

**IPSWICH SELECT BOARD**  
**Meeting of Monday, May 6, 2019**  
**Ipswich Town Hall | 25 Green Street**

Pursuant to Open Meeting Law M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board Members, a meeting of the Select Board was held on Monday, May 6, 2019 at 7:00pm in Meeting Room A.

With a quorum present, Nishan Mootafian called the meeting to order at **TIME**.

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

Not present: William Craft

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

Abbreviations used: ZBA, Zoning Board of Appeals; GCs, Green Communities; MLP, Municipal Light Plant; ELD, Electric Light Department; MMWEC, Massachusetts Municipal Wholesale Electric Company; DPW, Department of Public Works

Public Information: Agenda; Meeting Packet

**Welcome/Announcements**

Mr. Mootafian read the following statement:

“Last week, Town officials and board members learned of allegations by the Ipswich Educational Foundation (IEF) that Kevin Murphy, who served in the role of Treasurer to that organization for several years, had misappropriated funds in excess of \$280,000 that had been donated to that organization, all of which it has reportedly recovered. While unrelated to his appointment with the Ipswich Educational Fund, Mr. Murphy also served on the Town of Ipswich Finance Committee, and after the IEF’s announcement of those allegations, Mr. Murphy informed the Town Manager that he would not seek reappointment to the Finance Committee; he has subsequently resigned his seat on that Committee, effective immediately. We want to assure the public that Mr. Murphy, like all elected and appointed board members, had no access to Town funds or accounts. His role in Town government has been limited to serving on advisory boards that meet and deliberate in public session and act by majority vote. While there may have been instances where some of his fellow committee members and members of the public may have disagreed with his views, we are not aware of any instances of misconduct by Mr. Murphy in his capacity as a member of these committees that warrants any further action or review at this time. The Ipswich Educational Foundation is a private, non-profit group that is not affiliated with Town government. We understand that the alleged misappropriation of funds has been reported to law enforcement authorities and that there may be further investigation of these allegations. In deference to those investigations, and because Town officials have no first-hand knowledge of Mr. Murphy’s conduct as the Treasurer of the IEF, we will refrain from any further comments about the substance of the IEF’s allegations.”

**VETERANS MEMORIAL DAY PARADE**

The annual Memorial Day parade will take place on May 27, 2019. The parade will assemble at 9:30am at the Civil War Monument on North Main Street, and will conclude at the VFW headquarters at the YMCA on County Road, making four stops along the way.

**Citizen Queries**

None.

**Announcement of Board and Committee Vacancies/Reappointment**

- a. Justin Planasch – New Appointment Associate Member – Zoning Board of Appeals

Mr. Planasch was present and spoke to the Board. He has been an Ipswich resident since May 2018, and has previously worked in Chicago as a construction engineer. Mr. Planasch is a certified professional engineer and a certified construction manager.

*Vote: Mr. Rauscher moved to approve Justin Planasch to the Zoning Board of Appeals as an Associate Member, and Mr. Whitmore seconded. The motion carried unanimously.*

b. Linda Grimes – Historical Commission Alternate Confirmation

*Vote: Mr. Rauscher moved to confirm Linda Grimes to the Historical Commission as an Alternate Member, and Ms. Alexson seconded. The motion carried unanimously.*

c. Tone Kenney – Resignation – Council on Aging

Mr. Mootafian thanked Ms. Kenney for her service.

d. Finance Committee Opening

Mr. Mootafian announced that there is a Finance Committee opening that must be filled by the Select Board. Interested candidates can find the paperwork to apply on the town website, and interviews will be conducted to select a new Committee member.

Mr. Mootafian also noted that the Feoffees will be requiring new members by August. Interested candidates should reach out to the Town Manager for information.

**Discussion/Vote Green Communities Application**

Michael Johnson (Massachusetts Green Community Center) presented a summary of the presentation on Green Communities (GCs) made at a previous Select Board meeting. There are currently 240 GCs in Massachusetts, seventeen of which are Municipal Light Plant (MLP) communities like Ipswich. Mr. Johnson gave an overview of the steps and criteria needed to become a GC.

Bob Fitzpatrick (Massachusetts Green Community Center) noted that the annual payment to be a GC is a fixed charged dictated by Massachusetts law. Mr. Fitzpatrick also clarified that Ipswich cannot exit the program once they have become a GC.

Neil Duffy (Massachusetts Department of Energy Resources) explained that upon becoming a GC, Ipswich would receive a \$125,000 grant, and an additional grant of about \$148,000, which is based on current population and per capita income. After the grants have been depleted, Ipswich will be able to apply for annual competitive grants that are capped at \$250,000. Mr. Duffy noted that preference is given to communities new to the GC program, and that last year 82 grants were awarded to 82 applicants.

Representative Brad Hill was present, and noted that if the GC contribution charge were to change, the proposal would have to go to a public hearing, and committees would be invited to Beacon Hill to testify.

The Green Communities discussion paused at 7:32pm for a Public Hearing.

**Public Hearing: Electric Rate Hearing (2 of 2)**

Mr. Mootafian read the legal notice.

*Vote: Mr. Rauscher moved to open the Public Hearing, and Ms. Alexson seconded. The motion carried unanimously.*

Jon Blair (Electric Light Manager) stated that the ELD currently looks to the Town to provide liquidity in paying monthly bills. Following an extensive financial study conducted by MMWEC, the ELD is proposing that the Select Board, as Electric Light Commissioners, increase rates in an effort to build a cash reserve. The ELD will level-charge customers at the base rate as the cost of fuel goes down, capturing a savings to prevent rate increases in future years.

Ms. Alexson noted that the positions of Systems Integrator and Strategic Project Manager have been added to the department in recent years, and asked if the positions can be utilized outside of the ELD. Mr. Blair responded that the positions could be valuable to several departments, but they are currently split between the ELD, Water, and

Wastewater departments. Ms. Alexson asked if Mr. Blair anticipates creating new positions in the coming year. Mr. Blair responded that while there are no plans to create new positions, there are upcoming retirements in pivotal roles, such as employees responsible for installing and repairing all Water and ELD meters in town.

Michael Schaaf (Electric Subcommittee) voiced his support for the rate increase.

*Vote: Ms. Alexson moved to close the Public Hearing, and Mr. Whitmore seconded. The motion carried unanimously.*

*Vote: Mr. Rauscher moved to raise the electric base rate to \$0.0043 per kilowatt hour, and Mr. Whitmore seconded. The motion carried unanimously.*

The Green Community discussion resumed at 7:43pm.

#### **Discussion/Vote Green Communities Application (Continued)**

Mr. Whitmore thanked staff and residents involved in the application process for their hard work, noting that this has been an almost two-year process. He expressed support for the financial commitment, believing that it will ensure the town commits to moving forward in the fight against climate change.

Chub Whitten (School Committee) stated that he supports the program, and believes it will strengthen the infrastructure budgets.

Michael Dougherty (Finance Committee) stated that he supports the program and believes the benefits will outweigh the financial costs. He sees the program as a tool to stop further damage from happening, and repairing damage already done.

Tammy Jones (Finance Committee) stated that she supports the program.

Jim Engel (262 Linebrook Road) stated that he had previously voiced a concern about funding failing to outlive an irrevocable commitment. Mr. Duffy acknowledged that it is hard to forecast further than a few years, but that available funds seem to be growing as the program gains support from the state.

Elle Borgman (27 Northgate Road) spoke on behalf of the Ipswich Middle and High School Green Team, voicing their support of the program.

Charlotte Kahn (39 Spring Street) stated that she supports the program, noting that Ipswich is a geographically vulnerable community, and will be needing state support in the fight against climate change.

*Vote: Mr. Whitmore moved to complete and submit Ipswich's Green Communities application to the Commonwealth of Massachusetts, and Ms. Alexson seconded. The motion carried unanimously.*

#### **Vote on Proposed ELD Budget**

*Vote: Mr. Rauscher moved to approve the ELD budget as previously reviewed, and Mr. Whitmore seconded. The motion carried unanimously.*

#### **Sunday Recreational Shellfish on Richard's Ground (Clark Beach) through 9/30/2019**

Police Chief Paul Nikas presented to the Board that the Shellfish Advisory Board has voted to recommend the Select Board open recreational a clam flat on Sundays. Under the allowance, harvesting would be allowed on Sundays from May 1<sup>st</sup> to September 30<sup>th</sup> for those holding a recreational shellfishing permit.

Ms. Alexson noted that Sunday recreational shellfishing has been allowed on Richard's Ground in previous years during the summer with no enforcement issues.

Mr. Whitmore asked about the usage in previous years, and Chief Nikas stated that traffic was lighter than expected, and did not create a burden on the Deputy Shellfish Constable. He noted that Richard's Ground runs from Pavilion Beach to the Ipswich Bay Yacht Club, and benefits from being dug.

*Vote: Ms. Alexson moved to approve Sunday opening of Richard's Ground for recreational permit holders effective immediately through September 30, 2019, and Mr. Rauscher seconded. The motion carried unanimously.*

#### **Discuss Resident Only Parking at MBTA Town Train Station Lot**

Glenn Gibbs (Directors of Planning and Development) presented a list of four recommendations formed by the Parking Task Force:

1. That the Select Board endorse the concept of making the commuter lot resident-only parking during weekdays. The Parking Task Force will prepare and present a plan for accomplishing this objective at the May 20<sup>th</sup> Select Board meeting.
2. That the Parking Task Force seek Select Board support in maintaining existing, but unadhered to, traffic regulations on Depot Square, and act to impose time restrictions.
3. Talk to EBSCO management and ask that they instruct their employees not to park on Union Street, as it restricts access to the lot.
4. That the Select Board prepare traffic regulations that would increase the fine for parking violations from \$15 to \$30, modify regulations on parking time limits on Depot Square, and restrict long term parking on Peatfield Street.

Ms. Alexson asked which of the recommendations would require a public hearing. Chief Nikas confirmed that any recommendation that would impose a regulation requires a public hearing, and a parking fine increase would require two public hearings.

#### **Public Hearing: Alteration of Premises, Heart and Soul Café**

*Vote: Mr. Rauscher moved to open Public Hearing, and Mr. Whitmore seconded. The motion carried unanimously.*

*Ms. Alexson moved to continue public hearing until after the parking discussion, and Mr. Rauscher seconded. The motion carried unanimously.*

#### **Discuss Resident Only Parking at MBTA Town Train Station Law (Continued)**

Helen Weatherall (44 Fellows Road) stated that she heard a citizen remark that historically, parking enforcement has been sparse. She also stated that she does not believe ticketing will solve a parking issue, because it "does not create more spaces." Chief Nikas responded that only about 150 moving violations are issued per year, and accidents have dropped 60%. He believes that interaction with drivers during traffic stops provides education and reduces violations. Aside from having parking clerks walk downtown and educate the public about parking, ticketing is the only deterrent to parking violations. Ms. Weatherall also stated that she is concerned about how the Bruni project on Essex Road will impact parking at the commuter lot.

*Vote: Mr. Whitmore moved to endorse the concepts presented, and Ms. Alexson seconded. The motion carried unanimously.*

#### **Public Hearing: Alteration of Premises, Heart and Soul Café (Continued)**

*Mr. Whitmore moved to reopen the Public Hearing, and Ms. Alexson seconded. The motion carried unanimously.*

Bud and Julie Siciliano appeared before the Board seeking an amendment to their current liquor license that would allow beer, wine and cordials to be served in the outdoor seating area of their café. Hours of operation would be from 7:30am to 2:00pm Monday through Thursday, 7:30am to 3:00pm on Saturday, and 7:30am to 9:30pm on Saturday.

Ms. Alexson expressed concern about glasses potentially breaking and causing a hazard on the sidewalk. It was suggested that plastic cups be substituted for glasses.

Chief Nikas stated that there have never been any issues at Heart and Soul Café, and does not believe that outdoor alcohol consumption at the property will cause any additional noise or social discord.

*Vote: Mr. Rauscher moved to close the Public Hearing, and Ms. Alexson seconded. The motion carried unanimously.*

*Vote: Mr. Rauscher moved to accept the application and endorse that Heart and Soul Café be allowed to serve alcohol in non-breakable containers outside, during current business hours, and Ms. Alexson seconded. The motion carried unanimously.*

**Vote on Warrant Article Presentation Assignments**

Mr. Rauscher stated that he will be traveling for work and unable to attend Town Meeting on May 14.

**ARTICLE 1**

Mr. Mootafian will present.

**ARTICLE 2**

The Finance Committee will present.

**ARTICLE 3**

Mr. Mootafian will present.

**ARTICLE 9**

Ms. Alexson will present.

**ARTICLE 12**

Mr. Whitmore will present

**ARTICLE 13**

Mr. Craft will present.

**ARTICLE 15**

Mr. Craft will present the Select Board's response of opposition.

**ARTICLE 17**

Mr. Craft will present the Select Board's response of support.

**Consent Agenda**

1. One Day Liquor Application:
  - a. All Alcohol for Ipswich Masonic Temple for a comedy show on 5/11
2. One Day Sunday Entertainment License Application:
  - a. Miranda Russell, Russell Orchard for Live Folk Music from 12:00pm to 4:00pm on 5/23

*Vote: Mr. Whitmore moved to present the Consent Agenda, and Ms. Alexson seconded. The motion carried unanimously.*

**Approval of Minutes**

- a. April 1, 2019
- b. April 22, 2019

*Vote: Mr. Rauscher moved to approve the April 1, 2019 minutes, and Mr. Whitmore seconded. The motion carried 3-0, with Ms. Alexson abstaining.*

*Vote: Ms. Alexson moved to approve the April 22, 2019 minutes, and Mr. Whitmore seconded. The motion carried unanimously.*

## **Town Manager Report**

### **WINTHROP SCHOOL POND**

Mr. Marino reported that the man-made pond at the Winthrop School does not fall within the bylaws of the Wetlands Act, and brush clearing around the edges was legitimate.

### **GREEN COMMUNITY**

The next step in the Green Community application process is to implement a fuel-efficient vehicle policy. Mr. Marino will have a plan ready shortly for the Board to consider.

### **PROCUREMENT TRAINING**

Mr. Marino reported that he is now a certified MCPPO through 2022.

### **ROTARY CLUB**

Mr. Marino will be attending the Rotary Club meeting on Wednesday, May 8 at the Hart House.

### **FIRE TRUCKS**

The Town is waiting for the new engine to be installed in the fire truck. The settlement is still waiting to be finalized.

## **New Business**

### **SMOKING ON TOWN PROPERTY**

Mr. Whitmore participated in a Town Cleanup, and noted that he did not see a single plastic bag or Styrofoam cup, but did see an excessive amount of cigarette butts left in problematic locations. He would like to look into installing proper disposal units, and wondered if the Town has a smoking policy in place surrounding their property. Mr. Marino responded that there is no smoking allowed on any Town property, and that the Board of Health will be updating all smoking policies on their next agenda.

### **BIALEK PARK PAVILION**

Mr. Marino inspected the pavilion at Bialek Park with the DPW, and determined that moving the structure in its current condition would be cost prohibitive. The pavilion will be taken down and rebuilt, ideally by students at a local vocational school.

### **PAVING**

Ms. Alexson reported receiving several complaints regarding paving on Mile Lane. Mr. Marino responded that it is scheduled to be repaved this spring.

## **Old Business**

### **UPCOMING MEETINGS**

Mr. Rauscher reported that there would be a community development meeting on Tuesday, May 7. He would like to see more discussion about how to involve local farming into the development plan. Mr. Whitmore added that residents can visit [BridgingIpswich.com](http://BridgingIpswich.com) to submit ideas for the plan.

### **HOUSING DEVELOPMENT**

Ms. Alexson asked that the Board begin looking at the state's best practices in regards to a plan for housing development.

## **Miscellaneous and Correspondence**

- a. Banner List
- b. Employee Changes

## **NEW HIRES**

- Cheryl Fowler, Payroll & Benefits

- Risa Hassel, Human Resources Manager
- Sean McCrea, Forestry

#### PROMOTIONS

- Ethan Parsons, Director of Planning and Development

#### VACANCIES

- Temporary summer help, various departments
- Senior Planner, Planning Department
- First Class Lineworker, Electric Department
- Apprentice Lineworker, Electric Department
- Customer Service Clerk, Electric Department
- Animal Control Assistant, part-time

#### UPCOMING EVENTS

- May 14: Town Meeting with 24 Warrant Articles in the Ipswich High School Performer Arts Center
- May 20: Final meeting of current Select Board
- May 21: Town Elections, YMCA, 7:00am to 8:00pm
- June 3: Tentative first meeting of the new Select Board, with a possible rescheduling for June 10

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

*The Select Board adjourned at 9:15pm.*

*Respectfully submitted by Eileen G. Page  
05.15.19*