

**TOWN OF IPSWICH | MASSACHUSETTS  
SELECT BOARD as Sewer and Water Commissioners**

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, Monday, July 25, 2022, at 6:30 PM in Meeting Room A.

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

Also present: Mary Gallivan, Interim Town Manager, Rachel Sklarz, Recording Secretary

Not Present: William Whitmore, Chair

**Executive Session – To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel relating to police chief contract.**

- *Vote: Ms. Player moved to enter Executive Session; Dr. Jones seconded. The motion carried 4-0 via roll call.*

The Select Board entered Executive Session at 6:30 PM.

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

Ms. Player called the meeting to order at 7:00 PM.

**Welcome/Announcements**

First day of community listening session, for the future of elementary schools is being held on 7/26 at 4:00-5:30pm and again at 7:00-8:30pm, will be held in Meeting Room A. Next round is 8/1 at 4:00-5:30pm and 7:00-8:30pm.

Public Safety Facility Committee will meet on 7/26 in town hall basement conference room at 6:00pm.

Public Safety Property Re-Use Resource Group will be meeting Thursday at 7:00pm in resource room at Town Hall.

Shellfish Subcommittee will be meeting 8/2 at 7:00pm in Meeting Room A.

Ms. Player states prior to his departure as Town Manager, Tony Marino, offered an unprecedented 3-year employment contract with Chief Nikas. Mr. Marino did so without

consulting and informing with the Board. Chief Nikas was offered compensation and benefits that no other department head receives and that are inconsistent with the Town's longstanding policies and procedures. After learning about these details, SB immediately reached out to Chief Nikas to explain that Mr. Marino had not informed members of the SB about the contract and that the provisions were inconsistent with the towns policies and benefits offered to other department heads. Chief Nikas remains unwilling to rescind the contract on a voluntary basis. The town will comply with its contractual obligations, this will create obstacles for the board, both operationally and financially. Mary Gallivan will continue to serve as interim Town Manager until a permanent appointment is made.

### **Citizen Queries**

Heather Weatherall (44 Fellows Rd)- Ms. Weatherall asks considering current severe drought, the fees being collected during the current interim water mitigation plan, how much has been collected from the fees and what is the money slated to be used for? Ms. Weatherall asks SB what is the status and future of the water mitigation plan? Ms. Player states Vicki Halmen will be speaking tonight and discuss water mitigations plans.

Brandon Boyd (Upper River Road), Brandon Boyd has been attending the Noise Committee meetings. Questioning 2 of 3 licenses have been approved by the board, citizens are wondering what is being done to get these licenses. Ms. Gallivan states the SB is looking for additional guidance from the Noise Committee to get these different groups temporary outdoor licenses.

### **Board and Committee Appointments**

- Confirmation of TM appointment of John "Jack" Stone from associate to regular member on Conservation Committee
  - Michael Dougherty appointment to Public Safety Property Re-Use Working Group
  - Norman Swanson for Reappointment to Agricultural Commission
  - Feruza Krason for Reappointment to Ipswich Community Access Media
  - James Maloney correct term date for Ipswich Community Access reappointment
  - Susan Hill Dolan request from alternate to regular member on Architectural Preservation District Commission
- *Vote: Dr. Jones moved to confirm Town Manager appointment of Jack Stone from associate to regular member on Conservation Committee. Ms. Alexson seconded. The motion carried unanimously.*
- *Vote: Ms. Alexson moved to approve all appointments as posted. Dr. Jones seconded. The motion carried unanimously.*

### **Commendation for Officer Matthew Bodwell**

The Town of Ipswich Select Board recognizes and commends Matthew Bodwell's swift response saving five lives on June 25, 2022, when a boat capsized near Clark Beach. Chief Nikas also

presents Officer Matthew Bodwell the Ipswich Police Department Lifesaving Medal and Accommodation Bar.

**Public Safety Property Re-Use Working Group Update**

Put on agenda in error, will be addressed at SB meeting August 8<sup>th</sup>.

**Bond Anticipation Notes**

Mr. Merz states the town received 4 bids for the \$15,650,000 Bond Anticipation Notes issue. Town dated August 12, 2022, and payable August 11, 2023, to Piper Sandler & Co, Projects that were financed with this borrowing amount includes Kamon Farm, design cost for Public Safety Building, reconstruction to Topsfield Rd., upgrades to Town Hill water tank, infrastructure upgrades for water and wastewater. Mr. Merz is requesting an approved motion from the SB to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town and to take all such actions.

- *Vote: Dr. Jones moves to motion to approve, Ms. Alexson seconds. Motion carries unanimously.*

**Select Board Vote to Approve Sewer Extension Request Riverbank Lane**

Vicki Halmen (Water/ Wastewater Director) states in April 2022 the Wastewater Subcommittee received a request for a proposed extension to a previously constructed sewer extension at the end of the dead-end road. The extension is approximately 150ft of gravity sewer and 160ft of low-pressure sewer. The Subcommittee voted unanimously to recommend approval of this extension. Ms. Halmen asks the SB to approve the extension with the following additional conditions including:

- Technical design be reviewed and approved by the Wastewater Department
- Applicant and contractor shall comply with all relevant rules, regulations, and polices, application shall obtain any necessary permits required prior to construction,
- The extension shall be constructed within 3 years from date of Commissioner approval,
- The sewer extension and associated easements be formally conveyed to and accepted by the Commissioners once completed and determined to be installed to department satisfaction.

- *Vote: Ms. Alexson moves to approve this with the conditions that are set by the Wastewater director. Dr. Jones seconds. Motion carries unanimously.*

**Water Treatment Plant Presentation**

Ms. Halmen is joined by Steve DeFrancesco and Brian, states IWTP is over 30 years old and provides over 60% of the town's water. The current plant is ill-equipped to meet evolving regulatory requirements, meet future water demands and treat potential future water sources.

Water Subcommittee reviewed and was presented with this information in June. Water Subcommittee voted unanimously on supporting option 2, construction of a new Water Treatment Plant.

\$1.5 million dollars was authorized in 2021 at an Annual Town meeting for a new or rehabilitated WTP.

Mr. DeFrancesco presents two options for IWTP also giving an overall presentation on IWTP, Summary of current IWTP deficiencies and condition assessment (i.e., deliveries, structural, architectural, HVAC/plumbing/fire protection, electrical/ I&C)

- **Option 1: Upgrade Existing IWTP-** Costing \$23 million, estimated completion date would be December 2025.
- **Option 2: Construct new IWTP-** Costing \$22 million, estimated completion date would be September 2026.
  
- *Ms. Mackin moves a motion to endorse option 2. Dr. Jones second's motion. Motion carries unanimously.*

Information is available on Water Treatment website.

### **Town Department Watering Discussion**

Ms. Halmen discusses drought management plan and how we manage the action levels. Ipswich Drought Management Plan was last updated in 2019. The State has declared a severe drought, but Ipswich has not yet but has been taking the actions of a severe drought that is required by the State.

Outdoor Water Use By-Law was updated in 2017 to include legal language to be able to penalize for water restrictions, which include all users of private water sources.

Hand watering is allowed after 7:00pm.

### **Regulations- Restrictions on Use of Water**

Ms. Halmen discusses what is permitted and prohibited during declared water restriction of the town. During a declared Water Ban, all outdoor water uses shall be prohibited, some exemptions for irrigation to establish replanted or repped lawns from May-September.

Ms. Alexson comments the town should lead by example and should consider removing any watering of any athletic fields. Ms. Gallivan states she has been emailing with Jeff Putur regarding different fields/locations. He provided a map of what is watered and what isn't watered, what their sources are and if these fields are not maintained, it will be expensive to bring the field back to a standard to be played on. Most fields watered by either well or pond.

Ms. Halmen gives an update on drought conditions and water ban, our reservoir is short 10 million gallons, leaving us at 65 million gallons. Browns Well is being treated at the water plant, which is providing ~1 million gallons a week that doesn't need to be taken from the reservoir.

- *Ms. Alexson moves motion to enter into a water ban effective immediately and move from moderate drought stage to severe drought stage., Dr. Jones seconds. Motion carries unanimously.*

Rebates and incentives are available through the Resource Ipswich Program, spearheaded through the ELD by Ashley Wilson.

WUMP has generated \$125,000 in a segregated account, only budgeted segment is \$20,000 to be used for new Water Resource Manager Position.

Ms. Halman updates on Browns Well, Town Hill Tank, High Street Water Mains, Dow Dam LL Drain/intake. Town Hill Tank foundation to begin in next week received a \$3.28 million grant.

Heather Weatherall (44 Fellow's Rd)- speaks on PFAS also known as "forever chemicals". Ms. Weatherall comments on small levels of PFAS that could be in water levels and this being a serious situation, and this deserves a lot of attention.

### **Downtown Parking Discussion, Consideration of Timed Parking**

Ms. Player discusses downtown parking (Central Street, Market Street and Hammatt St. circumference) will remain free but questioning a possibility of posting signs limiting the amount of time of parking to 2 or 3 hours. Discussion about Planning Department possibly doing a one-day observation of who is parking and for how long. If there are signs posted, how will it be enforced.

In 2018 SB, DPW had done a comprehensive study of downtown (including on-street, commuter rail lot, Elm St., Hammatt St.) had found there was a demand that far outweighed the existed parking spots.

Discussion about increasing parking ticket fees, but will need to schedule two public hearings in order to enforce.

Ms. Alexson suggest updating information collected by DWP in 2018.

Dr. Jones talks about increasing ticket fees for illegal parking next summer.

Will have Planning Department and Chief at upcoming meeting to discuss comprehensive parking and enforced parking program.

Ms. Gallivan comments on meeting last week regarding reevaluating handicap spots in town, plan is to move one current spot from Union to Market St. in front of Richdale's and add another spot in Hammatt Lot that will accommodate a handicapped van.

Dr. Jones reiterates gray cobbled areas are not parking spots and they are used for better sightline for crossing, violators will be fined if found parking in these spots.

**Consent Agenda** –

- i. One Day Wine and Malt License Application(s) –
  - a. Gary Rodgers for True North Ale Company LLC for Castle Hill Summer Concert Series on July 14, 21, 28, August 4, 6, 7, 11, 18, 25, September 1, and October 16, 2022.

Ms. Alexson mentions some dates listed have already passed and Ms. Gallivan states there was a special meeting to approve a prior date, and July dates were missed on July 11<sup>th</sup> meeting. Per Ms. Gallivan spoke with Mr. Whitmore who approved these dates to be listed at the July 25<sup>th</sup>, 2022, Select Board meeting.

- *Ms. Alexson moves to approve dates listed. Dr. Jones seconded. Motion carries unanimously.*

**Approval of Minutes**

- a. June 6, 2022
- b. July 7, 2022
- c. July 11, 2022

Ms. Alexson states June 6, 2022, edits did not make it into final packet.

Ms. Alexson moves the minutes for June 6, 2022 with edits as provided to the administrative assistant.

Dr. Jones makes edits to July 11<sup>th</sup>, removing “Dr. Jones suggested putting up banner downtown”, should read “Ms. Alexson posed a question as to the possibility of putting up a banner downtown.”

Ms. Mackin states in text from July 7<sup>th</sup> minutes, changing 4am to read 4pm.

Ms. Alexson makes edit to July 11<sup>th</sup> minutes to read “Ms. Alexson states the Property Re-Use Committee met on June 27th to finalize survey”

- *Vote: Dr. Jones makes motion to approve minutes from June 6 and July 11, 2022, with edits as mentioned. Ms. Player seconds. Motion carries unanimously.*
- *Vote: Dr. Jones moves motion to approve July 7<sup>th</sup>, 2022, with provided edits. Ms. Player seconds. Motion approved 3-0-1 with Ms. Alexson abstaining due to not being present.*

**Select Board Member Subcommittee Update**

SB met with ELD on July 13<sup>th</sup>, discussed how to manage rates given increase energy cost and how to increase rates to be fiscally appropriate, and taking impact on rate payer into consideration.

Public Safety Facility Committee has second meeting tomorrow at 6:00pm with designer, Ted Galante.

Ms. Mackin discusses attending topics regarding Climate Resiliency Committee that took place last week, that covered topics such as reducing carbon releasing from building and vehicles.

Ms. Player updates on new Town Manager Search Committee, meeting was held, reviewed 25 resumes. Decided on interviews with 8 candidates. Interviews will take place on August 3 and 4<sup>th</sup>.

### **New Business**

Ms. Alexson questions what the maximum time-off policy for town employees for vacation time and wants to make sure it's consistent throughout different groups. Ms. Gallivan states there are ~7 different union groups throughout town, and they all negotiate differently. New union contracts just went into effect July 1<sup>st</sup>, except for Electric Department.

Ms. Player discusses Tri-board happening this summer or early fall and wants to discuss strategic planning group. Dr. Jones suggest moving that discussion to September when vacations are finished.

Ms. Player asks for an update on Neo-Nazi flyers that were posted around town, Ms. Gallivan and Chief went to Human Rights Commission and per Chief it's an ongoing investigation with FBI and does not have any further details.

### **Old Business**

Ms. Alexson asks if Ms. Gallivan could reach out to Jeff Putur about the Pony Express field to see if there is any opportunity to be able to use part of this field as a community garden.

### **Miscellaneous & Correspondence**

None.

- *Vote: Ms. Mackin moved to adjourn. Dr. Jones seconded. The motion carried unanimously.*

The Select Board adjourned at 9:54PM.

*Respectfully submitted by Rachel A. Sklarz  
July 25, 2022*