

IPSWICH SELECT BOARD
Meeting of Monday, June 21, 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: Dr. Tammy Jones, Chair; William Whitmore, Vice Chair; Kerry Mackin; Sarah Player; Linda Alexson

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

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

Welcome/Announcements

The Select Board will continue to meet remotely until technology upgrades to Meeting Room A are completed to allow for a hybrid model.

Ms. Alexson thanked the Ipswich-Rowley Rotary Club for the Flags for Heroes event on June 14. Ms. Alexson and Ms. Player attended on behalf of the Select Board. It was well attended and the flags are a sight to behold.

The Public Safety Facility Committee will meet on Wednesday, June 30. They hope to meet in-person at the Fire Department.

Citizen Queries

Gary Champion (3 Palomino Way) inquired why a citizen seeking appointment to the Government Study Committee had been removed from the agenda. Mr. Marino responded that the citizen had removed his name from consideration.

Board and Committee Appointments

- I. William S. Effner, Jr. and Stephen Miles - Confirmation - Historical Commission Appointments
- II. Julia O'Leary - New Appointment - Associate, Zoning Board of Appeals

Ms. O'Leary has lived in Ipswich for about a year and has been attending ZBA meetings. She is familiar with Open Meeting Law through her work as an attorney, and believes she could contribute by explaining zoning law to lay people.

- III. Allison McPhedran - New Appointment - Cultural Council
- IV. Keith Carlson - Reappointment - Council on Aging

- *Vote: Ms. Mackin moved to confirm the appointments of William S. Effner Jr. and Stephen Miles to the Historical Commission, appoint Julia O'Leary to the Zoning Board of Appeals, appoint Allison McPhedran to the Cultural Council, and reappoint Keith Carlson to the Council on Aging. Ms. Alexson seconded. The motion carried unanimously via roll call.*

Consent Agenda

- I. One Day All Alcohol License Applications
 - a. Ipswich Masonic Temple for Celebration of Life on July 10 and July 24, 2021
- II. One Day Wine and Malt Applications
 - a. Gary Rogers for True North Ale at Appleton Pizza Picnics for Thursday, July 1, 8, 15, 22, 29, 2021
 - b. Monarch and Rose Foods, Inc. for Downtown Tuesday Events at Cellar Door, 1 N. Main Street July 13, 20, August 3 and 17, 2021

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

Memorial Bench Request, Sklarz

Ms. Alexson asked that the bench spreadsheet be updated to include a column designating which benches are dedicated, and to whom they are dedicated.

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

PUBLIC HEARING: Alteration of Premises Heart & Soul Cafe, 0 Central Street

“Residents of the Town of Ipswich, please note the Select Board will conduct a remote public hearing on Monday, June 21, 2021 at 7:15 PM on an alteration of premises application for the on-premise wine, malt, and cordial liquor license for Heart & Soul Cafe, Inc at 0 Central Street. Meeting information will be posted to the town website in advance of the meeting and is available in the Select Board’s office at Town Hall. – Linda Alexson, Select Board Chair.” – Dr. Jones

Heart & Soul Cafe is seeking to make outdoor seating permanent going forward.

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

Ms. Player asked if an approved application would make outdoor seating permanent. Mr. Marino responded that it would. Ms. Player asked what months outdoor dining would be utilized; Mr. Marino responded that outdoor seating would likely be available April through November, weather permitting. Ms. Player asked if the outdoor seating would impact snow removal; Mr. Marino responded that it should not, as typically outdoor dining ends around Thanksgiving.

Mr. Whitmore noted that last year, tents for outdoor dining were paid for with CARES money. Mr. Marino confirmed that the tents currently accommodating outdoor dining at Heart & Soul are paid for by the restaurant itself.

Ms. Alexson asked about the Town’s liability for serving liquor on town sidewalks. Mr. Marino confirmed that restaurant’s insurance covers them to serve outside. Ms. Alexson asked if there have been any issues with fire trucks maneuvering downtown with increased outdoor dining. Police Chief Paul Nikas responded that there had not been any accidents reported, and that a small island had been removed to allow for easier turns.

- *Vote: Ms. Player moved to close the meeting. Mr. Whitmore seconded. The motion carried unanimously via roll call.*
- *Vote: Ms. Alexson moved to approve the application. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

ELD DPU Report

Ray Leczynski (Utilities Business Manager) presented the 2021 Department of Public Utilities (DPU) report to the Board. Mr. Leczynski noted that the DPU runs on a calendar year (January 1 to December 31) while the Town runs on a fiscal year (July 1 to June 30). The Electric Light Department (ELD) is currently paying off three (3) loans. \$35 million in total has been spent on the ELD since 1920. About \$200,000 has been identified as uncollectible revenue, largely due to the impact of COVID-19 and the leniency that was put on utility bill payments. Mr. Leczynski reported that he does not anticipate this number rising, but cannot yet estimate how much will be recovered, as the department has only recently been able to enforce payments again

Ms. Player asked how long a bill can be overdue before it becomes uncollectible. Mr. Leczynski responded that for business owners wishing to renew a license, utility bills must be up to date before a license can be issued. Homeowners looking to sell their house could have a lien placed until they pay. He noted that renters who leave without paying their electric bills become uncollectible, as well as businesses that go out of business.

- *Vote: Ms. Alexson moved to accept the report. Ms. Mackin seconded. The motion carried unanimously via roll call.*

Government Study Committee Discussion, Warrant Article Review

Craig Saline (Government Study Committee, Chair) reviewed the suggestions the Committee settled on to present to the Board, including that the Committee be made up of seven (7) total members with one (1) Select Board representative, member terms increased from two (2) to three (3) years, and that the Committee be charged with reviewing the Town government structure every decade. Mr. Saline also reported that the Committee has been in a furlough status for several months, as it only has two (2) members.

Gary Champion (Government Study Committee) expressed frustration at the furlough status, and stated that the Town should make member recruitment a priority. He stated he is opposed to the proposed article, as it states that the Select Board may determine which projects the Committee works on and which articles are placed on Town Meeting warrants. Mr. Champion reported that he contacted an attorney at the State Ethics Commission who suggested that having a Select Board member “supervise” the Committee may be a conflict.

Mr. Whitmore disagreed with Mr. Champion’s comments, and noted that participation from a Select Board member improves communication and provides direction. He noted that the Committee has struggled for over the last several years, both in retaining membership and keeping projects on track. Mr. Whitmore concluded by saying that the Committee does not function as an ad hoc watchdog.

Ms. Alexson asked what the next step would be for this article. Dr. Jones responded that if the Select Board approved it, it would go to warrant hearings, pending a review by Town Counsel.

Presentation of Market Street Upgrades/Alterations

Rick Clarke (Director of Public Works) stated that as National Grid has replaced gas mains along Market Street, the Town has found itself with an opportunity to make improvements to the downtown area.

Kevin McHugh (Traverse Landscape & Architects) presented two (2) conceptual layout options for the area of Market Street and South Main Street. Option 1 would keep Market Street two-way, and increase pedestrian access by expanding bump-outs, vegetation, and bollards. The street would be narrowed slightly, assisting in slowing down traffic speed. Mr. Marino added that some staff had raised the idea of making Union Street a dead-end for the summer to promote pedestrian access to the Riverwalk.

Ms. Player asked how narrowing the street would impact cyclists. Mr. McHugh responded that while the design wouldn’t allow for bike lanes, the slowed traffic would provide a safer area for cycling.

Ms. Alexson asked how many parking spaces would be lost in Option 1. Mr. McHugh responded that five (5) parking spaces would be lost, with the potential to gain two (2) back if bump-outs were decreased.

Option 2 would make Market Street one-way with diagonal parking. Twelve (12) parking spaces would be lost.

Ms. Alexson asked what impact Option 2 would have on the ability of public safety vehicles to effectively maneuver through downtown. Chief Nikas responded that the impact would be significant, both in accessing outer roads such as Linebrook and Topsfield and requiring vehicles to circle around downtown in order to turn onto Market Street. He added that Hammatt Street would also require significant improvements and upgrades to accommodate a one-way on Market Street.

Ms. Player asked how Newburyport manages a one-way downtown area effectively. Chief Nikas responded that Newburyport has the advantage of three (3) one-way lanes, while Ipswich would be using a single one-way lane.

Dr. Jones suggested that Market Street being designated as one-way could make the Five Corners intersection more manageable.

Mr. Whitmore reported that the Cycle Safe Task Force was in favor of a one-way downtown. He stated that losing twelve (12) parking spots could easily be made up for by utilizing the Hammatt Street lot, and that necessary improvements to Hammatt Street should not be a deterrent.

Ms. Alexson asked about the possibility of bottlenecked traffic backing up around downtown. Mr. McHugh stated that a full traffic study would need to be conducted before any changes could take place.

Mr. Marino added that Option 1 was relatively easy and could be completed in the fall of 2021, while Option 2 would require a few years of traffic studies and engineering surveys.

Linda Grimes (27 Green Street) point out that Option 1 would remove handicapped parking, which could not be easily made up for by redirection to the Hammatt Street lot. Chief Nikas agreed, adding that there are equations that determine how many handicapped parking spots must be provided in a parking area.

Jim Engel (Electric Light Subcommittee) pointed out that the conceptual renderings leave out overhead lines, and asked to what extent underground utilities were being considered. Mr. Marino responded that work done in the fall would not involve moving powerlines.

Dr. Jones suggested holding a formal Public Hearing on the topic at the Board's July 19 meeting.

Living Faith United Methodist Church Easement Front Entry/Property Line, Select Board Vote and Sign Easement

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

Consideration of Recommendation Relative to Planning Board Special Permit Project Within Water Supply Protection District Zone 2 at 126-128 High Street, Applicant Louis Rubino of MMC Realty Holdings LLC

Ethan Parsons (Planning Director) provided the Board with background on the request on behalf of the Planning Board. Louis Rubino purchased 126-128 High Street, which currently has two (2) units, and filed an application to renovate the property into six (6) townhouse-style condominiums. Because the project would render 20% of the property impervious in close proximity to Water Supply Protection Zone 2, the project requires special permitting through the Planning Board. The Planning Board will consider granting the permit if the Select Board, as Water Commissioners, recommends the restriction outlined. The restrictions include a prohibition of herbicides, pesticides, and automatic irrigation sprinklers, and will require an extensive storm water management system to be installed.

Ms. Alexson noted that this project was the topic of lengthy discussion at a recent Water/Wastewater Subcommittee meeting, and asked what concerns the Subcommittee had in particular. Vicki Halmen (Water & Wastewater Director) responded that Mr. Rubino and his engineer gave an in-depth explanation of the project and their plans to protect the water supply nearby. She stated that based on the restrictions presented, the project would actually improve existing water conditions on the site. Ms. Alexson noted that in the long-term management plan, herbicides and pesticides are only limited, not prohibited. Mr. Parsons responded that that language would need to be corrected before the Planning Board would sign off. Ms. Alexson asked about the net gain of units, and how many would become a part of the Town's Subsidized Housing Inventory (SHI.) Mr. Parsons confirmed that the existing two (2) units would be demolished and six (6) constructed for a net gain of four (4) units, none of which would be a part of the SHI. Ms. Alexson expressed concern that each unit is planned to have three (3) bedrooms and 2.5 bathrooms within a water supply district.

Mr. Whitmore asked if the Planning Board could still approve the special permit if the Select Board voted to not approve the restriction as outlined. Mr. Parsons responded that the Planning Board was only looking for approval on the restrictions from the Select Board acting as Water Commissioners, and not for approval on the project as a whole.

- *Vote: Ms. Player moved to recommend the restrictions. Ms. Mackin seconded. The motion carried 4-1, with Ms. Alexson opposed.*

Sewer Extension Acceptance on Spring Street

Previously, the Select Board approved the installation of a sewer extension on Spring Street. In accordance with the original plan outlined, Ms. Halmen asked that the Select Board now accept the pipe as a piece of Town infrastructure, so as to allow abutters to connect to it. The project was funded and constructed privately, and has tested to all specifications. The acceptance does not have to go to Town Meeting for a vote because the pipe is under 500’.

- *Vote: Ms. Mackin moved to accept ownership of the sewer extension. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

Town Manager Report

DISPATCH

The State 911 Feasibility Study has concluded, and a presentation will be made to the Select Board at their July 19 meeting.

COVID-19

Every Monday from 1 PM to 4 PM, COVID-19 vaccines will be available at Our Lady of Hope Church (1 Pineswamp Road) to anyone over 12-years-old. Recipients do not have to be Ipswich residents.

RECRUITMENT

Captain Lee Prentiss has been appointed Deputy Fire Chief through an Assessment Center.

The search for Library Director has been narrowed down to three (3) final interviews.

SPECIAL TOWN MEETING

Special Town Meeting has been confirmed to be held on Tuesday, October 19 at 7 PM. The warrant will be opened on July 6.

VACATION

Mr. Marino will be on vacation from August 7-14, but does not expect his time off to overlap with any Select Board meetings.

New Business

WATERWAYS

Dr. Jones asked that the ongoing discussion about jet skiers on the Ipswich River be taken up at an upcoming Select Board meeting. She would like to charge the Harbormaster and Waterways Advisory Committee with the task of increasing education and enforcement efforts. Mr. Marino confirmed that the entire Ipswich River is a no-wake zone.

SUBCOMMITTEES

Ms. Player asked that the Board consider hearing Subcommittee updates as a regular item on their agenda so that Selectpersons may report on their assigned Subcommittees.

Ms. Player expressed interest in serving as the Select Board liaison to the Affordable Housing Trust Fund and Water/Wastewater Subcommittees.

- *Vote: Dr. Jones moved to appoint Ms. Player as the Select Board representative to the Affordable Housing Trust Fund. Mr. Whitmore seconded. The motion carried unanimously via roll call.*
- *Vote: Mr. Whitmore moved to appoint Ms. Player as the Select Board representative to the Water/Wastewater Subcommittees. Ms. Alexson seconded. The motion carried unanimously via roll call.*

Mr. Whitmore asked that the Cycle Safe Task Force be put on an upcoming agenda to provide a report.

Miscellaneous & Correspondence

None.

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

The Select Board adjourned at 10:03 PM.

*Respectfully submitted by Eileen G. Page
07.06.2021*