

IPSWICH SELECT BOARD
Meeting of Monday, July 15, 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, July 15, 2019 at 6:30 pm in Meeting Room A.

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

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

Abbreviations used: ICAM, Ipswich Community Access Media; DPU, Department of Public Utilities; ELD, Electric Department; MLPs, Municipal Light Plants; MEAM, Municipal Electric Association of Massachusetts);

Public Information: Agenda

Executive Session

“To consider the purchase, exchange, taking, or value of real property if such a discussion may have a detrimental effect on the negotiating position of the governmental body.”

- a. Approval of Executive Session Minutes
 - i. December 3, 2018
 - ii. May 20, 2019
 - iii. June 17, 2019

Vote: Mr. Mootafian moved to go into Executive Session, and Ms. Alexson seconded. The motion carried unanimously by roll call.

The Select Board entered Executive Session at 6:41pm.

The Select Board returned to Open Session at 6:58pm.

Mr. Whitmore called the meeting to order at 7:01pm.

Welcome/Announcements

SCHOOL COMMITTEE OPENING

Applications for the open seat on the School Committee will be accepted until July 19.

COMMUNITY DEVELOPMENT SURVEY

Residents are encouraged to participate in the Community Development Survey at BridgingIpswich.com.

BIKE PARADE

Mr. Whitmore thanked the volunteers and staff members who participated in the Fourth of July Bike Parade.

MUSIC TOWN IPSWICH

Mr. Whitmore thanked the Ipswich Chamber of Commerce for their event on July 12.

HYDRATION STATION

A new Hydration Station has been installed outside the Visitor Center at the Hall-Haskell House. The fountain serves as a water bottle filler, bubbler, and drinking fountain for dogs. Mr. Whitmore thanked Faith Johnson and the Ipswich Sustainable Education Class for their work in getting the fountain installed.

RED TIDE

Ms. Alexson reminded residents that all Ipswich clam flats are closed until further notice due to Red Tide. She noted that clams currently on the market are not from affected areas.

OLD IPSWICH DAYS

Old Ipswich Days will take place July 26 to July 28.

Citizen Queries

None.

Board and Committee Appointments/Reappointments

a. Feruza Krason – New Appointment – ICAM

Robert Ryan (President, ICAM) appeared before the Board to request that they appoint Feruza Krason for a three-year term to the ICAM Board. Ms. Krason will replace Wendy Copithorne, who recently resigned due to work commitments. Ms. Krason stated that she is impressed by ICAM's work and community outreach efforts.

Dr. Jones stated that she has known Ms. Krason for several years, both as a member of the community and as a previous School Committee member, and believes she will be an excellent addition to the ICAM Board.

Vote: Dr. Jones moved to appoint Feruza Krason to the Ipswich Community Access Media Board, and Mr. Mootafian seconded. The motion carried unanimously.

Annual DPU Report

Ray Leczynski (Electric Department Business Manager) provided the Select Board with a copy of the 2018 Annual DPU Report sent to the Massachusetts Department of Public Utilities. The report consists of data outlining the assets, revenue and expenses of the ELD, as well as peak dates and times of usage, sources of self-generation, and the various class rates. Mr. Leczynski stated that in 2018, the ELD's customer base and sales were stable, and assets improved considerably in comparison to liabilities.

Mr. Whitmore asked if the annual report was an audit. Mr. Leczynski stated that it was not, but the ELD is audited by the same firm used by the Town on an annual basis.

Consent Agenda

- a. One Day Liquor License Applications
 - i. All Alcohol from TTOR Castle Hill for Fundraiser on 7/21 and 7/22
 - ii. All Alcohol from Ipswich Masonic Temple for Logganiko Picnic on 7/21
 - iii. All Alcohol from Manchester Summer Chamber Music LTD for concerts on 8/17 and 8/24
 - iv. Wine & Malt from Old Planters for Appleton Farms Friday Night Dinners on 7/26, 8/2, 8/9, 8/23
 - v. Wine & Malt from True North Ale Co. for an Employee Summer Party at EBSCO, 10 Estes Street on 8/8
- b. Street or Sidewalk Blocking Applications
 - i. Partial Street Blocking from Olde Ipswich Days Committee for inside road at South Village Green on Friday, 7/26 through Sunday, 7/28

Vote: Mr. Mootafian moved to approve the Consent Agenda, and Ms. Alexson seconded. The motion carried unanimously.

New Business

BI-BOARD MEETING

A Bi-Board meeting with the School Committee will take place on August 5 to interview the three candidates that have applied for an open seat on the School Committee. Mr. Whitmore will draft questions for the Select Board to ask candidates.

DANGEROUS DOG HEARING

A Dangerous Dog Hearing has been scheduled for August 19.

TRUSTEES OF RESERVATIONS

Mr. Marino and Police Chief Paul Nikas had scheduled a meeting with Peter Pincario (Director of Trustees of Reservations for Crane Estate) to discuss their upcoming New Horizons hot air balloon event. It was determined that the Trustees do not need a permit to hold the event. Because of low ticket sales, only 1,500 people are currently expected to attend the event.

HIRINGS

Four candidates will be interviewed for the position of Town Clerk, including the current Assistant Town Clerk.

One final interview needs to be conducted for the position of Conservation Agent.

An offer has been made to a candidate for the position of Senior Planner, and Mr. Marino is waiting for a response.

Old Business

300 HIGH STREET

Ms. Mackin stated that she has been approached by many residents who have ideas about how the seized property at 300 High Street can be used to the Town's advantage.

WATER USE MITIGATION

Ms. Alexson reminded the Board that a Water Use Mitigation Plan has been drafted, and Vicki Halmen (Water and Wastewater Director) has shared with her a draft of the plan to be discussed at the August Water and Wastewater Subcommittee meeting.

PUBLIC HEARING: Parking Fees and Parking Restrictions

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

“Residents of the Town of Ipswich please note the Select Board will hold a public hearing in Meeting Room A of Town Hall on Monday, July 15, 2019 at 7:30 PM to make the following amendments to Ipswich’s Traffic Rules and Regulations:

1. Amend Article V by:
 - a. Revising Section 5. Parking Time Limited in Designated Places, as follows:
 - i. In (a), delete paragraph (10) in its entirety, and renumber 11 to 27 sequentially; and
 - ii. In paragraph (c), add paragraph (9) to read as follows:

“(9) Depot Square Southerly side, from a point one-hundred twenty (120) feet westerly of the intersection of Market Street, thence westerly one hundred forty (140) feet”
 - b. Revising Section 9. Parking Restricted in the Municipal Parking Lot Off Topsfield Road, subsection (g), as shown below
(strikethrough = language to be deleted; bold italics = new language)
“Section 9. Parking Restricted in the Municipal Parking Lot Off Topsfield Road
(g) No person shall park a vehicle in the Municipal Parking Lot off Topsfield Road (***commonly referred to as the commuter rail lot***) unless the vehicle is registered in the name of an Ipswich resident... as evidenced by display upon the vehicle of a Solid Waste Transfer Station sticker or a Crane Beach sticker issued by the Town of Ipswich; ~~this “Ipswich only” parking restriction shall expire October 21, 1998.~~ This subsection shall not apply to any vehicle... parked within an officially designated handicapped parking space.”
 - c. Adding a new Section 19, to read as follows:
“Section 19. Resident Only Parking
(a) Between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday, parking on Peatfield Street (from Kimball Street to the Ipswich River), First Street, Second Street, Fourth Street,

Fifth Street, and Sixth Street shall be limited to vehicles registered in the name of an Ipswich resident, the principal address of which and the registration address of which are located in Ipswich, as evidenced by display upon the vehicle of a Solid Waste Transfer Station sticker or a Crane Beach sticker issued by the Town of Ipswich.”

- a. Amend Article IX., Section 2. Penalties, subsection (a), by replacing the heading “Group A (\$15.00)” with “Group A (\$30.00)”.

Chief Nikas reminded the Board that the change to Depot Square language is not imposing a new restriction, rather, enforcing one already in place. He also noted that resident-only parking will be enforced Monday through Friday, as the Town does not seem to experience issues with out-of-town parkers on the weekends.

Dr. Jones asked how Ipswich resident vehicles will be identified between January to June, when new Crane Beach stickers have not yet been issued. Chief Nikas responded that a vehicle will never be ticketed without running the license plates first.

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

Vote: Ms. Mackin moved to approve the traffic rules and regulations changes as proposed in the Public Hearing Notice dated Monday, July 15, 2019 that includes restricting parking in the municipal parking lot off of Topsfield Road to Ipswich residents from Monday to Friday, 6:00am to 6:00pm, resident-only parking on Peatfield Street (from Kimball Street to the Ipswich River), First Street, Second Street, Fourth Street, Fifth Street, and Sixth Street, an increase in parking penalties from \$15 to \$30, and a 2-hour parking limit on Depot Square effective September 1, 2019. Ms. Alexson seconded. The motion carried unanimously.

Department Update: ReCreation and Culture

Kerrie Bates (Director of ReCreation and Culture) provided a schedule of ongoing and upcoming events sponsored by the Town of Ipswich:

- **Truth or Dare Chairs:** Ongoing. Chairs stationed on the Riverwalk used to encourage games and conversation among residents.
- **Americans Who Tell the Truth:** Ongoing. Portraits displayed in the main corridor of Town Hall that showcase Ipswich residents.
- **Big Band Rehearsal:** Second Monday of the month, 8:00pm, Town Hall Gymnasium. Drop-in big band ensemble open to all residents.
- **Downtown Tuesdays:** Tuesday nights in July and August, 7:30pm, Ipswich Riverwalk. Music and dancing, in collaboration with the Ipswich Chamber of Commerce.
- **Ipswich Community Band:** July 24 performance on the Riverwalk; July 31 performance in the Dolan Performing Arts Center (Ipswich High School)
- **Goodnight, Captain White:** Ongoing. Interactive murder mystery performance at the Ipswich Museum, in collaboration with Salem’s History Alive. More information: HistoryAliveSalem.com/Shows
- **Campus Ipswich:** Ongoing. Drop-in day camp featuring sports, theater, art, and field trip activities. \$20 for a half day, \$30 for a full day, or summer-long rates available.
- **Riverside Yoga:** July 13 to August 21, Saturdays, 9:00am. Morning yoga led by Sarah DeCruz at 21 Peatfield Street.
- **Croquet Station:** Ongoing. Available on the lawn of the Hall-Haskall House.
- **The Switch Rideable Artscape:** In progress, with an anticipated opening day of September 1. More information: [@RideTheSwitch](https://www.instagram.com/RideTheSwitch) on Instagram, or [#RideTheSwitch](https://www.instagram.com/RideTheSwitch)
- **Pony Express Field Dedication:** Monday, September 9, 5:00pm.
- **Ipswich Illumination:** October 4, 5 and 6 on the Riverwalk and throughout downtown. 10th anniversary celebration.

Residents can find a full schedule of Ipswich activities online at thelocalne.ws, and subscribe to the Google calendar.

Request by Planning Board for Referral of Proposed Zoning Amendment Articles for STM 2019

Ethan Parsons (Director of Planning and Development) appeared before the Select Board to inform them that the Planning Board is proposing three articles, and will attend the August 5 Select Board meeting to discuss the details more in depth. The Planning Board will also meet with the Finance Committee on July 18.

Vote: Dr. Jones moved to refer the articles to the Planning Board for further review, and Mr. Mootafian seconded. The motion carried unanimously.

Sunday Opening Flats for Recreational and Commercial Shellfishing Through October 1, 2019

Scott Lapreste (Shellfish Constable) reported that throughout the month of June, commercial clammers have only had five days of harvesting due to inclement weather, and now the flats are entering a fourth week of Red Tide. Currently, the earliest the flats can be reopened is August 1. The proposed areas to be opened on Sunday would be open to commercial and recreational clammers, but Sunday openings would not overrule any closures by the State for public health reasons.

Ms. Alexson asked about a Red Tide Relief program sponsored by the State several years ago. Mr. Lapreste stated that because of Senator Ted Kennedy's connections in Washington, D.C. at the time, Massachusetts was able to receive some federal funds, but the program was not a State-sponsored effort.

Vote: Ms. Alexson moved to open, for the remainder of the summer season, all flats normally closed on Sunday, to expire October 1, 2019. Mr. Mootafian seconded. The motion carried unanimously.

Symes Linebrook Road New Water Main Installation Agreement Review/Vote

Vicki Halmen (Water and Wastewater Director) reported to the Board that it has been discovered that the fire flows on Linebrook Road are inadequate to support the Symes development currently underway. Ms. Halmen met with Mr. Rhuda and the Symes engineers to discuss their options, and it was proposed that Symes would pay to install a new water main to extend from Mile Lane through Linebrook Road to the area of the development. Ms. Halmen recommended that the Board waive the \$63,000 application fee, however she noted that the Water and Wastewater Subcommittees were not in favor of this recommendation.

Mr. Rhuda described the proposed deal between the Water Department and Symes Associates as "quid pro quo." The Town would receive a new water main, and Symes would receive a "reasonable deal."

Ms. Alexson asked if there were fire flow issues with current residents of Linebrook Road. Ms. Halmen confirmed that there are, and a new water main would alleviate them. She stated that the last flow test was conducted last spring, so the issue has been known to the Town for about a year. Ms. Alexson stated that she is not in favor of waiving fees for new developers. She noted that water rates recently increased by 15%, and will be raised another 15% in FY21. She does not believe that \$63,000 is a large amount to a company such as Symes in the grand scheme of the project.

Dr. Jones stated that because the Water and Wastewater Subcommittees are not in favor of Ms. Halmen's proposal, she would like to hear directly from them.

Mr. Whitmore asked if Symes could address the flow issue by installing sprinklers in their units. Mr. Rhuda stated that they could, but buyers do not want to purchase homes with sprinkler systems.

Mr. Mootafian asked that the Water Subcommittee reconvene and meet with Mr. Rhuda, and then return to the Select Board with an agreed upon recommendation.

Alvin Boynton (41 High Street) noted that the Symes development will be making a payment in lieu of building affordable units, and this will bring the Town further from its affordable housing threshold goal. He suggested that if the project is scaled back to 25 units, the impact will not be as significant.

Jim Engel (362 Linebrook Road, and Water Subcommittee) stated that in the abstract, the Town receiving \$150,000 worth of water main work in exchange for a \$63,000 waiver sounds like a good deal, but in reality, this particular section of the water distribution system is not a high priority. He also stated that he was disturbed that Symes has

suggested that they will pull out of their agreement with the Town altogether if the waiver is denied, and that this was never a part of the discussion with the Subcommittees.

Keri Macrae (31 Heartbreak Road) stated that the Town has made several concessions thus far in their agreement with Symes, and needs to begin looking at them as a whole.

Vote: Dr. Jones moved to have the matter sent back to the Water Subcommittee, and brought back to the Select Board at the August 5 meeting. Mr. Mootafian seconded. The motion carried unanimously.

49 Washington Street Mortgage

Mr. Parsons stated that the Town was a facilitator of a grant issued to assist with a mortgage on 49 Washington Street in 1998. He is confident that after twenty years, it has been determined that the mortgage was a grant not intended to be repaid, and that the Town should discharge it.

Keri Macrae (31 Heartbreak Road) asked if the home is a unit on the Town's subsidized housing inventory list. Mr. Parsons confirmed that it is not.

Ken Monroe (49 Washington Street) addressed the Board and stated that he and his wife moved to Ipswich as first-time homebuyers, and would not have been able to afford a house in town without the grant. They will be making a \$6,500 payment to the Affordable Housing Trust Fund.

Vote: Dr. Jones moved to discharge the mortgage originally issued by Homefront for the property at 49 Washington St for \$80,000, and to collect \$6,500 from the homeowners to be deposited into the Affordable Housing Trust Fund prior to the refinancing of the property. Mr. Mootafian seconded. The motion carried unanimously.

Select Board Goal Setting, Review Progress and Update

Mr. Marino stated that he submitted a list of the goals the Select Board agreed upon last year, and a status update on each.

Ms. Alexson asked for a status update on the Town's application for the Community Compact best practices program. Mr. Parsons responded that he was working on it, and that the Housing Production Plan may take a year or two.

Ms. Mackin stated her concern that the "Water Infrastructure" goals have a completed status. She believes there is more work to be done. She also believes that under the "Climate Control" goal, broader goals need to be identified.

Keri Macrae (31 Heartbreak Rd) asked about the feasibility of taking on an intern to begin the Housing Production Plan. Mr. Parsons stated that they could look into it.

Discuss/Vote Sending Letter About House Bill 2863

The House of Representatives is looking to take a step towards conservation standards in Municipal Light Plants (MLPs.) The Ipswich ELD believes it is a step in the right direction, but not enough. The Electric Subcommittee has drafted a letter to Senator Bruce Tarr and Representative Bradford Hill, and is seeking the Select Board's signatures of endorsement.

Michael Schaaf (Electric Subcommittee) stated that there are 41 MLPs in Massachusetts, and many operate outside of the broader rubric of regulations and goals set by the Commonwealth to reduce greenhouse gasses. The bill was developed by Municipal Electric Association of Massachusetts (MEAM), a trade association that submitted the bill without the knowledge of Ipswich and the various governing bodies of municipal utilities throughout Massachusetts. The Electric Subcommittee voted unanimously to oppose the bill, and tapped Mr. Schaaf and Jim Engel to draft a letter for the Select Board to sign as Commissioners.

Vote: Mr. Mootafian moved to endorse the letter as Commissioners, and Dr. Jones seconded. The motion carried unanimously.

Building Permit Moratorium

Ms. Alexson presented a temporary building moratorium to the Board. She stated that one of the critical reasons to consider the moratorium is Ipswich's limited water supply, as three years ago the town came dangerously close to running out of water during a drought. While water management is being discussed, there is not currently a concrete plan. Ms. Alexson stated that Ipswich has crumbling schools and roads that need attention, and a pause on new developments would allow time to conduct a study on how they are impacting the town. The implementation of a building moratorium would not affect projects currently in place. She stated that George Hall (Town Counsel) provided a memo last year stating that a temporary moratorium would be upheld in the courts.

Ms. Mackin stated that she contacted the Town of Lynnfield, who imposed a temporary moratorium in the 1990s that prohibited any new connections from joining the water lines. They reported that it allowed them time to resolve constraints that they had been facing in terms of their water supply.

Dr. Jones stated that she is fearful of moratoriums because developers tend to rush to get permits before implementation deadlines. She asked that all adverse consequences be considered.

Mr. Whitmore stated that he thinks the study could be conducted without a moratorium. He worries that a building moratorium would limit affordable housing opportunities, and believes the issue should be discussed at Town Meeting. Ms. Alexson and Mr. Marino agreed.

Alvin Boynton (41 High Street) noted that going back to the 1970's, Ipswich averages water restrictions every two and a half years. He would like to see a moratorium discussed at Town Meeting so that citizens can decide for themselves.

Keri Macrae (31 Heartbreak Road) stated her frustration that issues raised seem to keep getting pushed off. She believes that a moratorium will give the town time to assess their infrastructure and work on a Housing Production Plan.

Helen Weatherall (44 Fellows Road) stated that development on Linebrook Road is skewing the town's affordable housing threshold. She stated that a Town feeling pressure to build 40B housing has a failed Planning Office. Ms. Weatherall also expressed concerns about traffic flow once the Essex Road development is finished.

Jim Engel (362 Linebrook Road) stated that he believes a moratorium denies residents their right to their own property. He does not believe a moratorium is worth imposing over a 5% growth projection over the next few years.

Chris Florio (44 Fellows Road) stated that he supports a moratorium.

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

The Select Board adjourned at 10:28pm.

*Respectfully submitted by Eileen G. Page
07.30.19*