

Gary Champion (3 Palomino Way) stated that the School Committee should explore the originally proposed site (currently the Doyon School) for a combined elementary school.

ARTICLE 13: Rescind/Repurpose Prior Water Tank Painting Article

Submitted by: Select Board as Water Commissioners

To see if the Town will vote: (1) to rescind \$900,000, or any other amount, of the \$900,000 borrowing authorized under Article 10 of the May 14, 2013 Annual Town Meeting Warrant for painting the Town Hill Water Tank, or to (2) to repurpose \$900,000, or any other amount, of the \$900,000 borrowing authorized under Article 10 of the May 14, 2013 Annual Town Meeting Warrant for painting the Town Hill Water Tank to fund water system improvements, or to (3) take any other action relative thereto.

Vicki Halmen (Water and Wastewater Director) reported that the \$900,000 authorized at the 2013 Annual Town Meeting was never borrowed, and instead, \$4 million was approved at the 2021 Annual Town Meeting to replace the water tank. Town Meeting may either rescind the authorization, or repurpose the \$900,000 into other projects.

Ms. Alexson stated that money should be rescinded, and that it was not appropriate to ask for a \$900,000 buffer. Ms. Halmen responded that there are several existing and upcoming projects that could benefit from the funding. Mr. Marino added that Town Meeting could also choose to rescind a portion of the money and repurpose the remainder.

ARTICLE 14: Wastewater Infrastructure Upgrade & Design Work (Aeration Project) (\$6,000,000)

Submitted by: Select Board as Wastewater Commissioners

To see if the Town will vote: (1) to appropriate the sum of \$6,000,000 to survey, design, permit and construct improvements to the aeration system at the Wastewater Treatment Plant, 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 any other borrowing authority. (3) to take any other action relative thereto.

Ms. Halmen reported that Town Meeting previously approved \$1.5 million for an analysis and design of an aeration system for the Wastewater Treatment Plant. In 2012, there was a catastrophic failure that resulted in partially treated water being discharged, causing beaches and shellfish beds to be closed. The \$6 million requested would cover engineering and construction of the system, and bring the facilities into compliance with standards that need to be met due to Ipswich's downstream beaches and shellfish beds. Additionally, upgraded technology will boost energy savings by decreasing energy consumption. If approved at Town Meeting, the item will also require a ballot vote.

Kathy Spinale (27 Pleasant Street) asked if taxes were impacted by the approval of \$900,000 to repaint the water tank (Article 13). Mr. Marino responded that they were not, as the project was approved but never funded.

ARTICLE 15: Land Disposition - 161 Topsfield Road

Submitted by: Town Manager/Planning Director

To see if the Town will vote to authorize the Ipswich Select Board to dispose of a portion of a parcel of land in accordance with M.G.L. Chapter 30B, the Massachusetts Uniform Procurement Act, and convey a separate portion of the same parcel of land to the Ipswich Conservation Commission, pursuant to M.G.L. Chapter 40, Section 8C, so that the land shall be permanently protected under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts. Said parcel of land is known as 161 Topsfield Road (also known as Assessor's Map 52B, Lot 12A).

Ethan Parsons (Planning Director) reported that Article 15 asks the Select Board to enter into an agreement with an affordable housing developer to build two (2) affordable housing units, and transfer the remaining portion of the parcel to the Conservation Commission. Six (6) acres are available for development, and the remaining 22.8 acres would be preserved as Open Space.

Ms. Alexson noted that the existing article does not specifically restrict development to affordable housing units, and would like to see that included.

A resident from 43 Boxford Road asked for clarification on the number of buildings that would be constructed on the property. Mr. Parsons clarified that one (1) building would house two (2) units. He noted that based on soil testing, the site could not accommodate more than six (6) bedrooms total. The units would be permanently restricted and counted on the Subsidized Housing Inventory (SHI).

ARTICLE 16: Accept CDP Plan - Revise Existing Language

Submitted by: Planning Board

The revisions to the Town's General Bylaw "Conformance with the CDP" were supported and recommended by the CDP Steering Committee at its meeting on January 24, 2022. The article requests that the Town 1) adopt the 2021-2036 CDP and 2) update the Town's General Bylaw as written. In early 2019, a Community Development Plan

(CDP) Steering Committee was appointed and convened to guide the process to update components of the Town's 2008/2013 CDP and to develop a new 15-year Community Development Plan. The Town hired JM Goldson, LLC consultants to help with a thorough data review and needs assessment, and to hold public forums and conduct public surveys. In 2020, Goldson LLC worked with the CDP Steering Committee and the community to identify goals and strategies to achieve the community's 15-year vision. The CDP Steering Committee members and Planning Department staff have presented the final 2021- 2036 Community Development Plan to many Town boards, committees, and community partners over the past year, including to the Tri-Board (Select Board, School Committee, and Finance Committee) at their December 14, 2021 meeting. Next steps will be for the Select Board and Planning Board to convene a CDP Implementation Committee to revise the draft implementation plan and begin active implementation of the Plan. This article was also recommended unanimously by the Planning Board on February 17, 2022.

Mr. Parsons reported that the article would adopt the Community Development Plan (CDP) through 2036, and amend the general bylaw to ask for "the latest" plan to be considered in Town decisions, rather than continuing to update the bylaw every time a new CDP is adopted.

ARTICLE 17: Open Space Bond Authorization List

Submitted by: Open Space Committee

To see if the Town will add the following two parcels to the Open Space Parcels List (as referenced in Article 18 of the Warrant for the April 3, 2000 Annual Town Meeting), on file in the office of the Director of Planning and Development and in the office of the Town Clerk, said changes having been placed on file in the office of the Director of Planning & Development and in the office of the Town Clerk by March 4, 2022. (1) Land now or formerly of the Swicker Karen L TRS and Louise M Swicker Trust, at 39 Mile Lane, also known as Parcel ID 29B 007 0, consisting of approximately 9.8 acres; (2) Land now or formerly of Whipple Anastas, Martha TC and Whipple, Andrea L. et al., at 3 Candlewood Road, also known as Parcel ID 63B 003 0, consisting of a total of approximately 31 acres.

Mr. Parsons clarified that while there are no current plans for the Town to attempt to acquire the aforementioned properties, voting to place them on the bond list will allow the opportunity for a purchase consideration should they ever become available for sale.

ARTICLE 18: Amend General Bylaws - Chapter 35 - Create Government Study Committee

Submitted by: TGSC Ad Hoc Committee

Add Article X Town Government Study Committee. Section 35-35 Establishment and Membership. The Town Government Study Committee was permanently established by the December 10, 1962, Town Meeting unanimous approval of Warrant Article 17. The Committee shall hence forth consist of five members with staggered three-year terms. The Select Board, Finance Committee, and School Committee shall each appoint one committee member or designee. Town Meeting shall appoint two at-large Committee members. The Committee shall post ninety-day public notice of Town Meeting at-large appointment vacancies and submit the Town Meeting warrant article for an appointment to the Committee. Should no one be appointed at Town Meeting, the first vacancy will be appointed by the Town Moderator and any second vacancy will be appointed by the Town Manager. **35-36 Responsibilities.** The Select Board and Town Meeting will refer topics to the Committee for review and recommendation. The Committee makes annual reports and recommendations to the Select Board and Town Meeting on matters pertaining to Town Charter and Town Bylaws, and Town government organization. The Committee will perform periodic broad review of Town government structure and may recommend Charter or bylaw changes or the filing of special acts with the State Legislature be considered, after conducting a public hearing thereon during a Select Board meeting. **35-37 Quorum.** A quorum of the Town Government Study Committee shall consist of no fewer than three members.

Ms. Player reported that the bylaw as presented was supported 4-1 by the Ad Hoc Committee, with Gary Champion opposed. Emilie Smith was not present for the vote, as she was attending a Finance Committee meeting that night.

Dr. Jones asked if the annual report referenced would be based on referred topics specifically. Ms. Player confirmed that they would, with some flexibility to allow for topics that are "stumbled upon" in the course of regular work. Dr. Jones asked how Town Meeting nominations will be announced. Mr. Champion responded that announcements for a nomination would be made at a preceding Town Meeting, or posted in the paper.

Diane Halverson (3 Palomino Way) asked what the bylaw would change regarding the process of how topics were assigned to the GSC. Craig Saline responded that there was no change, rather, the bylaw formalizes the process. Mitch McDonald (Kimball Avenue) asked if the GSC would address any issues that arose in the Community Development Plan. Ms. Player responded that the GSC specifically addresses matters related to bylaws, the Town Charter, and government organization. The CDP is an adopted policy.

Mr. Champion stated that under the 1962 Town Meeting establishment of a GSC, there were no restrictions as to which items the GSC could address, and no specifications for Select Board input. He argued that this article seeks to fix a problem that does not exist and stated that misinformation has been spread by Town officials. Dr. Jones noted that Mr. Champion's statement does not reflect the majority opinion of the Ad Hoc Committee. Ms. Player added that the rest of the Ad Hoc Committee recommends to approve the article as it is written, and noted that other Committee members reported that they would expect and appreciate direction from the Select Board.

Ms. Halverson stated that previously, any citizen could attend a GSC meeting and request that an issue be investigated. Under this change, that could only be done so every six (6) months at Town Meeting. Ms. Player and Mr. Saline clarified that this statement was untrue, and although citizens are always able to attend public meetings, the GSC has never served as a Committee that investigates citizen concerns.

ARTICLE 19: Town Government Study Committee Appointments

Submitted by: TGSC Ad Hoc Committee

To see if the Town will vote to appoint one [1] Town Government Study Committee member for a two [2] year term and one [1] Town Government Study Committee members for a three [3] year term, or to take any action relative thereto. These appointments shall take effect upon Attorney General approval under MGL Chapter 40 Section 32 of General Bylaw Chapter 35- Town Boards, Committees and Commissions, Article X Town Government Study Committee.

An approval of the article would allow the appointment of two (2) GSC meetings at Town Meeting. The article is necessary to add because without it, Town Meeting will not be able to appoint new members to the GSC until Fall Town Meeting.

ARTICLE 11: Home Rule Petition 0 Amend Charter - SECTION 1. Section 6. Town Manager

Submitted by: Select Board

To see if the Town will vote to authorize the Select Board to petition the General Court to amend the Town Charter, Chapter 620 of the Acts of 1966, as amended, as set forth below, and further to authorize the General Court to make clerical or editorial changes of form only to the bill, except that the Select Board may approve amendments which shall be within the scope of the general public objectives of this petition. AN ACT TO AMEND THE TOWN CHARTER OF IPSWICH. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows: SECTION 1. Section 6 of the Charter of the Town of Ipswich is hereby amended by striking out the fifth sentence and replacing it with the following: The town manager shall not be required to be a resident of the town or of the commonwealth when appointed or during the town manager's initial term; provided, however, that if reappointed, the town manager shall be required to reside in the town, or at any other place in the commonwealth that is within fifteen miles of the perimeter of the town, not more than 12 months after the beginning of the town manager's second term of office and throughout all successive terms of office.

Under the current charter, the Town Manager is required to become an Ipswich resident by their fourth year in office (typically the first year of their second contract.) The Select Board is proposing to amend this to be consistent with Civil Service, allowing the Town Manager to live within fifteen (15) miles of Ipswich, while residing in Massachusetts.

Craig Saline (15 Plum Sound) stated that in the draft warrant, there is no explanation of why this item is being proposed. He also asked if the Select Board had discussed the issue prior to public meeting. Dr. Jones responded that they had not.

Ms. Alexson stated that she has received phone calls about the article and it appears to be a surprise to many residents. Dr. Jones stated that the issue arose out of inconsistencies with other senior leadership positions within the Town, as the Police and Fire Chiefs and the Superintendent do not have residency requirements.

Tori Bottomly (Central Street) argued that an individual must live in Ipswich to fully understand the culture. She also noted that any person handling policies and taxes should be a part of the community that those matters effect.

Gary Champion (3 Palomino Way) stated that the presentation of the article lacks transparency.

Mr. Whitmore stated that as the rest of the world moves to teleworking, it becomes difficult to mandate that an employee live in a specific town as a condition of employment.

ARTICLE 1: Consent Calendar

Submitted 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 Commuter Rail Committee, the Hall-Haskell Committee, and the Open Space & Recreation Committee, and to continue these as standing committees of Town Meeting; (4) To establish the following expenditure limitations for the revolving funds authorized in § 15-29 of the Town Bylaws for FY2022: a. Town Wharf Revolving Fund: \$12,000; b. Beautification Fund: \$5,000; c. Public Health Fund: \$5,000; d. Sanitary Housing Fund: \$7,000; e. Food Inspectional Services Fund: \$25,000; 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: \$1,000; k. Health Reimbursement Fund: \$85,000; l. Crane Beach Maintenance Fund: \$50,000; and m. Paving and Sidewalk Repair Fund: \$40,000. (5) To raise and appropriate \$50,000 and transfer said sum to the Crane's Beach Maintenance Fund; (6) To authorize the payment of any unpaid bills from prior years, if necessary; (7) To amend the Town's action taken under Article 3 of the May 15, 2021 Annual Town Meeting (FY 2022 Municipal Operating Budget) by transferring from available funds, if necessary; and (8) To appropriate a sum of \$437,089, 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.

ARTICLE 2: 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.

ARTICLE 3: FY 2023 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 2023 municipal budget totaling \$27,968,530, 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.

ARTICLE 5: FY 2023 Whittier Regional High School Budget

Submitted by: Whittier RVTHS

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$590,000 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.

ARTICLE 6: FY 2023 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 \$335,000, 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.

ARTICLE 8: Stabilization Funding

Submitted by: Select Board

To see if the Town will vote to transfer the sum of \$290,000 from Free Cash to the Stabilization Fund, or take any other action relative thereto.

ARTICLE 9: Other Post-Employment Benefits Funding

Submitted by: Select Board

To see if the town will vote to raise and appropriate the sum of \$75,635 and to transfer the sum of \$686,960 from Free Cash and to transfer said sums to the OPEB Trust Fund, or take any action relative thereto.

PUBLIC HEARING: Outdoor Entertainment Policy Review, Establishment of Fees

"Residents of the Town of Ipswich, please note that the Select Board will conduct public hearings on Monday, March 7, 2022 at 8:45 PM and Monday, March 21, 2022 at 7:15 PM in Meeting Room A of Town Hall, 25 Green Street, relative to the review of an Outdoor Entertainment Police and the establishment of fees." -Dr. Tammy Jones, Select Board Chair

- *Vote: Ms. Player moved to open the Public Hearing. Ms. Alexson seconded. The motion carried unanimously.*

Mr. Marino presented a proposed Outdoor Entertainment Policy. Highlights include separating one-day policies from seasonal permits (allowing commercial establishments to hold a seasonal license, while events like backyard weddings could obtain a one-day license); requiring the notification of abutters (defined as those within 300' of a property) that a permit is being considered; limiting or eliminating the allowed bass level; and eliminating time restrictions, which will allow applicants to request a particular time frame for outdoor music.

Ms. Alexson asked what measurement will be used to define "excessive noise." Mr. Marino recommended to provide alternative guidance to decibel levels, as they can be subjective depending on the venue and the environmental surroundings.

Mr. Whitmore suggested that businesses be required to submit a noise mitigation plan with their applications.

Brian Hone (29 Upper River Road) stated that he is an abutter of the Hellenic Center, and that outdoor music has become so loud that his children cannot sleep. He stated that he works as an audio engineer, and suggested that during the application process business be required to outline specific hours of the event, provide instructions to the DJ on decibel levels and speaker direction, and present mitigation strategies. He added that there would also need to be incentives for business to respect the policy, such as an adjustment or revocation of the license for violations.

Eleanor Todd (55 Washington Street) stated that the proposed policy is difficult to understand, as it does not outline clear guidelines on how noise levels will be measured.

Bud Siciliano (Co-Owner, Heart & Soul Cafe) asked that concerns about noise level be addressed directly with the Town Manager or businesses in question, rather than filing police reports.

Tim Driscoll (31 Upper River Road) stated that his neighborhood was trying to come to a resolution regarding excessive noise from the Hellenic Center pre-COVID, but the issue escalated during the pandemic. He suggested that bass levels be assigned a decibel limit and speakers be required to face away from neighborhoods.

Bill Massis (43 Boxford Road) stated that police have responded to complaints of noise at the Hellenic Center, used decibel readers, and determined that the noise is coming from another location.

A seasonal resident from 27 River Road stated that this policy is reactionary. Dr. Jones stated that that was incorrect. Rather, the policy is intended to provide consistency going forward. During the height of the pandemic, the Select Board approved every request for outdoor entertainment in an attempt to keep businesses open.

Chris Florio (44 Fellows Road) asked that Town-sponsored events such as Downtown Tuesdays and Ipswich Illuminated be allowed to increase volume despite the policy, as they are critical to the small business economy.

Maureen Vacca (14 Upper River Road) asked the Select Board to set an end time of 9 PM for outdoor events, and for a decibel level to be set that officers can enforce.

Harry Lampropoulos (18 Masconomet Road) stated that he sympathizes with his neighbors, but noted that nobody complains about the noise that the train makes.

Jake Rogers (Co-Owner, True North Ale) stated that he is not opposed to having formal guidance in place, and reported that he already requires his managers to monitor decibel levels through a phone app when hosting live music.

Kathy Spinale (27 Pleasant Street) argued that this policy treats designated event venues the same as breweries and restaurants. She asked that a decibel level be set with an agreed upon measurable point, and that an end time of 11 PM be used.

John Galanis (9 Bell Street) stated that the Hellenic Center only had one (1) wedding per month once the 2020 COVID restrictions were lifted.

Peter Pinciario (400 Colonial Drive #26) suggested that a working group be formed to address the issues further.

➤ *Vote: Ms. Player moved to close the Public Hearing. Mr. Whitmore seconded. The motion carried unanimously.*

Discussion/Vote Presentation of Downtown Market Street Design

Rick Clarke (Director of Public Works) and Kevin McHugh (Conico Engineers) appeared before the Board to present a final proposal for changes to the downtown area.

On Market Street, bump outs will be added to sidewalks to allow for better pedestrian access. They will be filled with brick or cobblestone. Crosswalks will be shortened slightly to accommodate the bump outs. At the intersection of Union St. and Depot Square, a raised island will be installed. One (1) compact parking spot will be lost outside of Heart & Soul Cafe.

Mr. Clarke noted that several crosswalks that were painted this winter have begun peeling due to the cold weather. They will be repainted in the spring. Ms. Alexson suggested that the painting be done in a brighter paint to increase visibility. Mr. Clarke responded that brick crosswalks would be lined in white paint mixed with reflective chips.

Ms. Alexson expressed concerns about the feasibility of a firetruck making a safe right-hand turn onto Market Street. Mr. Clarke responded that he, the Police and Fire Chiefs tested the turn last summer and determined that it could be made safely.

The project is slated to cost \$500,000, with \$175,000 coming from National Grid, a portion coming from the Water Department, and the remainder from Chapter 90 and/or the DPW budget.

Ms. Mackin suggested making Market Street one-way.

Jake Rogers (Owner, True North Ale) stated that he is a former tow ramp driver, and the tighter a curve, the more cautious trucks will typically be. Mr. Marino added that there have not been any accidents at the location in two (2) years.

Bud Siciliano (Owner, Heart & Soul) suggested that a *Welcome to Ipswich* sign be installed in the island at the top of Market Street.

Kathy Spinale (27 Pleasant Street) stated that bump outs do not slow traffic, as evidenced by several bump outs on Pleasant Street. She suggested cutting the road down to two (2) lanes instead of three (3).

Ms. Alexson said she was not in favor of the project as proposed due to safety concerns.

- *Vote: Mr. Whitmore moved to approve the project, pending a final confirmation of the feasibility of the turn radiuses in question. Ms. Mackin seconded. The motion carried 4-1, with Ms. Alexson opposed.*

Select Board Member Subcommittee Update

The MBTA Advisory Board will meet on March 8.

The Public Safety Property Reuse Committee will meet on March 16 at 7 PM via Zoom.

The Veterans Board met on February 9 to review the FY 2023 budget and year-to-date financials. The dedication of the High Street bridge has been postponed until the fall due to legislative delays.

The Shellfish Advisory Board met on February 8.

The Affordable Housing Board will meet on March 10 at 7:30 PM.

The Public Safety Facility Committee will meet on March 15 at 7 PM in Meeting Room A.

The Shade Tree & Beautification Committee recently met to review the proposed upgrades to Market Street.

The Climate Resiliency Committee will meet on March 15.

Ms. Mackin stated that Wind 1 stopped working, and might need to be replaced. Mr. Marino clarified that the turbine did not need replacing, rather, a part was ordered to make a repair. As Wind 1 is owned by the School District, they are handling the repairs.

Ms. Mackin stated that the Department of Environmental Protection (DEP) has issued a verbal approval to install a solar energy field at the old landfill. Mr. Marino clarified that the DEP has confirmed Ipswich is able to apply to install a solar field if they choose to do so.

New Business

None.

Old Business

PEABODY STREET

Ms. Alexson asked for an update on the Peabody Street traffic issue. Mr. Marino responded that following a conversation with neighbors and business owners, a hammerhead turnaround will be discussed with the Conservation Commission.

Miscellaneous and Correspondence

None.

➤ *Vote: Ms. Mackin moved to adjourn. Ms. Alexson seconded. The motion carried unanimously.*

The Select Board adjourned at 11:03 PM.

Respectfully submitted by Eileen G. Page
04.05.2022