

**IPSWICH SELECT BOARD**  
**Meeting of Monday, June 7, 2021**

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

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

With a quorum present, Ms. Alexson called the meeting to order at 7:01 PM.

**Welcome/Announcements**

The Board welcomed Sarah Player, who was elected to the Board during the Town Elections. Ms. Player has previously served on the School Committee.

Select Board meetings will continue to be held remotely for the time being as the Town explores technology available that will allow residents to continue to be involved virtually, even when the Board returns to in-person meetings.

A Flags for Heroes dedication ceremony will be held on June 14 at 12 PM, hosted by the Ipswich Rotary Club. Information on how to sponsor a flag is available on the group's Facebook page and website.

The Public Safety Facilities Committee will meet on June 15 at 7 PM, in person at Town Hall.

The Select Board's next meeting will be June 21 at 7 PM.

The first Cape Ann Collaborative regional COVID-19 vaccination clinic was held today. Starting on June 23, the clinic will be open from 1 PM to 4 PM at Our Lady of Hope Parish for anyone 12 and older. You do not need to be an Ipswich resident to utilize the vaccination site. Vaccines are available on both a walk-in and appointment basis.

**DONATION ACCEPTANCE TO POLICE DEPARTMENT AND FIRE DEPARTMENT GIFT ACCOUNTS FROM VOTZE FAMILY**

A local family has donated \$25.00 to the Police gift account, and \$25.00 to the Fire gift account. Police Chief Paul Nikas stated that monies in the Gift accounts are used to augment community and school events such as D.A.R.E. and Touch A Truck.

- *Vote: Dr. Jones moved to accept the donations to the Police and Fire Departments from the Votze family. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

**Citizen Queries**

None.

**Memorial Bench Request**

Christine Sandulli (157 County Road) requested a memorial bench be installed at Nichols Field in memory of Joseph Sandulli.

- *Vote: Ms. Mackin moved to approve the request. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

**Approval of Minutes**

- a. January 25, 2021
- b. May 17, 2021

- *Vote: Dr. Jones moved to approve the minutes of January 25, 2021 and May 17, 2021. Mr. Whitmore seconded. The motion carried 4-0, with Ms. Player abstaining, as she was not a member of the Board at those times.*

### **Board and Committee Appointments**

- John Stone and Jill Frier – Select Board Confirmation – Conservation Commission
- Penelope Devoe, Paula Jones, and Andrea Lacroix – Reappointment – Waste Reduction Advisory Committee
- Caja Johnson, New Appointment; Barta Hathaway, Reappointment – Cultural Council

Ms. Johnson recently moved to Ipswich from Beverly and is looking to become more involved in the community.

- *Vote: Dr. Jones moved to confirm John Stone and Jill Frier to the Conservation Commission. Mr. Whitmore seconded. The motion carried unanimously via roll call.*
- *Vote: Dr. Jones moved to reappoint Penelope Devoe, Paula Jones, and Andrea Lacroix to the Waste Reduction Advisory Committee.*
- *Vote: Ms. Mackin moved to appoint Caja Johnson to the Cultural Council. Dr. Jones seconded. The motion carried unanimously via roll call.*

### **PUBLIC HEARING: Verizon Pole Petition Brownville and Caroline Avenue**

“Residents of the Town of Ipswich, please note that the Select Board will hold a remote public hearing on Monday, June 7, 2021 at 7:15 PM to act on the petition from Verizon New England Inc. requesting permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways on Brownville and Caroline Avenue. Also, for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes. Meeting information will be posted to the Town website in advance of the meeting and is available in the Select Board’s office.” – Linda Alexson, Select Board Chair

- *Vote: Ms. Mackin moved to open the Public Meeting. Dr. Jones seconded. The motion carried unanimously via roll call.*

Bill Wallace (Verizon New England Inc) stated that the petition filed was to place a conduit on Caroline Avenue from Brownville Avenue that would provide Fios service to 20 Caroline Avenue.

Mr. Marino asked if the road truly had to be cut twice, as indicated in the petition, to provide service to a single home. Mr. Wallace responded that it did, but the conduit would allow service to other homes in the future if necessary.

Ms. Player asked how long the project is anticipated to last. Mr. Wallace responded that it would likely only take a few days, with the majority of work being done along the grass strip by the side of the road. Work would begin as soon as possible.

Ms. Alexson asked if the required \$10,000 bond had already been posted by Verizon. Mr. Marino responded that the bond would need to be in place before construction could begin, but that Verizon would wait to officially post the bond until after the received approval for the project.

As a new member of the Select Board, Ms. Player if this request was fairly standard. Mr. Marino responded that typically requests are usually for poles, but as Brownville and Caroline have underground wires, this request is logical. He also noted that the ability for other houses to tie-in to the conduit at a later date makes him less concerned about cutting the road twice.

Ms. Alexson asked Mr. Marino to check with the Water and Wastewater Departments to see if there are any projects they may be able to complete while Verizon has the road open.

There were no public comments.

- *Vote: Ms. Player moved to close the Public Hearing. Mr. Whitmore seconded. The motion carried unanimously via roll call.*
- *Vote: Dr. Jones moved to approve the petition. Ms. Player seconded. The motion carried unanimously via roll call.*

**PUBLIC HEARING: Application for New Section 15 Wine and Malt Package Store License from Bell Management Corp. D/B/A Little River Store, 57 East Street**

“Residents of the Town of Ipswich, please note that the Select Board will conduct a remote public hearing on Monday, June 7, 2021 at 7:30 PM to hear testimony on a new application for a Section 15 Package Store Wine and Malt Liquor License from Bell Management Corp, D/B/A Little River Store, located at 57 East Street. Meeting information will be posted to the Town website in advance of the meeting and is available in the Select Board’s office.” – Linda Alexson, Select Board Chair

- *Vote: Ms. Mackin moved to open the Public Hearing. Dr. Jones seconded. The motion carried unanimously via roll call.*

Vernon Bell (Owner, Little River Store) appeared before the Board to request a license to sell beer and wine to patrons. The property previously held a license as Ipswich River Provisions.

Chief Nikas asked what hours the store would be selling alcohol. Mr. Bell responded that he is seeking a license to sell from 8 AM to 11 PM Monday through Saturday, and 8 AM to 6 PM on Sunday, in compliance with State law. Currently the store is open 7 AM to 3 PM. Chief Nikas informed the Board that currently, convenience stores open in Ipswich only sell alcohol until 10 PM. He expressed concern that one store selling until 11 PM may cause a rush to the store for late-night shopping. Mr. Bell stated that he was comfortable with the license ending at 10 PM, in practice with other Ipswich convenience stores.

There were no public comments.

- *Vote: Mr. Whitmore moved to close the Public Hearing. Dr. Jones seconded. The motion carried unanimously via roll call.*
- *Vote: Mr. Whitmore moved to approve the license for 8 AM to 10 PM Monday through Saturday, and 8 AM to 6 PM on Sunday. Dr. Jones seconded. The motion carried unanimously via roll call.*

**Change of Manager Application, Forty Nine Market Corp D/B/A Post 201 Tavern, 49 Market Street**

Sandy Plotner has worked at the Post 201 Tavern (also known as Am Vets) as a bartender since 2012. Following the passing of the manager, she has been asked to assume the position.

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

**Board and Committee Appointments (Continued)**

- d. James Warner – Reappointment – Affordable Housing Trust Fund
- e. Janet Craft, Pat Beirne, and Paula Jones – Reappointment, Shade Tree Beautification Committee
- f. Jean Emerson – Reappointment – Trust Fund Commission
- g. Lorraine Laddin – Reappointment – Council on Aging
- h. George Gray, Lawrence Pszenny, and Ellen Maher – Reappointment – Library Board of Trustees
- i. Mitchell Feldman – New Appointment – Feoffees

Mr. Feldman has lived in Ipswich since 1988, and previously served on the Finance Committee and Payne Grant Committee.

- j. Michael Schaaf – Reappointment – Finance Committee

k. Dan Morris – New Appointment – Public Safety Facility Committee

Mr. Morris is the Chief Dispatcher at the Ipswich Police Department. While on the topic, Ms. Alexson reminded the Board she would like to consider the forming of a task force to study the use and re-use of current public safety buildings. Dr. Jones expressed support for this. Ms. Mackin added that she would also like to see a discussion about an Environmental Protection Policy added to an upcoming agenda.

- *Vote: Dr. Jones moved to appoint Mitchell Feldman to the Feoffees, and Dan Morris to the Public Safety Facility Committee. Mr. Whitmore seconded. The motion carried unanimously via roll call.*
- *Vote: Ms. Mackin moved to reappoint James Warner to the Affordable Housing Trust Board; to reappoint Janet Craft, Pat Beirne, and Paula Jones to the Shade Tree Beautification Committee; to reappoint Jean Emerson to the Trust Fund Commission; to reappoint Lorraine Laddin to the Council on Aging; to reappoint George Gray, Lawrence Pszenny, and Ellen Maher to the Library Board of Trustees, and to reappoint Michael Schaaf to the Finance Committee. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

**Amendment to Weekday Entertainment and Sunday Entertainment License Applications to Include Outdoor Entertainment, Fox Creek Tavern, 141 High Street**

Cecelia Fairchild (General Manager, Fox Creek Tavern) appeared before the Board seeking an outdoor entertainment license to allow for music during brunch and early evenings on the patio. She stated that the Tavern anticipates ending music by 10 PM. She stated that the property held the license previously as En Fuego.

Dr. Jones asked if there had been any comments from abutters of the Tavern. Chief Nikas responded that comments have not been received directly to the Police, but that he would have concerns about noise traveling, as the Tavern is located in an open field.

Ms. Alexson asked if the license request was advertised as a Public Hearing. Mr. Marino confirmed that a letter was sent to abutters, but the request was not advertised as a Public Hearing.

Susan Brown (Owner, Ipswich Shopping Center) asked what the hours of outdoor music would be. Ms. Fairchild responded that the music would run for brunch from roughly 10 AM to 2 PM, and again from roughly 5 PM to 9 PM.

Ms. Alexson asked what kind of music would be played. Ms. Fairchild responded that they have mostly been working with musicians who play alternative rock from the 1980s through early 2000s, and a four-piece jazz ensemble.

Brad Luongo (12 Dornell Road) asked if the property was Fox Creek Tavern or En Fuego on November 8, 2020. Ms. Fairchild confirmed that it has been Fox Creek Tavern since December 2019. Mr. Luongo pointed out that Fox Creek Tavern has been hosting live music without a permit. Ms. Fairchild confirmed that there was an incident with a band playing music too loud without a permit in November 2020, and that the band has not been invited back. She stated that at the time she was unaware of the noise regulations. Mr. Luongo stated that Fox Creek Tavern actively promotes live music events on their Facebook page that continues until the restaurant closes, followed by the kitchen staff playing loud music as they clean up until 11 PM.

Ms. Alexson asked if the current entertainment license is under En Fuego or Fox Creek Tavern. Mr. Marino clarified that an indoor music license was not renewed, and Fox Creek Tavern is seeking an outdoor license only.

Janice Gillissen (140 High Street) stated that she and her husband are unable to sleep at night when music is playing at the Tavern, and that they have left for the weekends to escape the noise. She agreed with Mr. Luongo's statement that music played by kitchen staff after hours can be heard as well. Dr. Jones asked if there had been live music events on more than one occasion. Ms. Gillissen responded that there had been events both in the summer of 2020 and in November of 2020.

Ms. Player asked how many unpermitted live music events took place. Ms. Fairchild responded that one event took place in the summer of 2020, and one took place in November 2020. She agreed that the music at the time was too loud, and the Tavern will be reducing the volume.

Mr. Whitmore asked the abutters if they had contacted the Police Department about the music. Abutters present said that they had not, as they didn't know anything could be done about it.

Ms. Alexson asked what kind of amplification Fox Creek Tavern expects from the bands this summer. Ms. Fairchild stated that one of the musicians she is looking to book is a single performer with a microphone and guitar amp.

Ms. Gillissen suggested that music be allowed during daytime hours only.

Susan Warner (18 Dornell Road) wrote to the Zoom chat: "We would prefer not to have outdoor music."

David Warner (18 Dornell Road) reiterated that the music is too loud, and worse at night.

Ms. Player asked what choices the Board had regarding approval conditions. Mr. Whitmore suggested issuing a temporary license, with a review to be conducted at the end of July. He encouraged abutters to contact the business directly with noise complaints, followed by a call to the police to have the complaint officially logged.

- *Vote: Mr. Whitmore moved to close the Public Hearing. Dr. Jones seconded. The motion carried unanimously via roll call.*
- *Vote: Mr. Whitmore moved to approve an outdoor entertainment license for Saturday and Sunday from 10 AM to 1 PM, and Friday and Saturday from 5 PM to 8 PM. Dr. Jones seconded. The motion carried unanimously via roll call.*

### **Kamon Farm Conservation Restriction Legal Documentation Review, Select Board Authorize Town Manager Signature**

Ethan Parsons (Director of Planning & Development) requested that the Select Board authorize Mr. Marino to sign for final approval of the conservation restriction at the Kamon Farm property.

- *Vote: Ms. Mackin moved to authorize Mr. Marino to execute and accept said Conservation Restriction on behalf of the Conservation Commission. Ms. Player seconded. The motion carried unanimously via roll call.*

### **Public Safety Committee Update**

Bob Weatherall (Public Safety Facility Committee, Chair) provided the Board with a Committee update. The Committee's report is available for review, and includes recommendations for the facility and space needs reports. The Committee will spend the summer spreading information about the project and answering questions from the public before seeking funding at the 2021 Special Town Meeting. The Committee hopes to obtain funding now at a low interest rate, and begin spending as the cost of materials level out over the next few years.

### **Review Select Board Meeting Schedule for FY 2022**

The Select Board will continue to meet on the first and third Mondays of the month.

Meeting Room A is currently undergoing upgrades that will accommodate a hybrid meeting model, allowing residents to participate remotely even after the Select Board returns to in-person meetings. The upgrades are expected to be completed by the July 7 meeting.

### **Reorganize Select Board**

- *Vote: Mr. Whitmore nominated Dr. Tammy Jones for Chair of the Select Board. Dr. Jones accepted the nomination. Ms. Mackin seconded the nomination. The motion carried unanimously via roll call.*

- *Vote: Ms. Alexson nominated Mr. Whitmore for Vice Chair of the Select Board. Mr. Whitmore accepted the nomination. Dr. Jones seconded the motion. The motion carried unanimously via roll call.*

### **Consent Agenda**

- I. One Day Wine and Malt License Applications
  - a. Ipswich Masonic Temple Fundraisers on June 25, July 2, 9, 16, 23, 30, August 6, 13, 20, 27, 2021.
  - b. True North Ale Co. for Cape Ann Botanicals Anniversary Celebration at the Riverwalk/EBSCO on June 20, 2021 and Thursday Castle Concerts July 8, 22, August 5, 19, and September 2, 2021.
  - c. Old Planters Brewing Co. for Father's Day Picnics at Appleton Farms on June 19 and 20, 2021
  - d. Rockport Brewing Pizza Picnics at Appleton Farms July 2, 9, 16, 23, 30, 2021
  - e. Gentile Brewing Company Appleton Farms Pizza Picnics July 4, 11, 18, 25, 2021
  - f. Mill River Winery Thursday Castle Concerts July 1, 8, 15, 22, 29, August 5, 12, 19, 26, September 2, 2021. Roaring Twenties Lawn Part August 7 and 8, 2021
  - g. Notch Brewing Appleton Farms Pizza Nights June 12, 19, 26, July 3, 10, 17, 24, 31, August 7, 14, 21, 28, 2021
  - h. 1634 Meadery LLC Thursday Castle Concerts July 1, 15, 29 August 12 and 16, 2021
  - i. Far From the Tree Castle Lawn Party August 7 and 8, 2021 and Castle Picnic Concerts July 8, 22, August 5, 19, September 2, 2021
  - j. Trustees of Reservations at Appleton Farms Guided Hikes and Craft Beer, June 12 and 26, 2021
- *Vote: Ms. Mackin moved to approve the Consent Agenda. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

### **Select Board Discuss/Vote Fall Special Town Meeting Date**

Mr. Marino suggested Tuesday, October 19, 2021 for Special Town Meeting.

Ms. Alexson stated that she was not in favor of holding a Tuesday night meeting, and would like to encourage a Saturday morning meeting, citing the strong turnout at the last two (2) meetings.

Ms. Mackin agreed with Ms. Alexson.

Dr. Jones supported a Tuesday meeting as Saturdays in the fall often conflict with sports schedules.

Mr. Whitmore argued that the turnout for fall and spring meetings were not particularly large, and the Middle/High School cafeteria is best used for overflow in particularly crowded meetings. Ms. Alexson argued that the cafeteria could still be used on Saturday morning.

- *Vote: Mr. Whitmore moved to set Special Town Meeting for Tuesday, October 19, 2021. Ms. Player seconded. The motion carried 3-2, with Ms. Alexson and Ms. Mackin opposed.*

Mr. Marino noted that Mr. Mootafian's departure from the Select Board leaves a vacancy for a Commissioner on the Electric Light Subcommittee. Dr. Jones volunteered to fill the vacancy.

- *Vote: Ms. Alexson moved to appoint Dr. Jones to the Electric Light Subcommittee. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

### **Town Manager Report**

#### **LIBRARY DIRECTOR**

Interviews have begun for a new Library Director. Eight (8) candidates were selected for first-round interviews in partnership with the Library Trustees. The position will be a Town Manager appointment, with approval of the Trustees.

#### **IPSWICH RIVER MILLS DAM**

A grant application is currently pending that would fund further impact mitigation designs for the EBSCO buildings if the dam were to be removed.

### TAKEOUT TERRACE

Final bids for a construction of a permanent Takeout Terrace structure were higher than expected. The Town will continue to utilize temporary tents for the time being.

### New Business

#### DROUGHT STATUS

Ms. Alexson stated that with surrounding towns already in a mandatory restriction status, Ipswich should consider proactively setting the same status.

- *Vote: Ms. Mackin moved to move to Moderate Drought Status. Ms. Alexson seconded. The motion carried unanimously via roll call.*

Ms. Alexson also stated that she would like an update from Representative Brad Hill and Senator Bruce Tarr on ongoing discussions among communities that draw from the Ipswich River about water conservation.

#### HIGH STREET BRIDGE

Ms. Alexson reported that she had the opportunity to speak at the State's Joint Committee on Transportation's public hearing regarding the dedication of the High Street Bridge to the Global War on Terror. The majority of the Select Board had previously voted in December to support the dedication, and she relayed the Joint Committee Chair's thanks to the Select Board for that vote.

#### LATE ONE DAY WINE & MALT LICENSE APPLICATIONS, COMMON VIC

- I. Alexis Harwood for Helen's Bottle Shop for Appleton Farm House Supports on June 16, 23, and 30, 2021
- II. Elizabeth Donhauser for Essex County Brewing for Appleton Farms Pizza Picnic on June 10, 17, and 24, 2021.

- *Vote: Mr. Whitmore moved to approve the late applications. Ms. Mackin seconded. The motion carried unanimously via roll call.*

### Old Business

Dr. Jones asked that the Government Study Committee be added to an upcoming agenda to discuss their recommendations for reconfiguring the Committee.

### Miscellaneous and Correspondence

None.

- *Vote: Ms. Mackin moved to adjourn. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

The Select Board adjourned at 9:45 PM.

*Respectfully submitted by Eileen G. Page  
06.20.2021*