



# MANCHESTER-BY-THE-SEA

BOARD OF SELECTMEN • TOWN HALL  
Manchester-by-the-Sea, Massachusetts 01944-1399  
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## MINUTES OF THE BOARD OF SELECTMEN

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February 1, 2021 6:30p.m. Virtual Meeting

Join Zoom Meeting, Meeting: ID 93802511912, Passcode:324017 One tap mobile: 1.646.558.8656

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

**MEMBERS ABSENT:**

**STAFF PRESENT:** Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter

**GUESTS:**

**PRESS:**

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Mr. Boling called the BOS meeting to order at 6:35 p.m.

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

### **Public Comment:**

Ms. Driscoll – 33 Bridge St. – Ms. Driscoll requested the BOH develop a vaccine clinic for seniors and at a minimum for homebound seniors. Mr. Boling stated the Board will be discussing the issue of a vaccine clinic during the meeting.

### **1. Committee Appointment Discussion of ZBA, Alternate**

Ms. Jaques stated she is always appreciative of volunteers, however, the ZBA is facing significant zoning and conservations issues and would like to identify an individual with a background in municipal zoning and conservation.

Mr. Round echoed Ms. Jaques' concerns and added with the issues coming up soon it is critical for the Town to have individuals who can hit the ground running. He would like to see someone with experience in real estate development, conservation or both. Mr. Round added Mr. Zahn is likely aware of the details ZBA will be facing sometime this year and how complicated the issues will be. Ms. Harrison stated she agrees with Ms. Jaques and Mr. Round.

Mr. Boling stated he is concerned about the 40B project and its impact on the community. He would like to see if the Town can identify someone with more experience although he recognizes the alternate is not required to do the heavy lifting, the alternate position is a time to become aware of ZBA's actions on issues before the Board.

Mr. Bodmer-Turner stated the reasoning for the alternate position is to identify an individual with a strong background and working knowledge. The individual is not participating in deliberations, it is more critical they have some base knowledge. Mr. Boling concluded he hated to drag the appointment out but he would like to spend more time thinking and discussing with staff and ZBA members prior to deciding.

Ms. Mellish, Chair of ZBA stated her concern is the position has been open for a year and a half. Since COVID the ZBA has had full attendance and the need for an alternate has not been essential but now with members returning to work and travelling she would like to see the position filled.

Ms. Jaques, Mr. Round and Ms. Harrison all stated that would influence their decision. Mr. Bodmer-Turner indicated with no alternates the Board could be short members and asked Ms. Mellish when the current alternates term is up. Mr. Boling apologized to Mr. Zahn for the process.

Ms. Mellish clarified that Mr. Zahn is applying for Mr. Mitchell's position. Mr. Mitchell has moved up to fill an open full time position on the Board. Mr. Mitchell's alternate position expires in June 2021.

*Ms. Jaques moved to approve Mr. Zahn's appointment to the Zoning Board of Appeals to the First Alternate position for a term ending in June 2021, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.*

Mr. Bodmer-Turner stated he hoped Mr. Zahn would continue past June 2021. Mr. Boling apologized again for the tortured process and any confusion. Mr. Zahn stated he would not let the Board of Selectmen down.

## **2. Committee Interview: Hope Watt-Bucci – Welcome Committee**

Ms. Watt-Bucci is a long time resident of the Town and originally left to join the Army and pursue a PHD in Law. Ms. Watt-Bucci was the only female Commander of the American Legion in Manchester, has served on the Planning Board and is the Founder and President of North Shore Pride. North Shore Pride was founded in response to hate crimes on the North Shore.

Ms. Watt-Bucci stated there were no members of the LGBTQ community on the Welcoming Committee and families and members of that community often feel isolated. Additionally, as a licensed real estate agent she feels she is a great candidate to serve on the Committee.

Ms. Jaques thanked Ms. Watt-Bucci is aware of her service and recalls seeing her at the flag raising a few years back. Mr. Bodmer-Turner stated this is a difficult time to welcome people and supports her participation on the Committee. Mr. Round supports Ms. Watt-Bucci for all the reasons stated and especially in her role as a realtor. He believes she will help to make Manchester more welcoming. Ms. Harrison expressed her thanks and stated Ms. Watt-Bucci is an asset to the Committee and has her full support.

*Ms. Jaques moved to appoint Ms. Watt-Bucci to the Welcoming Committee, Ms. Harrison seconded the motion. The motion passed unanimously.*

### **3. Covid 19 Update**

Mr. Federspiel is hopeful the current downward trend following the holidays will hold. He stated all District students are now attending in the hybrid model. The Town's public safety personnel have received their first shots of the vaccine.

The State is ramping up with vaccination sites and working on the registration process. A State mega site is opening in Danvers at the Double Tree Hotel and a few pharmacies are rolling out their independent clinics.

The BOH believes the Town's best strategy is to facilitate people using State and private vaccination options. Conley's Pharmacy in Ipswich is planning to team up with Allens Pharmacy for clinics in Town. The outstanding piece is how much vaccine will be available to the pharmacies.

There is a difference of opinion among the BOH and staff as to whether the Town should provide its own clinics. A majority of the Board and the Public Health Nurse feel the process is too complicated given the Town's limited resources and staff. However, the BOH staff believes the Town should set up a clinic for residents over 75. COVID vaccination clinics are more complicated than flu clinics given the need for post-shot monitoring and requirements for handling the vaccine.

Mr. Federspiel is in favor of a small clinic for residents over 75 with an emphasis on homebound seniors. The Town has filed the paperwork with the State to enable us to receive vaccines in the event the Town is interested in establishing a small clinic. The COA vans will transport seniors and a plan will be developed over the next two weeks.

Mr. Boling confirmed homebound residents would be assisted with transportation if able. Mr. Federspiel stated that was correct and those who are unable to leave their homes will be assisted through primary care and visiting nurse services. Mr. Bodmer-Turner asked if EMT's would be on site to monitor for post vaccination complications and was assured that was part of the clinic's procedures.

Ms. Jaques asked how many residents were over 75. Mr. Federspiel stated it is estimated there are 400 over 75 and an additional 35 to 50 homebound seniors. Ms. Harrison has heard it is difficult to schedule an appointment and supports the Town doing everything to support an in-town clinic as soon as possible.

Mr. Round stated staffing reservation are around failure or problems and staff supports waiting to see how the process works. Mr. Round is in support of a clinic for residents over 75. Ms. Harrison stated when COVID erupted we did all we could to make the lives of our residents better and strongly feels a vaccination clinic is the next step and the Board should push hard to support the effort. Ms. Jaques agree with Ms. Harrison and believes residents should be supported within their comfort zone in Town.

Mr. Bodmer-Turner asked how much the vaccination clinic will cost. Mr. Federspiel stated the vaccine is provided at no cost and the Town will rely on volunteer nurses. However, there is an outstanding question around refrigeration.

Mr. Federspiel stated Ms. Hammond, COA Director and Ms. Lufkin will act as leads and register residents for their second shots. Mr. Boling stated he supports the clinic and at the very least the Town should support residents 75 and over and homebound seniors.

#### **4. 40B Project Update/Discussion**

Mr. Boling thanked Board members for their edits on a proposed letter to residents about the 40b process indicating most of the comments were around syntax. Mr. Boling plans to post the letter in the *Cricket* and on social media. Mr. Bodmer-Turner would like to see the letter posted on the Town website and would like the letter to come from the full Board. Ms. Harrison stated she will be proud to have her name on the letter. Mr. Bodmer-Turner supports the letter as written. Mr. Boling stated he plans to post the letter from the full Board.

Ms. Jaques commented that the 40B process is long and complicated and the 40B law is ostensibly designed to solve an affordable housing problem. The Board is meeting with the Developer and additional information will be brought forward over the winter. The next meeting with the Developer is scheduled on Thursday, February 11, 2021.

Mr. Bodmer-Turner asked how much the updated letter from the Traffic Consultant falls under the purview of the BOS versus the ZBA. Mr. Boling stated that is a question for Mr. Witten, Town Counsel. Ms. Harrison asked if the project could go forward without sidewalks. Mr. Federspiel stated he would need to ask Mr. Witten.

Mr. Boling is waiting for Mr. Engler to provide the cost comparison for 80% compared to 60% AMI. Ms. Jaques is interested in the two developments mentioned in the Santec report one was located at 770 Broadway in Saugus and the second 460 Cambridge St. in Winchester but Ms. Jaques is not sure there is a 460 Cambridge St. in Winchester. She was interested in reviewing the entrances of both properties.

#### **5. FY22 Budget Discussion**

Mr. Boling stated he had received the proposal from CPC for CPA allocations in the FY22 budget and would like to discuss the allocations at the meeting on February 15, 2021. Mr. Boling is not confident the Annual Town Meeting will take place in April but the final decision to postpone the meeting has not been made. Mr. Boling indicated MA Law, Chapter 39, section 9 provides for the BOS to delay the ATM to June 30, 2021 provided the Town has not approved the Warrant. Last year the Moderator acted under the State Public Health Law because the Warrant had been approved. The Board will need to discuss this further.

Mr. Federspiel stated the budget review by the Finance Committee is progressing. The Committee has had in-depth discussion regarding Fire and Police with the outstanding question around dispatch operations remaining.

Chief Cleary's primary question to the Committee focused on staffing. The Chief, while willing to cope with current staffing, strongly believes the Town needs to have additional staff to operate given the lack of active Call Fire Fighters. He proposed a federal grant program (SAFER) that will pay 100% of costs for new staff for the first three years. The Town is then obligated to assume the costs of the

new positions in year four. To support four Firefighters on each shift the Town would need to hire three full time Firefighters and convert the “Floater” to one shift. Each new hire represents \$100K in FY25.

Discussions around the District budget are heating up. Essex announced at the Public Hearing this past Tuesday that they would like to hold the District to a 2.5% increase for their appropriation in the District budget. The current District budget calls for a 3.75% spending increase. With rising Essex enrollment relative to Manchester that would mean a 4.25% increase for Essex. Manchester’s increase would be 3.4% in line with the Town’s proposed FY22 budget.

The School Committee is likely to lower their budget a bit but nothing close to 2.5%. Essex suggested the District tap deeper into their reserves for the FY22 budget. This requests sets the stage for an override in FY23 or substantial restructuring-reduction in expenses for the District. The School Committee will discuss how they plan to proceed at their meeting on February 2, 2021 and hope to finalize their budget requests to the Towns.

Mr. Boling indicated that the District is anticipating a drop off in debt payments in FY24. He expressed concern about an override in FY23, cuts in educational programming and the District digging into reserves. Essex’s request for a 2.5% increase will result in significant cuts, make it difficult for the District to recover and will impact Manchester in FY23.

Ms. Jaques asked if Essex had not made the same request recently. Mr. Boling stated three years ago Essex requested consideration and the additional request is concerning. The requests result in the District dipping into reserves which are for emergencies.

Mr. Federspiel stated every year for the past few years the District has not replaced retiring teachers. This current year they have dipped into reserves to cover the costs of the Hybrid Model and for health reasons have a number of teachers on paid leave for a cost of close to \$500K. Plus FEMA has withdrawn their proposed support.

Mr. Round asked if the School Committee was aware of override concerns. Mr. Federspiel stated they are aware. Mr. Bodmer-Turner believes Essex has some resentment towards Manchester around the new Memorial School. Essex worked for 18 years to maintain their elementary school. They believe Manchester did not maintain their elementary school and, in the end, received the new building.

Mr. Bodmer-Turner asked if the BOS would be reviewing the capital budget and was interested in reviewing the DPW budget. Mr. Federspiel proposed a joint meeting with the Finance Committee for the first meeting in March. Ms. Mellish stated the Finance Committee will review CPC and Capital on February 18, 2021. Mr. Boling indicated February 18, 2021 was an option.

Mr. Boling stated there are ongoing questions about trash contracts with respect to recycling. The Town has a 7.9% contamination rejection rate for recycling. Mr. Federspiel stated that was good and the Town avoids higher fees by staying below 20%. Mr. Federspiel indicated composting reduces the tipping rate and suggested an

increase in the pay as you go bag rate. Revenue from pay as you go bags is approximately \$280K and total cost of trash pickup is \$500K.

Before considering an increase in the bag rate Mr. Boling would like to have additional data on how to mitigate increases over the next few years.

## **6. Consent Agenda**

- BOS Meeting Minutes, January 19, 2021
- Resignation of Ed Conway, HAC
- Ratification of Appointment – Town Clerk

Ms. Harrison stated Ms. Bucco the new Town Clerk was elected for six years to the position in Wenham and she was new to the position at the time of her election. Additionally, she is close to achieving her Master Certification. The staff is impressed by her qualification, she is a team member and her references were glowing. Ms. Harrison shares that enthusiasm and looks forward to her starting as Manchester-by-the-Seas Town Clerk. Mr. Bodmer-Turner agreed Ms. Bucco is a great candidate.

*Ms. Jaques moved to approve the Consent Agenda, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.*

## **7. Correspondence**

- Petition Article for Town Meeting re: 40B and Affordable Housing
- Assessors: Overlay Surplus to General Operating Budget

Mr. Federspiel stated the Assessors overlay surplus is an annual part of our budget and expected revenues.

## **8. Town Administrator's Report**

- ✓ Mr. Federspiel reported FEMA has been on site at Boardman Ave. and is likely to support additional sections of seawall repair with the Town's 25% for a total of \$184K. Mr. Federspiel strongly supports the use of reserves to get this work completed as did members of the Board.
- ✓ HVAC installation in Town Hall is nearing completion with improved air quality and more efficient heating and air conditioning.

## **9. Other Matters, as May Have Not Been Reasonably Anticipated by the Chairman –**

Ms. Hill – 2 Running Ridge Row – Ms. Hill asked since the Town does not know the date of the Annual Town Meeting is the date for Warrant Articles extended?

Mr. Federspiel stated Articles for the Warrant are due 60 days prior to the date of Town Meeting. Assuming an April Town Meeting the last day to file is February 4, 2021. Mr. Boling stated the date of February 4, 2021 will likely be pushed out. At this time Mr. Boling stated he cannot make an announcement now how long that date could or will be pushed out.

Ms. Rogers – 82 Old Essex Road – Ms. Rogers asked if there would be additional 40B meetings or forums with time for debate. Mr. Boling answered yes.

**10. Executive Session:**

*Ms. Jaques moved to go into Executive Sessions and to not return to an Open Meeting, Ms. Harrison seconded the motion. The motion passed unanimously.*

**A) Under M.G.L. Ch. 30A, 21 (a)(3) To Discuss Strategy with Respect to Pending Litigation Regarding a Personnel Matter**

**B) Under M.G.L. Ch. 30A, 21 (a)(2) To Conduct Strategy Sessions in Preparation for Union Negotiations**

**C) Under M.G.L. Ch. 30A, 21 (a)(6) To Discuss Possible Real Estate Transactions**

**Meeting Documents:**

- Consent Agenda as listed
- Correspondence as listed
- Welcome Committee Application
- 40B Project Materials
- FY22 Budget
- Town Administrator's Report

**Upcoming BOS Meeting**

- Tuesday, February 16, 2021
- Monday, March 1, 2021