



MANCHESTER-BY-THE-SEA

BOARD OF SELECTMEN • TOWN HALL
Manchester-by-the-Sea, Massachusetts 01944-1399
Telephone (978) 526-2000 FAX (978) 526-2001

MINUTES OF THE BOARD OF SELECTMEN

January 3, 2022

6:30 p.m.

Virtual Meeting

Join Zoom Meeting, Meeting: ID 833 1628 5781 Passcode: 322858 Mobile: 1.646.558.8656

MEMBERS PRESENT: Mr. Bodmer-Turner, Chairperson, Mr. Boling, Ms. Harrison, and Mr. Round

MEMBERS ABSENT: Ms. Jaques

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, Police Chief Fitzgerald

GUESTS:

PRESS:

Mr. Bodmer-Turner called the BOS meeting to order at 6:31 p.m.

Mr. Bodmer-Turner welcomed participants to the virtual meeting indicating the meeting was being recorded and minutes were being taken by Ms. Hunter.

Mr. Bodmer-Turner noted there had been a change to the meeting agenda and the Board would be adding an Executive Session exiting the open meeting and not returning to the Open Meeting following the Executive Session.

0) Public Comment – There was no public comment this evening.

1) Dispatch –

A. Discussion of Response Time Data – Chief Fitzgerald presented the response time data previously requested by the Board. The time from initial call to arriving on scene and time spent on scene on average were provided for the past 3+ years. Additionally, there are no known times recently when calls to our Dispatch were rolled over to Rockport meaning all calls to our Dispatcher were answered in a timely manner. The time it took for a second Dispatcher to arrive varied from 10 to 20 minutes. The request for an additional Dispatcher occurred three times in the last three years. Mr. Bodmer-Turner asked what information triggered the request for a second Dispatcher. Chief Fitzgerald replied the request is made at the discretion of the officer in charge of the shift. Chief Fitzgerald noted that following a recent power outage a second Dispatcher was called in to help address the numerous calls.

Mr. Round asked about report times for other communities. Chief Fitzgerald will reach out and gather that information. Ms. Harrison asked why the information for Fire and

Police was combined and requested the times be broken out indicating we have two departments; two chiefs and she would like to see separate numbers. Mr. Bodmer-Turner asked for the time of day the second Dispatcher was brought in. Chief Fitzgerald indicated two of the events were in the evening and one event was later at night.

Ms. Harrison noted that if there is consideration given to adding coverage it should be when back up is not available. She assumed that Chief Fitzgerald and Lt. McCoy are available Monday to Friday during the day and an additional person could be helpful at night.

Chief Cleary stated he would pull response times for the Fire Department and was not aware response times had been requested for the Fire Department. He understood the Board's questions were Dispatch focused. He spoke to the 20-minute call back time for a second Dispatcher noting that fire "May Day" calls often come within the initial 15 minutes of a fire event. He added the Fire Department leaves the station within one minute sometimes two minutes if there is a question around the type of equipment needed, he added from that initial time to depart the station there is travel time.

Mr. Bodmer-Turner asked the Chiefs to work on separating the dispatch times by Department and to request the information from local communities.

B. Status of Feasibility Study – Mr. Federspiel, Chief Fitzgerald and Chief Cleary have completed comprehensive spreadsheets providing specific information to Regional 911. The information has been forwarded and it is anticipated following a meeting next week the Feasibility Study will be available by mid-February.

2) COVID Updates – Including Hybrid Meetings in Light of Surge

Mr. Federspiel stated the BOH had reimposed the mask mandate because the Town is experiencing a surge in COVID cases. In the past 48 hours 40 new cases have been reported in Town. Although the cases appear to be mild the new Omicron variant is highly contagious.

The BOH has also developed new enforcement protocols with an emphasis on education. In the past the Town has experienced good compliance around the mask mandate.

The State has provided free testing kits to low-income communities, Manchester did not qualify for the State program. However, working with neighboring communities the Town is planning to take advantage of a bulk purchase of test kits. The test kits come with two tests in one package and will be distributed through the COA and BOH with support from Social Service agencies with knowledge of residents in highest need. Mr. Bodmer-Turner asked when the tests are received what will be the criteria for distribution. Mr. Federspiel stated the first tier would be high need and the second tier has not yet been laid out, but the protocols will be developed. The shipment of tests is expected within a week to 10 days.

The Town was slated to proceed with Hybrid Meetings having resolved technology and staffing issues. Mr. Federspiel asked the Board if in light of the COVID surge if it would be better to hold off on starting the Hybrid Meetings in Town Hall. Mr. Round

agrees with waiting to start Hybrid Meetings and suggested waiting for the BOH to end the mask mandate. Mr. Boling agreed with Mr. Round.

Ms. Harrison moved to disallow Hybrid Meeting until the BOH lifts the mask mandate. Mr. Round seconded the motion. The motion passed unanimously by roll call vote.

3) BOS Policies: Continued Discussion

Mr. Bodmer-Turner stated Ms. Harrison had forwarded the policies in a new format with the old policy on the left and the new policy on the right. The new format will provide ease in editing by inputting suggested changes next to the current policy. Mr. Bodmer-Turner proposed putting the policy updates on the January 18th agenda for further discussion. In the interim Mr. Federspiel, Ms. Harrison and Mr. Boling will meet for additional discussion.

Mr. Round thanked Ms. Harrison for all her work and especially for the format for incorporating edits. Ms. Harrison stated there were two policies specifically related to the Finance Committee likely drawn up by the Committee and their Advisors, those policies should be reviewed by the Finance Committee.

Mr. Bodmer-Turner asked about the Exit Interview Policy. Mr. Federspiel stated that policy required a Public Notice and will be put in the Cricket in the upcoming publication. Mr. Federspiel indicated the Personnel Handbook has a different amendment process which requires a Public Hearing Notice. He concluded the final vote on the Exit Interview Policy will be on the January 18, 2022 agenda.

4) FY23 Budget – Identify Key Items for Discussion

Mr. Federspiel stated staffing around public safety areas will require more review and feedback.

Ms. Harrison indicated she is interested in two areas not currently in the budget. The first is improving sea walls around the Wastewater Treatment Plant stating she believes this is one of the most vulnerable areas in Town. The second thing not currently in the budget is the Harbormaster Office and Public Restrooms. The first step in this process is deciding where to put the Office and Restrooms which will not be easily decided.

Ms. Harrison also asked what funding was available for the BOH changes. Mr. Federspiel stated there is funding being developed for local BOH, however the guidelines are not yet defined but he believes that will become clearer in the next weeks. Mr. Round asked if the BOH had a strategic plan to add a person going forward and will that person address all the needs now but be justified in two years when we are no longer in a pandemic. Mr. Federspiel is proposing a full-time Health Agent with part time administrative support and the Public Health Nurse.

Mr. Bodmer-Turner stated the BOH needs to develop a complete proposal with specific details. He indicated the Town had a full time Health Agent in the 90's and when that person stepped down the Town hired consultants. He added the BOH, Police and Fire Departments should develop transitional plans for staffing, noting the increases cannot all take place in one year.

Ms. Harrison stated BOH covers more diversified areas than most Departments and requires some very specific skills. Ms. Harrison supports contracting with Specialists who will provide the Town with better service.

Mr. Bodmer-Turner stated the Board will need to decide about Dispatch and mold that into the FY23 Budget especially if the decision is to remain in-house.

Mr. Boling asked about the Legal projections for FY22 and moving into FY23. His expectation is that the Finance Committee is reviewing that, but it is an area to be reviewed.

Mr. Boling is also interested in Town trees:

- This past year there were a number of tree removal requests, and he suggests an analysis around the need for increasing the budget for additional pruning.
- Mr. Bodmer-Turner also noted trees are being damaged by storms specifically mentioning the trees along Jersey Lane where limbs are too high to be reached for pruning.
- Mr. Boling expressed concern about Developers and the Board's requirement that trees be kept only to be damaged by large equipment and subsequently removed, as the Tree Warden has predicted. Mr. Boling conceded this was not a budget issue but an ongoing concern.
- Mr. Bodmer-Turner asked if this was a policy or By-Law issue. Mr. Federspiel suggested it could be part of the permitting process for new projects.
- Mr. Burke stated CPC funds can be used for trees in Town parks and cemeteries and CPC is working with Friends of Trees to fund some of their work in FY23.

5) Water Resources Protection Task Force Appointments

Mr. Bodmer-Turner stated Ms. Marletta is developing a request for candidates interested in the at large positions to the Water Resources Protection Task Force which will post on the Town website, Facebook, and in the *Cricket*.

Mr. Gang has nominated Helen Bethel to serve as the primary representative from the Open Space Committee with Olga Hayes serving as the alternate from the Open Space Committee to the Water Resources Protection Task Force. Mr. Bodmer-Turner requested a motion to approve the appointments.

Ms. Harrison moved to appoint Helen Bethel as representative from Open Space Committee and Olga Hayes as alternate; Mr. Boling seconded the motion. The motion passed unanimously by roll call vote.

6) Consent Agenda

- BOS Meeting Minutes – November 1, 2021 and November 15, 2021
- Reserve Fund Transfer Request: \$10,000 for Worker's Compensation
- Acceptance of Winthrop Field Donation

Mr. Round moved to approve the Consent Agenda holding the Reserve Fund Transfer for additional information; Mr. Boling seconded the motion. The motion passed unanimously by roll call vote.

7) Town Administrator's Report: 40B Project Update, Dogs on Beach Complaints

- 1) **40B Project:** Mr. Federspiel stated as you have likely heard, Mr. Engler has been barred from submitting new 40B projects and must provide a new affidavit confirming the accuracy of his submittals related to the current 41 projects he is managing, including the one in Town. This is a result of false presentations he made related to a project in Wellesley. ZBA continues to line up peer review experts and will focus on Traffic and Safety at their upcoming meeting in January. The ZBA Board, Ms. Brown and Town Administrator will be working with Town Counsel on reviewing the submittals for potential inaccuracies. ZBA's request to the State for Safe Harbor based on the eventual addition of the Powder House Lane apartments was denied. It was determined that an appeal would not be a productive use of Town resources.
- 2) **Dogs on Beach Complaints:** The Town Administrator's office typically gets a few complaints about dogs on the beach that are not under the control of the owner. Attached is an email about a jogger who was pinned down by a dog with the owner not nearby. Her suggestion that dogs should be on a leash when dark seems reasonable to the Town Administrator. Other residents have suggested that the area to the left of the circle by noted as a dog free area year-round. Again, the Town Administrators believes this is a reasonable request. Strong enforcement of these new policies would not be possible, but the new rules would likely help those who want to enjoy the beach without being confronted with unruly dogs. Mr. Federspiel asked how the Board felt about the suggested changes.

8) Other Matters, As May Have Not Been Reasonably Anticipated by the Chair –
There were no additional matters to discuss this evening.

9) Executive Session per MGL CH.30A, Sec. 21 (A) 6: To consider the lease of real estate.

Ms. Harrison moved to adjourn this evening's meeting to enter Executive Session not to return to Open Meeting. Mr. Boling seconded the motion. The motion passed unanimously by roll call vote.

Meeting Materials:

Dispatch Response Time Data
BOS Policies
FY23 Budget
Water Resource Protection Task Force Appointments
Consent Agenda – as listed
Town Administrator's Report

Upcoming Board of Selectmen Meetings:

Monday, January 18, 2022
Monday, February 7, 2022