



Minutes of the Government Study Committee

Date: Tuesday, August 6, 2019

Place: Ipswich Town Manager's Conference Room.

Time: 7:00 PM

Attendees: Gary Champion, Craig Saline, David Standley, Diane Young. (quorum of the membership present).

Observers and Participants: None

Meeting commenced at 7:08 pm, with Craig Saline as chair and David Standley as secretary.

Citizen Queries: None

Introductions: None

Approval of Minutes: The draft minutes of the Government Study Committee meeting of Tuesday, July 2, 2019 were approved as distributed on motion of Champion seconded by Young by unanimous vote.

Old Business:

The Chair summarized the most recent meeting of the Select Board as it related to the work of the GSC. The Board was informed of the Committee's intended workplan for the coming year that includes 11 items developed from prior recommendations of the Board and the independent concerns of the Committee. The Committee's objectives for the October Special Town Meeting include resolving the question of appointment of acting Town Manager for a period not to exceed 30 days. The Committee's recommendations are that the appointment be made by the Town Manager, with appointment of an interim Town Manager to be made by the Board; and a recommendation of the GSC addressing and rationalizing the responsibility, process and scope of managing usage of the public waterways in Ipswich. Chairman Saline's stated opinion of the sense of the Select Board on these 2 matters is that the Board supports submitting the GSC recommendation regarding appointment of acting Town Managers, and of clarifying the regulatory authority and process for managing Town waterways.

New Business:

The GSC devoted most of the rest of the meeting to discussion of the Waterways management issue.

The Chair distributed his “briefing book” and updated the Committee on the meeting of Champion and himself with Police Chief/Harbormaster Paul Nikas. Items discussed included the policy dated February 1, 2016 promulgated by the Town Manager that, in the opinion of the Chief, needs work by himself and the Select Board; the authority to appoint members of the Waterways Advisory Committee (needs to be resolved between State law and Town Bylaws), the composition and the number of members (5, recommended by the Chief based on practical recruitment success); resolution of conflicts between state and Ipswich bylaw regulations including speed limits in swimming zones; and authority for appointment of Ipswich Harbormasters and Assistant Harbormasters (this issue requires legal clarification/resolution of apparent differences between State law and Ipswich Bylaw.) There is a clear and vigorous dichotomy of opinion on this matter among GSC members.

The draft STM warrant article prepared by Champion was discussed at length. The Committee agreed that the Select Board should appoint the Waterways Advisory Committee, and that deletion of identified sections of the current Ipswich Bylaws should be withheld where appropriate until replacement Ipswich Waterways Management and Control regulations are in effect. The Committee was divided on authority for appointment of Harbormasters and what agency or entity has the authority to adopt and enforce waterways management regulations. It also perceived conflicts between MGL Chapter 305 sections 1 and 3 and Chapter 320-1. There was extensive discussion regarding the Champion Waterways draft regulations, as noted on the Draft V4 markup. A redraft is to be prepared by Champion for the Chair to transmit to Chief Nikas for comment and to the Town Manager for review by Town Counsel. It was noted that the Warrant for the fall STM closes on August 19 at 4 PM. As a result, the next GSC meeting is scheduled for August 13.

Next meeting: Tuesday, August 13, 2019 at 7 PM, location TBD.

Adjournment: There being no further business, on motion of Young seconded by Standley the meeting was adjourned at 9:40 PM by unanimous vote.

Respectfully submitted,

David Standley, Secretary