

**IPSWICH SELECT BOARD**  
**Meeting of Monday July 11, 2022**  
**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 July 11, 2022, at 6:00 PM in Meeting Room A.

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

Also present: Mary Gallivan, Rachel Sklarz, Recording Secretary

Mr. Whitmore called the meeting to order at 6:00 PM.

**Executive Session**

**To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel pertaining to police chief contract and police union contract.**

➤ *Vote: The Board moved to enter Executive Session. The motion carried 5-0 via roll call.*

The Select Board entered Executive Session at 6:00 PM.

The Select Board returned from Executive Session at 7:00 PM.

**Welcome/Announcements**

Executive meeting took place prior to SB meeting.

The Town received a large quantity of COVID test. The health department has plans to distribute tests to Council on Aging, inns, local restaurants. Tests are also available to the public for free. If interested, contact Town Manager.

Ms. Alexson expressed gratitude for the Greek Festival this past weekend after couple year hiatus.

Shellfish beds are still closed due to red tide. N7 near Crane's Beach was reopened by the state. If anyone is planning to go clamming, please call the Shellfish tape for flat status.

Ms. Alexson would like to congratulate the Veteran Services Officer for being appointed to Governor's Advisory Committee on Women's Veterans last week.

SB will be meeting with Electric Light Subcommittee in room C at 6:30 on Wednesday (7/13) to discuss cost of energy and fuel.

### **Citizen Queries**

Brad Hill (16 Birch Lane)- Asks that before finalizing parking spots downtown, the town postpone the painting of parking spots and holds a meeting with town officials (DPW, building department, council on aging, business owners) to be mindful of where else handicap spots are painted throughout town, including County Road and Central Street.

Dr. Jones did participate in previous conversations regarding the handicap parking space on Market Street. The original proposal was changed from 2 to 3 handicap spots on Market Street. There is still more painting to be done, including grey bricks in pavement that will allocate safe standing areas but not to park. Reassure Mr. Hill that this will be considered, and the pavement still needs a couple weeks to cure before handicap parking spots are painted. Mr. Hill would like the town to be aware that post pavement, the parking configurations are different. Mr. Hill would like the SB to consider feedback from the town citizens that are handicap placard holders.

### **Board and Committee Appointments**

- a. Lisa Palance, New Appointment Library Board of Trustees
  - b. Charlotte Kahn, Reappointment to Agricultural Commission as Associate and New Appointment
  - c. Shendel Bakal, Reappointment to Agricultural Commission
  - d. Mitch MacDonald New Appointment Government Study Committee
    - a. Mr. MacDonald had experience working for the Federal Government and working with public meeting processes.
  - e. Samuel Robertson, Reappointment as Associate to Zoning Board of Appeals
  - f. Town Manager appointment confirmations, current alternates Mariana Ovnich and Christine Sarantopoulos regular membership and Lindsay Randall for new appointment as alternate member.
- *Vote: Ms. Alexson moved to approve all appointments as presented. Ms. Player seconded. The motion carried unanimously.*
- *Vote: Dr. Jones moved to approve all reappointments as presented. Ms. Player seconded. The motion carried unanimously.*

### **Select Board Opens Special Town Meeting Warrant (October 18,2022)**

Mr. Whitmore read the legal notice stating, “Residents of the Town of Ipswich please note that the Select Board will conduct public meeting on July 11, 2022, relative to the warrant for the Special Town Meeting to be held on Tuesday, October 18, 2022.”

The Warrant will be open July 11, 2022- Friday August 12, 2022 until 12:00pm. Special town meeting is scheduled on Tuesday October 18<sup>th</sup>.

All articles from departments and boards due in SB office no later than 12:00 Noon on August 12<sup>th</sup>. Once the warrant is set, it will go to town counsel for review and then on to the finance committee for final review and recommendations for funding.

For a citizen's petition to have a guaranteed place on the Special Town Meeting Warrant, it needs to have 100 names, signatures, and addresses of registered Ipswich voters presented and certified by the town clerk. Petition articles must be submitted by 12:00pm on Friday August 12<sup>th</sup>. Dr. Jones reiterates on making sure to get petitions in before August 12<sup>th</sup> to confirm that all signatures pass muster.

The SB is scheduled to close the Warrant on Friday August 12<sup>th</sup> and will hold a public hearing regarding the warrant on Monday August 22<sup>nd</sup>.

- *Vote: Mr. Whitmore moved to open the warrant. Ms. Alexson seconded. The motion carried unanimously.*

Ms. Alexson asked if the board would consider placing an article on the warrant to change the Town Charter so that the Annual Town Meeting is not limited to Tuesday nights.

Mr. Whitmore also has questions, it will all be addressed during New Business.

### **Select Board Refers Initiated Zoning Articles to Planning Board** –

Ethan Parsons (Planning Director), here on behalf of the Planning Board to ask if SB will refer zoning articles to the Planning Board so a public hearing can be conducted, said meeting will take place on July 21<sup>st</sup>. Mr. Parsons gave an overview on topics being discussed (3 topics):

- **First Article: Use Regulations**
  - There is a proposal to limit yield plan for lots related to open space preservation zoning development projects within the water supply protection district, to have a reduction in number of homes and amount of development that can happen within the water supply protection district zoned areas. Secondly to prohibit encumbrance associated with the bill portion of open space projects within the protected open space, such as nitrogen loading restriction easement areas, if required subject to Title 5, they cannot be within the required open space areas.
  - The Planning Board has proposed amending the recently adopted detached accessory dwelling unit provision by requiring the property owner to reside on the property associated with the detached accessory dwelling unit.

- Amend the table in section 5- This is the use table that lists what's permitted in town by allowing retail and personal consumer service establishments by right in the Planned Commercial District. The Planned Commercial District is the land abutting Route 1 (north of Linebrook Rd) special permits are required for retail and personal consumer service establishments that are greater than 1,000 feet.
- Amend section 3 definitions by adding new definition of drive-thru facility and then amend table by inserting a new accessory use for drive-thru facility and allow them only in the general business, highway business and planned commercial districts. Disallows them downtown in the central business district.

Ms. Alexson questioned the document saying that it would allow them in the downtown central business district. Mr. Parsons corrects and states that the final version of the memo states it will only allow them general business, highway business and planned commercial district

Ms. Alexson asked if Lord Square, Central Street, and High Street are within the district where drive-thru's would be allowed. Mr. Parson commented that Lord Square is mostly general business, therefore they would be allowed. Mentions today they are allowed in every zoning district subject to a site plan review only

- **Second article: Density and Dimensions Regulations**

- Amend the definition of lot area-To require greater upland for determining lot area, minimum lot area, building area and associated things. Currently Planning Board is required 70% of a lot required for zoning purposes be the upland and proposal would be to require 100% of the required lot area is upland, not including any wetlands or marshes areas, etc. to count towards the minimum lot area.
- Amend the table in section 5 use regulations by inserting a floor area ratio, within certain zoning districts such as the RRA, in-town residential, general business and central business districts, the Planning Board proposes certain floor area ratio in other zoning districts. Today, Planning Board only requires maximum floor area in the rural residential B-zone district.

Ms. Alexson asked for clarification. Mr. Parsons gives explanations regarding floor area, takes aggregated area floors within a building and keeps it within a certain percent of total lot area. It established a reasonable and right sized ratio for building floor area on a given lot.

- Amend building height allowances- Change maximum height in buildings in the general business and highway business district from 45ft to 37ft and only allow a

special permit to go from 37ft to 45ft. In-Town residential district no longer require a special permit to go from 37ft to 45ft- it would be capped at 37ft.

- Off street parking- Limit special permit granting authorities' power to allow tandem parking. Currently, Planning Board can permit all spaces on a lot with a special permit or that have full time parking attendant to be tandem, which has created issues. Planning board wants to only allow 50% of lots associated to only be tandem parking.
- Amend definition of a multi-family residential development to allow single families, free-standing single-family units in developments to constitute up to 50% of total allowed dwelling units. Currently only 25% are allowed. Hoping to create more flexible design.

- **Third article: Update name from Board of Selectmen to Select Board.**

No merits of these articles are being discussed, just referral to Planning Board.

Public hearing will be open July 21st continue until August 11th.

Ms. Alexson asked about water supply protection district and considering prohibiting development in those districts. Mr. Parsons stated there are some prohibitions, such as water quality protection, not just water supply. Some prohibitions include storage of hazardous material, excavating for commercial purposes. Planning Board does not restrict against single-family house, schools, businesses. Will consider the overhaul of entire section. Mr. Parsons will take feedback and consider items discussed tonight.

Mr. Parsons stated all items are subject to change and he is willing to come back with another member of the Planning Board with more explanation.

- *Vote: Dr. Jones moved to refer the articles to the Planning Board. Ms. Alexson seconded. The motion carried unanimously*

### **Listening Session Information for School Building Project**

Emily Cannon is here on behalf of School Committee to inform that they will be partnering with The Logue Group in order to conduct community listening session regarding future of our elementary schools.

Mr. Logue and members of the School Committee will listen and address all comments from the community regarding the direction of the school building project could be heading.

Each session will follow the same format. Two different in-person sessions will be held in meeting room A of the Town Hall. Round 1 session will be held July 26<sup>th</sup> from 4:00pm-5:30pm/7:00pm-8:30pm, August 1<sup>st</sup> from 4:00-5:30pm/7:00-8:30pm. Remote session will be held August 2<sup>nd</sup> 7:00-8:30pm. Information for remote session will be posted on [www.ipsk12.net](http://www.ipsk12.net) 1 week prior to session.

Round 2 session will be held September 27<sup>th</sup> from 4:00pm-5:30pm/7:00pm-8:30pm. October 12<sup>th</sup> from 4:00pm-5:30pm/7:00pm-8:30pm. Remote session will be held October 19<sup>th</sup> 7:00-8:30pm.

For individuals who are unable to attend these sessions, there will be a form to submit for questions/comments.

The format will be a general overview, will touch on history of prior projects and Mr. Logue plans to have a Q&A for the community.

Following listening sessions and feedback from listening sessions, School Committee and The Logue Group will work together to formulate a plan.

Mr. Whitmore asks about a timeline for proposal. Ms. Cannon states they are planning to submit a SOI in spring.

Information has been posted around town, on social media platforms and online at [www.ipsk12.net](http://www.ipsk12.net). A flyer will be posted in town letter. Mrs. Alexson asked about the possibility of having a banner posted downtown for link to website.

Mitch MacDonald (23 Kimball Ave)- Questions if will form will be online at [www.ipsk12.net](http://www.ipsk12.net) and if it's a downloadable form.

Kate Elliot addresses question. Form for individuals not able to attend listening sessions is not yet available, but there will be a link posted in similar locations of flyer that will take you to a google document.

Ms. Alexson posed a question about the possibility of putting up a banner downtown with information regarding listening session.

Katie Elliot (School Committee) describes the focus of Round 1 of 5 is to gather community values, priorities and goals of the town and use this feedback to formulate discussions of upcoming rounds.

### **IRWA Present Findings on Ipswich Mills Dam Studies**

Wayne Castonguay (Director of IRWA) and Neil Shea are here to discuss the funding and get feedback from the select board and community for the final steps of the decision-making process for the future for the dam.

Mr. Castonguay explains this has been an ongoing study for 10 years and the information has concluded that there are no technical or feasible studies that would prevent the town from

moving forward with the removal of the dam. Mr. Castonguay believes they finally have a solution for EBSCO. There is a great funding opportunity if the town would like to move forward.

Mr. Shea speaks about the technical side of the removal of the dam. There are hundreds of pages of research analysis that is available on the public form.

IRWA has been working on two grants, with one in process. Mr. Shea states IRWA has been working on the Horsley Witten Group with the Dam and Seawall grant that was awarded to the town last year. The purpose of this was to help push any remaining analysis that was left including wetland delineation, analysis of previously collect bathymetry data, update on hydraulic data. This helps get IRWA ready to apply for permits. All is meant to inform the public on this process as well.

EBSCO data collected was awarded through another grant that was awarded to the state, as part of this being a state priority project. With concerns to the EBSCO building, IRWA has partnered with SGH (Leading expert on mitigating and risk assessment). The risks of dam removal and effects of dam removal (i.e., future water levels changing for EBSCO) is a minimal risk to the facility. Plan is to engage and share the documents that were completed last week with the Technical Advisory Committee, town staff, and funders. These are the final details necessary to provide to EBSCO with details, including mitigation contingencies.

Mr. Castonguay would like to get approved for the permitting phase. There is a great opportunity with the federal funding, the timeline for these fundings is quick. The permitting will help answers any outstanding question. Legally, IRWA cannot move forward with dam removal without mitigating and minimize risks. This process is designed to protect the community. Mr. Castonguay is hoping permitting would be the next step in the process.

Ms. Mackin notes that the Mill's Dam is ranked as one of the most ecological hindering dams in Massachusetts and the East Coast. Ms. Mackin had started working on the removal of the dam back in the 1990's and had worked with Tim Collins from EBSCO. Mr. Collins had multiple meetings inviting State officials in hopes to get the dam removed. Ms. Mackin is in favor with the work to move forward with the removal of the dam. Ms. Mackin also notes there have been several head-of-tide dams that were removed in Maine, which allowed the restoration of ecosystem, fish community. We can restore that as well. Ms. Mackin like the SB to move forward on voting to have the dam removed.

Dr. Jones asks if the mitigation studies that were collected on EBSCO were submitted and where do they physically stand currently. Mr. Shea states this was part of a grant deliverable. This document will get vetted by the Technical Advisory Committee and division of ecological restoration within the state, so then it becomes a public document.

Dr. Jones asks if there is a buy-in from EBSCO and if they have seen this piece of documentation. Mr. Shea assures he sent in the document last week and that they are also a part of the Technical Advisory Committee.

Mrs. Player questioned if any homes are impacted by this. Mr. Castonguay states the research including any impact area both down and upstream. Upstream the dam affects 1.5 miles, every property was analyzed for both from sewer and electrical lines. Including Choate Bridge.

Mrs. Alexson questioned what the risks are even though they are minimal to EBSCO and Choate bridge.

Mr. Shea states these are listed in the feasibility study. The EBSCO building sector particularly is high risk because of where ground level waters are. Downstream risks are lowered, Choate bridge is at a lower risk anywhere from erosion to sedimentation. Mr. Shea makes it known that they town is essentially keeping more of a risk with keeping the dam rather than removing it. Ms. Alexson questions what the town will see with water flow after removal of dam. Mr. Shea states it is a head of tide dam. Once the dam is removed it will be exposed to tide changes. Possible more exposed bank potentially with some degree of tidal fluctuation.

Mr. Castonguay states the study that is being finalized by the Horsley Witten Group gives more clarity.

Ms. Alexson appreciates all information but states this is a huge project and impacts surrounding homes and downtown businesses near Mill's Dam. Ms. Alexson hopes to see more Community meetings and have a town wide vote and does not want to leave this up to the Select Board to vote.

Mr. Whitmore questions the permitting process and the timeline with this process. Mr. Castonguay states there are two Federal grants that are allotted- First being in mid-August. The permitting process could be a part of this grant. The second round of funding is available for grant in September. IRWA advocates the permitting phase, which will help answer all questions for the town. The town, however, needs to take a proactive stance on whether they are interested on this removal.

Mr. Whitmore asks for more clarification on getting the permitting phase and if final data collection and updated plans are designed to be permit ready.

Mr. Castonguay states hoping to get as much done that will be relevant to the permitting process without pushing for the permit.

Mr. Whitmore would like public hearing, and questions if the permit can be applied for without moving forward with the dam removal. Questioning if we could have a public hearing in October.

Mr. Shea states the August deadline is essentially to ask for funding for all the permits. The permitting process wouldn't begin until IRWA hears back about the grants in December at the earliest.



Mr. Whitmore clarifies that applying for the grant is showing intent or interest for August deadline.

Ms. Player questions if a grant can be applied for to support the permitting process with committee from the town to continue investigating the potential of removing the dam.

Mr. Castonguay states there are at least 6 permits.

Ms. Player questions what type of grant is being requested. Mr. Shea states he expects the grant would be anywhere from \$20,000-\$40,000.

Mr. Whitmore clarifies the permitting process is a timeline for public review and research process that documents, develops and summaries for the town to review and comment on. Ms. Player asks what consequence the town would have if we didn't move forward with the grant for the permits. Mr. Castonguay states applying for the grant would be like a letter indicating an interest to take the next step in the process. It is not uncommon for a project to be discontinued.

Ms. Alexson questions what has happened in the past when the town backs out of a contract.

Mr. Shea provides an example of a project taking place on the South Shore, the town had voted, and they discontinued the project because the timeline was more expedient, and the town folks didn't have enough answers. This project was funded by NOAA.

Mr. Shea reiterates that the project could be discontinued for many reasons. When the permits are received its clarification that the risk is minimal to the public and the environment and it's a proactive project. Mr. Castonguay adds that it is exclusively public process.

Ms. Alexson questions who gathers the data for the permitting process.

Mr. Shea states they work closely with Horsley Witten Group on most studies.

Mr. Castonguay adds, there will be a lot of contractors and sub-contractors, Licenses Site Professional and one firm that will sub out some work to a project manager.

Dr. Jones questions who would apply for the grant. Mr. Shea states IRWA applies for the grant, but it could be a bundled project including Ipswich Mills and Larkin Dam in Newbury. IRWA is currently working with division of ecological restoration to bundle these projects to make it more appealing.

Mr. Whitmore mentions he works for NOAA and does see some of these funds. Nationally and statewide the Ipswich Mills Dam is high ecologically value and it is an endangered river and a very high priority. Dams have been receiving a massive amount of funding, both State and Federally.

Carol Bousquet (27 Green Street). States we have a river under extreme stress, and this river is being watched nationally. She believes there should be no more hesitation for the removal of this dam. Ms. Bousquet would like to take on the task of managing town ???.

Dr. Jones reminds public that the dam was responsible for the Mother's Day flooding and would like to move forward to apply for grant for permitting.

Ms. Alexson addresses a letter that was received from 12 individuals two years ago (None were present). Ms. Alexson would like to hold a public meeting to make sure they are involved with the decision-making process.

Mr. Whitmore states that either the SB can hold a public hearing at the next SB meeting, or they can start to write a letter to endorse IRWA to move forward. Dr. Jones states SB should vote to apply for the grant so be able to hold more public meetings for the process.

Ms. Player questions if SB were to hold another meeting two weeks from now would that hinder the permit process, Mr. Shea states it would not. Public hearing will also be scheduled in-between next SB meeting.

Mr. Castonguay adds IRWA maintains a list of all interested parties over the past 10 years (200 parties). Mr. Castonguay will include this. Public meeting will be advertised on the town website.

Ms. Mackin states IRWA should check in with Lori LaFrance regarding this public hearing as Ms. Mackin used to work with her on this project.

### **Heart & Soul Outdoor Service Area Review**

Bud Siciliano (Owner), here to discuss two areas of concern for outdoor dining, had submitted drawings for outdoor area.

Mr. Siciliano addresses the 4 Adirondack chairs on the outside which serves to allow people to sit and alleviate crowd on the sidewalk and allows a customer to drink and relax in chair without taking up a table. Was told to remove chairs at the last meeting, which he complied. Mr. Siciliano is asking for clarifying- as the chairs were in compliance with 4-foot regulation and public safety.

Ms. Alexson states when people are sitting in Adirondack chairs, it is not complaint with 4-foot regulations when people are lounging in chair and does not agree with the need of the chairs outside. These chairs make it difficult for people to pass through (i.e., wheelchairs, parents with baby carriages). Mr. Siciliano states he can tell people sitting in chair to not stick feet out or will get shorter chairs.

Ms. Alexson reminds Mr. Siciliano that this is public space, and the town has been very generous with "bump out space" and outdoor seating should be confined to the space the town provided for Heart and Soul. Mr. Siciliano has more table space outdoors than prior to the Pandemic. Mr. Siciliano questions why this is an issue.

Dr. Jones comments there has been a change of circumstance. At the beginning of the Pandemic, there was a greater demand to push as many tables outside as possible. Now that the Pandemic has slightly subsided and indoor dining is back. Dr. Jones would like the memorial bench for Rebecca Gibbs to remain separate from the restaurant. Dr. Jones would like the outdoor portion to remain in the “bump out”. Dr. Jones states there has been a lot of concern that the outdoor seating along the building is not comfortable to walk through.

Mr. Siciliano provided diagrams when speaking with Mary Gullivan. Mr. Siciliano’s solution is moving the two tables from under the awning and moving them to an open space on the other side of the restaurant that is not being utilized. Dr. Jones states she will not support this.

Mr. Siciliano states another alternative could be to take the two tables and move them on either side of the memorial bench and make it a “total waiting area”.

Mr. Whitmore states that Mr. Siciliano is not understanding. Mr. Whitmore comments on the square footage inside verses outside (indoor is 346 square ft, outdoor is 650 square ft.). Mr. Whitmore also comments that prior to COVID there was no “bump out”, and now that customers are allowed to eat inside, it appears that Mr. Siciliano is trying to accommodate more people outside than inside. Mr. Whitmore is comfortable with taking away the chairs on the side of the restaurant and two tables next to memorial bench, leaving 5 tables which increase 50% in seating compacity on behalf of the town.

Mr. Siciliano states there is an increase in demand in outdoor seating and Heart and Soul is trying to accommodate this.

Mary Gullivan noted that considering Zabaglione outdoor seating and liquor licensing, currently Heart and Soul has the entire outdoor space for liquor licensing and is reducing that in part to accommodate Zabaglione’s liquor licensing. (Refer drawing #3) Currently Mr. Siciliano respectfully does not have any tables in front of Zabaglione restaurant and if the board is agreeable, having those two tables added to the open space, liquor would be not allowed to serve alcohol and since both restaurants currently operate at different hours. Could be an option to have those tablets during the day and put away when Zabaglione opens as 5:00pm due to being short staffed currently Zabaglione opens at 5:00pm but is looking to open earlier. Mary Gullivan was not aware that Zabaglione was looking to open at lunch time.

Mr. Whitmore states while looking at drawing #3. Would request no added tables to Central Street, leaving 7 tables accessible to Heart and Soul if Zabaglione is not open for business. If Zabaglione does start to open earlier, then this matter will be revised.

Ms. Alexson confirms that there will be no tables along Central Street and no tables next to Memorial bench. Mr. Whitmore states that is correct.

Dr. Jones reiterates and is comfortable with there will be 5 tables in “bump out” and two additional tables and if Zabaglione does open earlier these can also be used also by Zabaglione.

Ms. Alexson questions the “bump out space” and alcohol usage, she states according to the ABCC “The outdoor space must be contiguous to the license premises” meaning the restaurants must have a clear view of these tables while serving alcohol. Mr. Siciliano reassures there is always someone outside (either himself or staff members), and as for the view “It’s like working in a fishbowl, the total window space is in view while working on the floor”. Ms. Alexson also mentions “The premises must be enclosed by a fence, rope or other means to prevent access to a public walkway.” Ms. Alexson states this is the problem, and it is not preventing access for the public. Ms. Alexson addressed the garbage receptacle is not covered, is located near tables and it is unsightly and is requesting that all trash be disposed of indoors. Mr. Siciliano agrees.

Ms. Alexson questions the ABCC requirement about preventing public access and in-between the bollards. Mary Gallivan states Mr. Siciliano can put planters or something to section off the “bump out”.

Mr. Siciliano requests an update at this point.

Dr. Jones states that Heart and Soul would not be able to serve alcohol at the two tables near Zabaglione because a liquor license must stay within one address.

David Feldman (26 Mill Road) with CDP Committee. Mr. Feldman comments on the review of bench and outside tables and states he confirms these tables to be a favorite amongst customers and he has not seen an issue with interference with the public walking through, and hopes the board takes into consideration keeping the tables.

Mr. Whitmore asked Mr. Feldman if he feels people would be comfortable sitting at the bench between two tables while people are eating, and Mr. Feldman confirms that he does not feel that someone would sit at the bench to take a break while people are sitting at the tables eating.

Mr. Whitmore states, this is the first time the board has had to “dial back” on outdoor seating, everything up to this point has been approved.

- *Vote: Dr. Jones moved to change approved seating to five tables in bump out, with two additional tables in triangle (see drawing) are not served alcohol. No tables will be placed along Central Street or by fixed bench. Ms. Player seconds. Ms. Alexson adds a friendly amendment that all trash receptacles are kept indoors. The motion carried unanimously.*

### **Zabaglione Restaurant Temporary Extension for Outdoor Service Area Application**

Michael Elpidoforos (Owner) of Zabaglione requesting tables for outdoor at nighttime. Does not currently service food during lunch due to lack of staff but wants to open the restaurant during lunchtime. Mr. Elpidoforos is asking consideration to have 4 tables outside that he could serve liquor at, and 2 tables that he would be not able to serve alcohol at (All together 6 tables).

Mr. Whitmore questions, who would be bringing what in at night between Heart and Soul and Zabaglione. Mrs. Gallivan states that Heart and Soul bring all furniture after lunch, and Zabaglione has their own furniture.

Mr. Elpidoforos states he currently has 6 tables surrounded by plant boxes, but the boxes are too heavy to bring in. Mrs. Gallivan states he could use these plant boxes to delineate between Heart and Soul tables from Zabaglione tables.

Ms. Alexson questions if alcohol would be served at all 6 tables. Mr. Elpidoforos states he would like all tables to be served alcohol and they will be monitored.

Zabaglione currently has 12 tables indoors.

Dr. Jones would like someone from the town go on site to delineate between Heart and Soul tables and Zabaglione tables. Mrs. Gallivan states in order to be in compliance with ABCC, Zabaglione will be able to serve alcohol, but Heart and Soul cannot because liquor license cannot overlap addresses.

Mr. Whitmore requests to approve up to 6 tables for outside seating to be used only by Zabaglione and not up against wall.

- *Vote Dr. Jones moved to approve outdoor dining with liquor license for the part of the bump out used for Zabaglione to be used only by Zabaglione, in addition a member of the town will go down to confirm which area between Heart and Soul and Zabaglione the liquor license confirms. Ms. Alexson adds a friendly amendment that all trash receptacles are kept indoors. Ms. Player seconds. The motion carried unanimously.*

### **Approval of Minutes**

- a. May 2, 2022
- b. May 16, 2022
- c. June 28, 2022

- *Vote Ms. Player moved to approve minutes of May 2, 2022, and May 16, 2022. Mr. Whitmore Seconds. Dr. Jones was not in attendance for these meetings, therefore abstains the vote. Motion approved 4-0 with 1 abstention.*
- *Vote Dr. Jones moved to approve minutes of June 28, 2022; Ms. Alexson seconded. Ms. Player abstains vote was not in attendance. Motion approved 4-1 with 1 abstention.*

### **Town Manager Report**

Mrs. Gallivan signed new contract with EBSCO for Take-Out Terrace usage extended until October 2022. In conjunction, Ms. Bates has started Downtown Tuesdays (July 5<sup>TH</sup>).

Mrs. Gallivan has been working with Finance Department on guidance around Opioids Settlement funds that the town will receive. These funds will be considered general funds. Mrs. Gallivan working with Police Chief on how much the funds will be.

State Representative Jamie Belsito emailed about securing funds for \$25,000 for a new public safety emergency communications tower. Pending unsecured funds for the town of Ipswich consisting of \$2.5 million for reconstruction/raising Argilla Rd, redesign and replacement of the culverts, \$500,000 towards new construction of sidewalks in front of middle school and high school.

New Climate Resiliency Manager contract position, Mary Delibe started today. Ms. Gallivan met today to review goal setting, introduction to stakeholders. Will be setting up an office next to Ms. Gallivan in the Town Hall and set office hours will be posted.

Received first installment of second payment of American Rescue Plan Act (ARPA) funds. An ARPA group has been put together to discuss spending options and projects.

Ms. Gallivan will be attending Ipswich Human Rights commission meeting and Fin Com meeting tomorrow. Encouraging town to attend these meetings.

Ms. Alexson asks if the temporary Finance Director has left and who will be taking over that role. Ms. Gallivan confirms that he has left and accepted a new full-time position in a different community. Terri White (Town Accountant) has stepped into the role. The new Town Manager will be hiring the new Finance Director.

### **Select Board Member Sub Committee Update**

Ms. Alexson states the Property Re-Use Committee met on June 27th to finalize survey. It will be going online, paper copies will be available at the Town Hall, Council on Aging, Library.

YMCA joined for the discussion about community gardens and is interested in provided garden plots for Powder House Village, and possibly for the Agawam Village. Still in the early stages of due diligence, including liability, water use and space management. Hoping they will come back in August or September to confirm if they are interested and if there is any land available. In the meantime, will be inviting the Agricultural Committee to discuss potential town owned land or farmland that would be conducive for community gardens. This is a priority topic for the Re-Use Committee and all meetings are open to public and welcome to attend. Upcoming meeting will finalizing a statement of interest form for people who might want to put in a proposal to use some of the space that will become available.

Mr. Whitmore asks for clarification on the meaning of the space becoming available. Ms. Alexson clarifies that these proposals will be for how to re-use buildings.

Next meeting will include Gordan Harris (Chair) on July 25<sup>th</sup> to give the Board an update.

Four meetings are upcoming: July 28<sup>th</sup>, August 30<sup>th</sup>, September 27<sup>th</sup>, and October 25<sup>th</sup>.

Mr. Whitmore was away on vacation and was not able to attend last week's subcommittee meeting and does not have an update.

Dr. Jones states the Public Safety Facility Committee met last week with Architect Ted Galante and his staff. Discussed where the new Public Safety building will be built. A lot of the discussion was gathering information from the public as to which iconic buildings best represent Ipswich. Next meeting is available on the town website.

The Electric Light Sub-Committee will be meeting this Wednesday (July 13<sup>th</sup>) with the Electric Light Commissioners, the public is welcome.

### **New Business**

Mr. Alexson proposed an article for the town meeting warrant to revise charter to eliminate Tuesday night requirement for annual town meetings, Ms. Mackin supports this.

Mr. Whitmore states to have this added to the discussion list. George Hall to create draft.

Ms. Alexson asked if there was interest in putting a temporary 2-year building moratorium on the warrant to study the impacts on current infrastructure.

Mr. Whitmore thought this was on hold because it wasn't a good idea, and the Planning Board was opposed to it. Mr. Whitmore is not in favor of having a warrant article for a temporary two-year moratorium. Is open to having another discussion regarding this. If others on the Board are open to the discussion at a later date, he is open to that.

Dr. Jones was under the impression of this as well. Any changes to planning and building (restriction or full moratorium) need to be coming from planning, as any other planning article would be. There were a lot of negative consequence of a moratorium but would like to continue discussion with the planning board.

Ms. Player wants to ask if there are other specific by-law changes, could ask the Planning Board if there are other specific by-law changes that could help with some of the challenges.

Mr. Whitmore questions the two- year moratorium and what it accomplishes besides putting things on hold for two years. The challenges with the building were discussed before and the demand is high and there is little housing available. Mr. Whitmore states stopping it for two years does not resolve anything. As a Board, how can we bring provide the Planning Board regarding SB concerns. Dr. Jones we need to help the Planning Board publicize the items and support them.

Ms. Player states SB needs to discuss their priority and where the SB stands on different items with the Planning Board and supporting the Board as they go before of Fin Com.

Ms. Player wants to consider potential charter change regarding most of department heads gets supervision from Town Manager, the ELD (Electric Light Department) manager receives more general supervision. It is impractical for the SB to manage ELD. Would like the Town Manager to supervise ELD. Added to discussion of potential topics.

Mr. Whitmore asks consideration about a term limit for all Committees and Boards. States 9 years might be considered. Would like more people to join and will encourage new ideas and new topics flowing through and to avoid compliancy, Dr. Jones agrees.

Ms. Alexson questions if this is for elected positions or all boards and committees and states there is a challenge. Mr. Whitmore understands there is a challenge but thinks it's great to get fresh ideas and Dr. Jones states there's a need to have more people to step into these roles.

Mr. Whitmore discusses drafting a letter to the State (Fish and Game) for feedback about State boat ramp parking for local and out of town boaters and control the parking in general.

Dr. Jones questions if there is a Dock Master collecting money. Mrs. Gallivan confirms the Dock Master was out last week but is back and is researching a Kiosk for collecting money.

Dr. Jones questions if we can get help from the State for having a State Boat ramp. Mr. Whitmore is unsure, but it is worth questioning and looking for a motion to draft a letter to the State, detailing the challenges of parking and managing the boat ramp we are facing as a town.

➤ *Vote Mr. Whitmore moves to motion to draft a letter to the State, Dr. Jones seconds. The motion carried unanimously.*

Dr. Jones mentions seeking input from Waterways, Harbor Master, and Police Chief. Also wants to confirm there is a Dock Master collecting money. Mrs. Gallivan confirms there will be unless he takes off time. Mrs. Gallivan states she could speak to Chief to have a detail or special if Dock Master takes off time.

Dr. Jones questions if we could ask Chief to have whoever is patrolling to be down there to patrol that area. Mr. Whitmore is unsure if that is the best use of public safety and its part of the challenge.

Ms. Alexson spoke on the issue with Mrs. Gallivan that during Fourth of July weekend it was permitted any remaining balance for a launch sticker could be sent to the town hall, Ms. Alexson states the Treasurer's office was unaware of this. Mrs. Gallivan sent an email to the Chief and has yet to hear back. Dr. Jones feels people should be instructed to go to an ATM and get the exact amount.

Ms. Alexson reminds boaters can purchase launch stickers online or at Town Hall.



Ms. Alexson mentions a thought of instead of getting a kiosk, you must have your sticker in advance and not allowing any transactions being made at the Wharf. Mr. Whitmore states he doesn't feel this would be a big issue and would be better than staffing someone and managing it.

Ms. Alexson asks if Mrs. Gallivan could continue blocking off the town hall field on weekends. Mrs. Gallivan will make sure DPW continues this. Mr. Whitmore states this resulting in town complaints.

### **Old Business**

Mr. Whitmore would like to update the public about Town Manager Screening Committee to review and interview applicants and the challenges of getting applicants all together for interviews due to summer schedules. The first meeting will be on July 18<sup>th</sup>.

### **Miscellaneous & Correspondence**

None.

- *Vote: Mr. Whitmore moved to adjourn. Ms. Player seconded. The motion carried unanimously.*

The Select Board adjourned at 9:55PM.

*Respectfully submitted by Rachel A. Sklarz  
July 11, 2022*