



# MANCHESTER-BY-THE-SEA

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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

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May 20, 2019

6:00 p.m.

Town Hall, Room 7 and 5

**MEMBERS PRESENT:** Chairperson, Ms. Beckmann, Mr. Boling, Ms. Driscoll and Ms. Jaques

**MEMBERS ABSENT:** Mr. Steinert

**STAFF PRESENT:** Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, BOS/TA Executive Assistant, Ms. Nathan, Town Planner, Ms. Brown, Interim Fire Chief Beardsley, DPW Director Mr. Dam and Town Moderator, Mr. Wilson

**GUESTS:** Senator Tarr and Representative Hill

**PRESS:** *Cricket* Editor, Ms. Brown

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### 1. Legal Case: Genta vs. ZBA – Room 7

Executive Session under M.G.L. Ch. 30A, Sec. 21 (A)(3): To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares.

At 6:00 p.m. Ms. Beckmann called the BOS Business Meeting to order and entertained a question from Ms. Watt-Bucci.

Ms. Watt-Bucci was present to confirm the Pride Flag raising on Saturday, June 1, 2019 at 11:00 a.m. The Board confirmed the event.

*Ms. Beckmann moved the Board into Executive Session for the purpose of discussing strategy with respect to litigation in the Genta vs. ZBA case. All members present: Ms. Beckmann, Mr. Boling, Ms. Driscoll and Ms. Jaques voted yes by voice vote.*

Executive Session 6:00 p.m. to 6:45 p.m.

*Ms. Beckmann moved the Board out of Executive Session; Ms. Beckmann, Mr. Boling, Ms. Driscoll and Ms. Jaques voted yes by voice vote.*

### **The Board reconvened in Room 5 for the Open Meeting.**

Ms. Beckmann asked if there were any comments or statements for the Board not on the agenda.

Mr. Coyne, 115 Beach Street – Stated the new boat looks like the boat the Town sold when the Harbormaster first came to Town. He believes the new boat is a substantial craft and will be intimidating when at Sand Dollar Cove on weekends. Sand Dollar Cove is where local families spend time on the water, and it will appear that we are being watched at every moment. He does not believe the Board acted in the best interest of the Town's people when the boat was acquired. The Board thanked Mr. Coyne for his comments.

### **Presentation of Town Chair and Recognition of Chairperson Beckmann**

Mr. Boling stated this would be Ms. Beckmann's last meeting on the Board and he would like to give a brief history of Ms. Beckmann's involvement with the Town and express thanks on behalf of the Board.

Ms. Beckmann served on the School Council before there was a District. She was instrumental in forming the District and served on the School Council and School Committee for 9-years several of those years as Chair. During her tenure the District built a new High School. Upon retiring from the School Committee, she unretired and ran for the Board of Selectmen, she has served on the BOS for 5-years and Chairperson this past year. She spearheaded the Town's comprehensive Master Plan which took extensive work and years to complete. On behalf of the Town and District he thanked Ms. Beckmann for her years of service.

Mr. Boling presented Ms. Beckmann with a Town Chair and bouquet of flowers.

Senator Tarr and Representative Hill were present and expressed their thanks and recognition for all the work Ms. Beckmann has done on behalf of Manchester-by-the-Sea.

Senator Tarr presented Ms. Beckmann with a Citation from the Governor and Lt. Governor and a Citation from the State Senate. He recognized Ms. Beckmann's partnership, collaboration, motivation and inspiration on behalf of the Town.

Representative Hill presented Ms. Beckmann with a Citation from the House of Representatives. He acknowledged Ms. Beckmann's wealth of information and commitment of time and energy to understanding the issues she worked on she was there for all of us.

Mr. Kehoe thanked Ms. Beckmann for her work on behalf of the Regional School District and the Board of Selectmen and for teaching people about community engagement and involvement. He hopes she enjoys retirement and indicated there was an opportunity on the Town 375<sup>th</sup> Anniversary Committee.

Mr. Barclay stated Ms. Beckmann was an amazing person and thank her for her contribution to the Town.

Ms. Creighton thanked Ms. Beckmann and invited those present to the Community Center following the meeting for refreshments and the opportunity to thank Ms. Beckmann personally.

Ms. Beckmann stated the past years went by in a flash. There is something about community and this community in particular that is special and important. She expressed her heartfelt thanks to all in attendance and to the community and encouraged all to stay engaged in community affairs.

## **2. Short Term Paying Guest Application – 23 School Street**

Ms. Jaques indicated the completed fire application and approvals were dated May 2017 and asked how long the approvals were valid? Mr. Federspiel indicated the application and related inspections and approvals will be reviewed and updated prior to final occupancy.

*Ms. Jaques moved to approve with current inspection; Ms. Driscoll seconded the motion. The motion passed unanimously.*

## **3. 1<sup>st</sup> Reading: Ambulance Billing Policy**

Mr. Federspiel indicated the policy had been fully vetted by the Town Treasurer and Town Accountant. Ms. Beckmann asked if Town Counsel had reviewed the Policy. Mr. Federspiel responded she had.

Mr. Boling confirmed the Fire Department Ambulance Billing Policy was in fact not a numbered policy. It is not. He also recommended that the policy as written should be generic and not specific to current vendors providing Town services. Mr. Federspiel indicated that the policy will be edited to reflect general not specific providers for the 2<sup>nd</sup> Reading.

*Mr. Boling moved to approve first reading of the Ambulance Billing Policy; Ms. Jaques seconded the motion. The motion passed unanimously.*

## **4. New Short-Term Rental Law – will be discussed at a future BOS meeting.**

## **5. Consent Agenda**

- BOS Minutes – March 30, 2019, April 16, 2019, May 1, 2019 and May 14, 2019
- Manchester Library Touch-a-Truck, July 31, 2019 Re: use of Town Hall parking lot
- World Elder Abuse Awareness Day, June 15, 2019 Re: use of Town Common
- Review and Approve Reserve Fund Transfers
- Common Victualler License – Antique Table

Ms. Driscoll requested the minutes of May 14, 2019 be held for full inclusion of information related to Executive Sessions around Contract Negotiations.

*Mr. Jaques moved to approve the Consent Agenda with Minutes of May 14, 2019 held and edits as discussed; Ms. Driscoll seconded the motion. The motion passed unanimously.*

### **Additions to the Consent Agenda:**

- Peter's Ride June 2, 2019 with 60 Participants and a Table in front of Town Hall with 60 participants expected to ride
- Cape Ann Chamber small business owner of the year citation

*Mr. Boling moved to approve additions to the Consent Agenda; Ms. Jaques seconded the motion. The motion passed unanimously.*

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

- 1) Mr. Federspiel stated construction projects have been a moving target over the past weeks due to weather. Assuming the weather holds the following projects are scheduled:
  - Paving on School Street and Masconomo Park
  - Singing Beach project is temporarily on hold. The Town is waiting on additional approvals from FEMA. The equipment is still in the Circle but will be moved prior to Memorial Day and the area cleaned up.
  - Crosswalk repainting is scheduled, Ms. Driscoll asked for bright paint.
  - Harbor Loop relining of sewer line will take place throughout the summer.
- 2) Reed Park new pilings – there have been questions about the height of the new pilings. The new pilings meet current standards of the Army Corps of Engineers to meet storm surge and high tides. Ms. Jaques asked if the new dock spaces would be metered? Mr. Federspiel replied the new spaces will require a reservation and fee paid through an on-line app, signs will be posted and on weekends the area will be staffed. Mr. Federspiel stated several communities realize significant revenue from transient boaters.
- 3) Mr. Federspiel encouraged all to go to the polls and vote on Election Day.
- 4) Mr. Federspiel will have recommendations for communication and human resource function staffing for the Board to review.
- 5) Staff survey has been completed and the revised handbook will be ready for approval at a June meeting.
- 6) AHT preliminary review of the DPW site for housing was not promising given the extent of wetlands; additional reviews will be scheduled.
- 7) Grant Applications are now on-line. The following applications are in process: Seaport Economic Council for Harbormaster's Office combined with public restrooms and showers for boaters along with a visitor/maritime information bulletin board. Voters approved funds for design work for the restrooms and harbormaster office. Mr. Pike is taking the lead on the grant application. Based on Master Plan recommendation, grant to review village core and parking; Ms. Brown is working on this grant application. Selectmen briefly discussed and expressed their support for these grants to move forward.
- 8) June 10, 2019 joint meeting with Finance Committee to discuss budget priorities, fund balance and local receipts.

### **7. Complete Street Project Update**

Ms. Beckmann stated this was meant to be the meeting where the Board decided on the projects to be completed as part of the Complete Streets grant. The core part of the

decision process was acquiring bids for the proposed work. The Town has received no bids for the projects.

Mr. Dam indicated he has requested a year long extension of the Grant previously awarded. He expects to hear back from the State after June 30, 2019. In the meantime, an interim project addressing drainage from Central St. to Sawmill is being studied. The area in front of Ms. Crosby's house at the corner of Central and School Streets will be improved and the recommendation to change Church Street to one way in the opposite direction (increasing the number of parking spaces) will take place.

#### **Additional Board Considerations:**

Ms. Beckmann informed the Board she will continue working with Alida Bryant on the Town Committee, Board and Commission training manual and trainings.

Ms. Beckmann mentioned a letter regarding a **Dog Hearing** request scheduled for June 10, 2019. Mr. Boling asked if that hearing could be delayed. The June 10<sup>th</sup> meeting was the Board's first meeting with an anticipated new Board Member. Ms. Driscoll asked if there was any possibility of resolving the issue with the dog owners? Mr. Federspiel was not optimistic there would be. Mr. Boling agreed a delay in the Dog Hearing could be potentially harmful.

Ms. Beckmann asked if the **water meter issue** on Desmond Ave. had been resolved? It is being negotiated and the calculations presented were higher than expected billing.

#### **Public Comment:**

Mr. Brian Miller, 92 School Street asked if the Town maintained a list of properties currently licensed as short-term rentals. Mr. Federspiel replied there is a list of the formally approved short-term rentals, however he believes many property owners list their properties as 6-day rentals or more and are thus exempt from needing a license from the Town. Mr. Federspiel stated if Mr. Miller knew of property owners renting for less than 6 nights to let the Town Administrator know and the Town Administrator will review.

### **8. Contract Negotiation – Town Administrator**

*Ms. Beckmann moved to adjourn the Business Meeting and go into Executive Session; Ms. Beckmann, Mr. Boling, Ms. Driscoll and Ms. Jaques voted yes by voice vote.*

#### **Meeting Documents:**

- Short Term Paying Guest Application and related documentation
- Town Administrator's Report
- Consent Agenda as Listed
- Ambulance Billing Policy
- Reserve Fund Transfer Documents
- Touch-a-Truck and World Elder Abuse Special Requests
- Antique Table Application Common Victualler License Application
- Application for Peter's ride

- Cape Ann Chamber citation

**Upcoming BOS Meeting**

- June 10, 2019 – Open Meeting
- June 24, 2019 – Open Meeting