



MANCHESTER-BY-THE-SEA

SELECT BOARD • TOWN HALL
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MINUTES OF THE SELECT BOARD

March 20, 2023 6:30 p.m. Hybrid Meeting

Join Zoom Meeting, Meeting: ID 821 6984 9251 Passcode: 735227 Mobile: 1.646.558.8656

MEMBERS PRESENT: Ms. Harrison, Vice-Chair, Ms. Bilotta, Mr. Sollosy, and Mr. Round

MEMBERS ABSENT: Ms. Jaques, Chair

STAFF PRESENT: Town Administrator, Mr. Federspiel

GUESTS:

PRESS:

Ms. Harrison called the Select Board meeting to order at 6:30 pm and four members were present by roll call.

Public Comments on Non-Agenda Items:

Hope Watt-Bucci, spoke on her request for raising the pride flag on the April 18, 2023 agenda.

1. Alcohol License Transfer Hearing – 35 Beach Street:

Ms. Bilotta moved to open the hearing on the application to transfer the all-alcohol license at 35 Beach Street; Mr. Round seconded. Motion unanimously approved by roll call vote.

Greg Richard, Attorney for the Applicant explained that this is a transfer of an existing license at 35 Beach Street, Manchester. He explained that the new owners are planning on keeping the same operations, with table service for lunch and dinner.

Ms. Harrison asked if there were any questions from the Board and public. There were none.

Ms. Bilotta moved to close the evidentiary portion of the hearing; Mr. Round seconded. Motion unanimously approved by roll call vote.

Ms. Bilotta moved to approve the transfer of the all-alcohol license at 35 Beach Street to 3MB, LLC; Mr. Round seconded. Motion unanimously approved by roll call vote.

2. Harbor Management Plan Committee:

Bion Pike, Harbormaster presented the list of volunteers for the Harbor Management Plan Working Group which is available in the packet. He is still looking for a representative from the business community.

Ms. Bilotta asked about the posting of the recreational boater positions? Mr. Federspiel answered that it has been announced at previous meetings. Ms. Bilotta stated to have the open spots advertised for a few weeks and then if no one else comes forward, we approve the individual on the list.

Mr. Round stated that the consultant might recommend certain stakeholders that we have not thought of, but others can be appointed after the consultant is hired.

Ms. Harrison stated that we should advertise for the business representative and go ahead and appoint the listed people.

Mr. Round moved to approve the list presented as the initial makeup of the Harbor Management Plan Working Group; Mr. Sollosy seconded. Motion unanimously approved by roll call vote.

3. ATM; Review Articles, Confirm Who Will Make Motions, Set Date for Post ATM/Budget Process Review:

The Board reviewed who will make the motions for each warrant article and updated motion makers for Article 14, which is available in the packet.

Ms. Harrison suggested that the Board agree with the Planning Board to pass over Articles 18 and 19.

Mr. Sollosy moved to pass over Article 18; Ms. Bilotta seconded. Motion unanimously approved by roll call vote.

Ms. Bilotta moved to pass over Article 19; Mr. Round seconded. Motion unanimously approved by roll call vote.

The Board decided to hold a joint meeting with the Finance Committee on March 30, 2023 to address funding sources.

Ms. Bilotta moved to hold a joint meeting with the Finance Committee on Thursday, March 30, 2023, at 7pm; Mr. Round seconded. Motion unanimously approved by roll call vote.

The Board will hold a joint meeting with the Finance Committee to review Town Meeting and the budget process on Thursday, April 13, 2023, at 7pm.

4. Correspondence Policy;

Ms. Harrison addressed the draft Correspondence Policy which was reviewed by Town Counsel that was included in the packet.

Ms. Bilotta questioned if someone was sending an email to our board group and three of us responded, does that constitute a deliberation even though it was not intended to happen. Do we need to adjust something in the language? Ms. Harrison answered as long as you just respond

only to the sender rather than reply all. Mr. Federspiel explained that as long as you do not deliberate after your first response.

Ms. Harrison added an additional sentence after serial deliberation to read ‘Reply only to the original sender’.

Ms. Bilotta moved to approve the Correspondence Policy as submitted with the modification; Mr. Round seconded. Motion unanimously approved by roll call vote.

5. Consent Agenda:

- a. Approval of Minutes – February 21, 2023
- b. Approval of Exemptions for the State Ethics Requirements
- c. Special Event Approval: Oktober Festival/Carnival 10/20-22
- d. Singing Beach Canteen Operations Contract Approval

Emily McCavanagh, explained the background of the carnival. The event has been approved by the Police Department, the Parks and Recreation Committee and Chamber of Commerce. Tyler Pinstein and herself brought this forward to bring back the carnival to town.

Ms. Bilotta asked if the amusement company’s safety record had been checked. Ms. McCavanagh stated that Taylor Pinstein has been working with the company and is a very long-standing organization. She will share any information that is obtained from the company with the Board.

Ms. Bilotta moved to approve the special event Oktober Festival contingent on evidence of a satisfactory safety record for Cushing Amusements; Mr. Sollosy seconded. Motion unanimously approved by roll call vote.

Ms. Bilotta moved to approve the consent agenda; Mr. Sollosy seconded. Motion unanimously approved by roll call vote.

6. Liaison Updates:

Ms. Billota updated the Board on the Planning Board’s review of the parking study. The report does reference information from the study done by the Downtown Improvement Planning Committee. The average occupancy was well below the recommended 85% occupancy. The report offers recommendations on how the Town can better manage the parking spaces that we have, and we do not need additional spaces.

Mr. Sollosy updated the Board on the progress of the Pine Street Field and the pickleball court.

Mr. Round updated the Board on the Water Resource Protection Task Force on the PFA’s treatment strategy, rates and conservation measure and the timing of projects, due to new EPA cutoffs.

7. Reserve Fund Transfer Requests:

Ms. Bilotta moved to approve the reserve fund transfer of \$25,000 for repairs to Fire Engine ; Mr. Round seconded. Motion unanimously approved by roll call vote.

Ms. Bilotta moved to approve the reserve fund transfer of \$4,000 to cover the salaries of the Zoning Board of Appeal; Mr. Sollosy seconded. Motion unanimously approved by roll call vote.

Mr. Round moved to approve the reserve fund transfer of \$9,580 for backfilling the assistant treasurer/collector due to maternity leave; Ms. Bilotta seconded. Motion unanimously approved by roll call vote.

Ms. Bilotta moved to approve the reserve fund transfer of \$95,000 to cover the fire department's overtime; Mr. Round seconded. Motion unanimously approved by roll call vote.

8. Essex Regional Retirement System – COLA Increase:

Ms. Harrison referred to the letter from the Essex Regional Retirement System. Ms. Bilotta asked if the Finance Committee has reviewed this yet. Mr. Federspiel stated that they will be reviewing it at their joint meeting with the Select Board on April 13, 2023, so a vote can be taken that evening.

9. Town Administrator's Report:

SJC's Barron Decision: KP Law is working on an analysis and set of recommendations. A letter is included in the packet from the ACLU about the case. He is inclined not to make big deal out of this, and that we still express the expectation that people engage in a civil, respectful manner but we do need to instruct boards and committee about allowing speech that may strike some as offensive, rude, etc.

MBTA Zoning: A recent advisory from the Attorney General's office has raised the stakes considerably regarding compliance with the new law. Again, KP Law is working on a review of this advisory for communities. The town can hold off on an in-depth discussion about this, but you should be aware of the stance the new administration is taking here that non-compliance is not an option.

Ms. Harrison stated the MBTA zoning is a big topic in town, and she asked if this new information could get out to the public, so they have the most updated information. Mr. Federspiel stated the information will be uploaded to the website and he will do an article on this for the Cricket.

Ms. Bilotta asked what the plan is to find out how close the town is to complying with the new law. Mr. Federspiel explained that we should have that analysis by summertime. Ms. Bilotta stated this is a very important starting point. Ms. Harrison asked that the Interim Town Planner attend the April 18th meeting to give the Board an update.

Recent grant submittals: Letters of interest were submitted to the state's "one stop" portal seeking funding for MBTA zoning assistance and for the water and sewer extensions to the LCD. A submittal to Representative Moulton also went in seeking "community project funding" for waterproofing upgrades to the sewer plant. As a result of our participation in a regional

technical assistance grant to DOE and the National Renewable Energy Lab the Town was invited to submit a proposal for a mobile demonstration unit that utilizes new technology to transform biosolids from wastewater plants and other sources into a product that can be used in various applications, including energy generation. “Hydrothermal carbonization” turns a costly liability into a potential net positive revenue stream. In addition to the possible federal grant, we would need state funds as well for the required match.

10. Executive Session

Ms. Bilotta moved to enter executive session per MGL Ch.30A, Section 21(A)(2) to discuss strategy for collective bargaining sessions, if an open meeting may have a detrimental effect on the bargaining positions of the public body and the Chair so declares and not to return to open session; Mr. Round seconded. Motion unanimously approved by roll call vote.

Meeting Materials:

Alcohol License Transfer Application
Harbor Management Plan Working Group list
Annual Town Meeting motions
Correspondence Policy draft
Reserve Fund Requests
Essex Regional Retirement letter
Consent Agenda Items

Next Meetings:

April 3, 2023 – Annual Town Meeting
April 18, 2023