

TOWN OF IPSWICH  
Finance Committee  
Meeting of April 23rd, 2019  
Town Hall, 25 Green Street

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

Finance Committee members present: Chair Janice Clements Skelton, Tammy Jones, Kevin Murphy, Jamie Fay, Walter Hartford, Rob White, Chris Doucette

Not present: Michael Schaaf

**1. Citizens Queries – Janice Clements Skelton**

- none

**2. Acceptance of Finance Committee Minutes**

- Motion to approve minutes from 3/26 made by Rob and seconded by Michael D.

→Vote: Motion passed, 7-0.

**Warrant Hearing**

Motion made to reopen warrant hearing made by Jamie seconded by Rob.

→Vote: Motion passed unanimously, 7-0

**Article 1:** Janice asked for Tony's thoughts on sub-part L. Tony clarified that the Select Board wanted this in. Many people thought this was already being done, but in fact revenue was going into revolving fund. Tony said that the money could be set aside. The \$5,000 was just a placeholder to get this in. If this is passed the specifics will be figured out and at next year's Town Meeting this will be set up. Janice asked how this differs from putting boardwalk repairs into the budget. Tony said we could put in a line item for that. Walter said it seems like they are getting enough revenue for this. Tony said the parking pass money will go toward the parking lot. Chris said he doesn't see the need for this at all. Janice said we are trying to move away from little pockets of money and this limits our flexibility to some extent. Tony said this is only because this has a dedicated revenue source so it isn't fair to use it for something else. Janice asked if this could read "this year" so this is meeting an annual need. Tony said in the general fund they have to expend everything within the year. A revolving fund can roll over to the next year. Walter asked if it could go into a Capital Stabilization fund. Tony said this was voted by the Select Board unanimously so if FinCom wants to oppose it they would have to do it at Town Meeting. Kevin asked what the other expenses are other than the boardwalk. Tony said they also regrade the parking lot. Kevin said since this is not a recurring expense we are putting money into an account that doesn't have a yearly need. We could be losing the value of that money when we are putting it away for so long instead of funding something that needs to be fixed. Tony said you can also change how much is funded on a yearly basis. Chris asked how the town would do as far as revenue. Tony said it wouldn't affect it much, most of it is still going into general revenue. Jamie said the trustees are not paying taxes on this land and are still requiring services. These funds are without taxes and he doesn't think it is appropriate policy to set these funds aside for a separate account. We have had to repair the boardwalks in the past and we have found the money. Jamie supports keeping this where it is, he does not see the purpose of moving it. Rob said he remembers two allocations for the boardwalk for \$22,000 each due to the boardwalk deteriorating, so it is not something that does not happen often. He also said the staircase gets repaired often. The board decided to keep their original vote on this.

**Article 3:** Municipal Budget. Motion to approve made by Rob and seconded by Kevin.

→Vote: Motion passed unanimously, 7-0

**Article 4:** Rob made a motion to support this article, seconded by Jamie. Rob asked Tony why the overlay transport fund is being transferred. Tony said we separated it into two umbers so it has to be listed out that way.

→Vote: Motion passed unanimously, 7-0

**Article 16:** Janice told Tony that in general the finance Committee felt like there were many competing objectives in this article. Tony said the motion at Town Meeting is to take no action. Janice said there are lots of good things in the article, it just needs to be tweaked. Hannah confirmed that waiting until the fall would not hold this up. Tony said the language will also be fixed. Jamie suggested to support taking no action with the understanding that changes will be made. Seconded by Rob. Chris said he opposes this because it shouldn't be opposed just because it wasn't written correctly.

→Vote: *the motion passed 6-1, Chris opposed*

**Article 17:** Last night the Select Board voted 3-2 in favor. Questions were around whether or not this was the place to add this information, whether or not it should be in the charter or the Bylaw, whether this is the right time, whether this is the right language, and whether this is the right vehicle. Town Council also provided feedback on this. Janice asked the Finance Committee if they had questions or need additional information on this article. Rob asked Tony what the Select Board's view was on this article and if they had read the Town Council's report. Tony said Linda had not had time to read the report yet but everyone else had. Nishan voted against because he felt it was already in the right spot. Janice said she found George Hall's report helpful in helping her look at this article differently. It got her thinking along the lines of day-to-day work and how she would approach something like this. When she thinks about trying to edit a handbook or set of articles from one position and then going back to edit it afterwards, it is not a best practice because you end up with a set of policies that are derivative from this one policy. This is not how it would be done in her job. Janice is going to vote against this because she is concerned about defining roles and responsibilities of one portion of the government without doing so for all areas of government. She is supportive of this process, she thinks it just has to be done differently. The groundwork is now laid, but she thinks the other boards in the charter should also be defined. Michael asked if Gary could go over why the Government Study Committee chose to put this in the Bylaw. Gary said that the Mass Municipal Law and Practices provided Bylaw that makes it clear that these duties belong in the charter. The charter is a living document that we review and change over time. This is a clarification of state statutes of Select Board roles and responsibilities. Gary has done a lot of digging to understand these statutes. It has become clear that people don't understand the duties of the Select Board. Janice said that the way the presentation was made last night made it seem like the Finance Committee did not think the Select Board was competent and that is not the case and it is not what was said.

Michael asked Gary if he consulted with Town Council when he was going over the Bylaw. Gary said there was a brief response of Town Council in January explaining his concern about his jurisdiction and policy and he wanted them to be very careful not to conflict with Town Charter. He also tried to pursue a clarification of the difference in the Bylaw and the Charter. This came back that this is lawful and appropriate and within the Town Meeting's rights to place this in the charter. Michael asked how long the GSC has been working on this issue, Gary said they have been looking at charters and bylaws for 2 and a half years. They chose to focus specifically on Select Board responsibilities separately. The GSC unanimously agrees that this should be in the Bylaw. This would be validated by the State Legislature. Michael said he is not an expert in this area but we charge the GSC with this research, it sounds like they have taken the advice of the Town Manager and the state. Since they have also been going back and forth with the boards on wording he said he is inclined to support this.

Janice discussed the email from Town Councils and said it doesn't seem he thinks this is a necessary change. He also said the State Legislator might send this back for it to be a 2/3 vote. Janice said she does not see him taking a position on whether this needs to be done or not. Gary said that Town Council said that the inclusion of a definition of the Select Board's responsibly is an important aspect of the Charter, and he also said a lot of charters are more detailed than ours. Janice said George discusses that this is appropriate if we choose to do this, but he does not advocate for this or oppose to it. He is simply providing options. Chris said that he re-read it a few times and in his interpretation, it is saying that it is legal, but in his opinion he thinks we should have a more in-depth and this should include all boards. Gary said that is true but this would take years to do this for all of the boards and to do nothing would not be helpful. The GSC is studying many of the other boards and positions and this is a living document, but the Select Board is a top priority. There is a directive that the GSC should re-visit this in regards to language. They have had 6 months of work on this to make sure it is clear and they have done what Town Meeting asked of them and they are going to Town Meeting to present this. This is clear, purposeful, and meaningful and Gary asked for the Finance Committee's support.

Rob said that he agrees that we shouldn't put anything in because we aren't putting anything in on the other boards. He also said that if the Select Board is responsible for all of this than they need to be very involved in all of the School Budget hearings which are very detailed oriented. That is asking a lot more of the Select Board and Rob doesn't understand the benefit of this or what is being solved by this. Rob doesn't think it makes sense to move forward with this unless the town wants to change the responsibilities of the all of the boards. Rob also thanked Gary for his work on this.

Gary said he holds everyone on the board in high regard and he knows how much work they do. The Finance Committee is specifically referenced in this article several times because they get so in depth with the other boards. The language in the article discusses a collaborative process with the other boards along with Town Council and the Town Manager. Gary thinks this is what needs to be focused on and he suggests that people don't understand that these are the Select Board's roles and that they are responsible for the long-term planning and well-being of the town. Rob asked why not remove the concept of putting it in the charter and instead just put it online. He said Gary has a valid point that people might not know about the roles of the Select Board but perhaps this could be solved in a simpler way. Rob made a motion to oppose, seconded by Jamie. Walter said he likes the idea of long term planning but he struggles with where it belongs and whether or not it should be more comprehensive. He is supportive of the idea of this and the attention the GSC has brought to this has been good. Jamie said he took to heart Town Council's report on this. Unfortunately, it is not comprehensive enough, he feels this is misleading of the Select Boards responsibilities because they are responsible for much more than long term planning and this does not convey this. It also does not convey the responsibilities of other boards.

→Vote: Motion to oppose passed, 5-2 in opposition. Opposed by Kevin and Michael D.

**Article 18:** Tony has the document and changes have been updated in regards to gender-neutral language. Motion to recommend made by Kevin and seconded by Michael D.

→Vote: the motion passed unanimously

**Article 20:** The Planning Board did not take an opinion on this and the Select Board RATMed this because they are waiting for the Planning Board's opinions. A few of them were in support of this and others wanted more information. Jamie asked Bill's opinion on this, Tony couldn't recall. Jamie said he was encouraged to see Ethan's response but was disappointed that there wasn't more analysis on this. He said he didn't see anything in his response that there might be a conflict between historic preservation and housing density. Jamie's thought is if we don't have a technical analysis from the Town Planner as to whether or not this actually does what the petitioner says it does, and also without the position of the Planning Board, it is difficult to support this. Michael said he attended the Planning Board meeting where this was presented and he noticed there was not an immediate opposition which made him think that people on the Planning Board may support this. Michael also said that the people that would be directly affected were not at the meeting saying this would be bad. Michael also said he likes the parking article and he likes that there is a special permit available if needed. He said he would be in favor of both articles. Janice said this is the first time she can remember seeing a zoning article come through as a citizen's petition. She asked if this would go directly into the Bylaw the exact way its worded, or do we have a chance to fix the language once it passes. Tony said it will go directly into the Bylaw the way it is proposed and will then go to the Attorney General's office. Janice asked if they will fix any flaws at the AG's office or will they just send it back and say no. Jamie said their basic idea is to disapprove something that is unconstitutional or something that goes against zoning laws. He does not see that there would be any problems with this. Jamie made a motion to support this issue but look to the Planning Board to see if this specific language accomplishes the goal. Janice said this is a tentative support pending the Planning Board's analysis. Janice asked if we are tying our vote to their vote? Chris said the Planning Board might not have time to create a comprehensive analysis. Jamie said that this petitioner has a goal to preserve the historic nature of High Street and he supports that. But he doesn't know if the exact language accomplishes that. Janice said she is supporting this and is leaving it up to the Planning Board to make it work. Chris said he supports it if it works. Jamie withdrew his motion. Janice made a motion to support Article 20. Seconded by Michael D.

→Vote: the motion passed unanimously, 7-0

**Article 21:** Motion to approve made by Rob, seconded by Kevin. Rob said he agrees with the idea of 2 parking spaces. Jamie does not support this and he thinks it's fine for people to park on the street and he believes the parking requirements are fine the way they are.

→Vote: the motion passed 6-1, opposed by Jamie.

**Article 22:** Disposition of land. The Finance Committee wondered if that piece of land could be leveraged in some way. Jamie said he was looking to see if there was a way for us to land bank this so the bank can see that we gave this land to them. When we want to take something away we have to give something back with Article 97, so perhaps this could offset future Article 97 properties. Tony said the transfer of the deed could be the documentation. He said that this land was intended to be given to the state it was just a loophole. Tony said he will ask if we can get a letter about this. Rob asked Jamie if he is recommending that we recommend this but also get a letter acknowledging this from the state. Jamie said he

has seen this happening in other towns where they are scrambling to find Article 97 swaps so this might make a future transaction easier. Jamie made a motion to support, seconded by Walter. Rob said he is going to vote against this but he loves Jamie's idea to keep this asset.

→Vote: *the motion passed 5-2, opposed by Chris and Rob*

Janice went over which members of the Finance Committee are writing each article. Janice said she encourages everyone to start writing now and we can add in votes as they come in. Deadline of noon on Monday to Town Hall, so Janice has to have final writing by Saturday morning. Tony said he is here to help.

Motion to close warrant hearing made by Chris, seconded by Rob.

→Vote: *Motion passed unanimously, 7-0*

#### **9. New/ Other Business**

- Michael gave a reminder that there is a water and wastewater subcommittee meeting this coming Thursday.
- Michael said that he is running for Select Board and if elected this will be his final meeting with the Finance Committee and he has enjoyed his time on FinCom and has learned a lot over the past three years.
- There is a tri-board meeting regarding Green Communities.

#### **10. Adjournment** – Janice Clements Skelton

- Motion to adjourn made by Walter seconded by Rob.

→Vote: *Motion passed unanimously, 7-0*

Respectfully Submitted By  
Alyson von der Esch  
5.15.19