



MANCHESTER-BY-THE-SEA

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

August 15, 2022

6:30p.m.

Hybrid Meeting

Join Zoom Meeting, Meeting: ID 883 8093 9991 Passcode: 23667 Mobile: 1.646.558.8656

MEMBERS PRESENT: Ms. Jaques, Chair, Mr. Round, Ms. Bilotta, Mr. Sollosy and Ms. Harrison (arrived at 6:44pm)

MEMBERS ABSENT:

STAFF PRESENT: Town Administrator, Mr. Federspiel, Executive Assistant, Debbie Powers

GUESTS:

PRESS:

Ms. Jaques called the Select Board meeting to order at 6:31 pm and four members were present by roll call.

Public Comments on Non-Agenda Items:

Sean Daly, 20 Forest Street, spoke on the private event at Sand Dollar Cove a few weeks ago and addressed the Harbormaster's concerns. He suggested that the Town have better communications with the Coast Guard. Also stated to not overregulate and change a large fee, this was a onetime occurrence. He asked the Board to not make a lot of changes all at once.

Kevin Delany, 10 Plum Hill, stated that large amount of boaters in that area only happen 3 and 4 times a year. He has been over in the Cove many times and there are many weekends that there are very few people there. He asked the Board not to overregulate. All proper paperwork was filled by the event holder and the Harbormaster knew about the event in January. He asked the Board to open the lines of communication with the residents and the Harbor Department.

Chairman's Report:

Ms. Jaques thanked everyone that stopped by the Festival By the Sea Select Board's Conversation Corner.

- 1. Drought Condition Update:** Ms. Jaques announced that the water usage is down by 20% and the Essex County Club is down by 60%

Chuck Dam, DPW Director, stated he has been seeing some recovery in both wells. The Town is below but still doing very well and said thank you for all residents.

2. Committee Reappointments:

a. Jack Burke – Community Preservation Committee:

Mr. Round moved to reappoint Jack Burke to the Community Preservation Committee for a three-year term to end June 30, 2025; Ms. Bilotta seconded. Unanimously approved by roll call vote.

b. Dan Lane – Harbor Advisory Committee

Mr. Sollosy moved to reappoint Dan Lane to the Harbor Advisory Committee for a three year-term to end June 30, 2025; Mr. Round seconded. Unanimously approved by roll call vote.

3. Committee Interviews:

a. Jim Brown – Downtown Improvement Committee:

Jim Brown, grew up in Manchester and currently lives in Essex but own a home in Manchester. He stated he is very active in local politics and keeps up with local events. He has attended and assisted the committee over the last few months and would like to continue to support the town. He was a member of the 375th committee and previously served on the Zoning Board of Appeals.

Steve Carhart, Chair of Downtown Improvement Committee, stated the committee has been trying to be a bridge between Town Hall and the business community and was seeking someone to help with this. He met Jim at a Chamber event, who took an interest in the committee's work and been a regular attendee at the meetings. He stated that Mr. Brown would be a welcome addition to the committee.

Ms. Jaques spoke on the representation of business owners on the Committee. Typically, the Board request that members live in town but the Board will have to consider a change

Mr. Round asked what he would like to see the Committee accomplish in the near term? Mr. Brown addressed they are working on communication and doing a good job. Their larger projects of parking and public restrooms are currently being worked on. He stated that he is also a member of the Greater Cape Ann Chamber of Commerce and the North Shore Association of Realtors.

Mr. Sollosy stated that Mr. Brown has a lot of history of the town and would be a good addition to the Committee. Ms. Bilotta voiced he would be a welcome voice on the committee, and he would be a great connection with the business community.

Mr. Round moved to appoint Jim Brown to the Downtown Improvement Planning Committee for a one-year term to end on June 30, 2023; Ms. Bilotta seconded. Unanimously approved by roll call vote.

b. Beth Heisey – Community Preservation Committee:

Beth Heisey addressed the Board of her interest in the Community Preservation Committee. She stepped up after John Kenny’s term expired in June and she has supported all the projects that the CPC has done. She would like to see some Housing Authority projects to be funded.

Mr. Round moved to appoint Beth Heisey to the Community Preservation Committee for a three-year term to end on June 30, 2025; Mr. Sollosy seconded. Unanimously approved by roll call vote.

9. Consent Agenda

a. Approval of Minutes – July 18, 2022, and August 1, 2022.

Mr. Round moved to approve the July 18, 2022, and August 1, 2022 minutes; Ms. Bilotta seconded. Unanimously approved by roll call vote.

4. Request for Installation of a Little Free Library at Singing Beach:

Maile Black, Teen Liberian at the Manchester Public Library spoke on the free little library that they would like to place at Singing Beach. The Library has obtained approvals from the Parks and Recreation Department and the Conservation Commission.

Ms. Jaques asked who will maintain the little library and where would the funds be coming from. Ms. Black answered that they have volunteers that come and fill the little library at Masconomo Park and they will take on the Singing Beach location. Also, she has many teenagers that would like to be involved too.

Mr. Round moved to approve the request for installation of a Little Free Library at Singing Beach at the option #1 location; Mr. Sollosy seconded. Unanimously approved by roll call vote.

9. Consent Agenda

a. Approval of Minutes – December 2, 2021 and June 16, 2022

Ms. Harrison moved to approve the minutes of June 16, 2022; Ms. Bilotta seconded. Approved by Ms. Harrison, Ms. Bilotta and Ms. Jacques.

Mr. Round moved to approve the minutes of December 2, 2021; Ms. Harrison seconded. Approved by Ms. Harrison, Mr. Round and Ms. Jacques.

5. Adoption of Financial Management Policy:

Mr. Federspiel stated that the Town Accountant Andrea Mainville and the Finance Committee have developed a new set of financial management policies that memorialize our practices. He addressed the policy with the Board. The Finance Committee voted to approve these policies. He stated that they are separate from the Investment Policy the Select Board and the Finance Committee developed and approved a few years ago. He stated that the Board’s approval is

requested and if the Board is comfortable with the proposed policies, a vote to consider this a “first reading” with plans to hold a second reading and possible adoption at your meeting on September 8th.

Ms. Bilotta commented that there is a mixture of policy statements and guiding principles. She suggested it would be a good practice to separate out the guiding principles. She also would like the town to consider to be more specific in examples of benchmarking and best practices to be included in the guiding principles.

Mr. Round noted his surprise that there was nothing in writing before this policy and asked if there is any added or changed policies before what has been followed in the past. Mr. Federspiel answered that some of these policies were in writing but never brought before the Select Board for approval. He will check with the Town Accountant if anything has been added and will let the Board know.

Mr. Harrison stated that all these policies are very familiar to her and asked about the property values certified every year. Mr. Federspiel answered that every year the Town’s evaluations are approved by the state and every 4-5 years homes are reappraised.

Ms. Jaques asked if the Policy has been reviewed by Town Counsel. Mr. Federspiel stated he would check with the Town Accountant and let the Board know.

Ms. Harrison moved to approve the initial reading of the Financial Management Policy; Ms. Bilotta seconded. Unanimously approved by roll call vote.

6. Traffic Calming Strategies Discussion

Chief Fitzgerald informed the Board that the Police Department continues to move the passive traffic counter around town. The speed trailers have been moved around as well. The first 7 months of this year the Department increased our traffic enforcement in traffic stops, written citations and arrests. In regard to the Town’s new Traffic Policy, the Department has received one formal request for a study on Harbor Street.

Ms. Jaques asked of the increase of traffic enforcement has had some impacts on the traffic. Chief Fitzgerald stated that with only two officers on patrol, it is difficult to get everyone. He feels it has sufficient reduced traffic in certain areas.

Ms. Bilotta commented that the officers are doing the best they can, and she would like to find new technology to help. She mentioned a tool that captures the license plates of a vehicle that runs a red light and they are issued a ticket. Chief Fitzgerald stated that the speed and red-light cameras are not used in Massachusetts because there is no law that governs the use of the equipment.

Ms. Bilotta and Ms. Harrison both stated if may be something we look into to address our representatives about getting automatic enforcement allowed in the state.

Mr. Round asked if the resident complaints have gone down in the past year. Chief Fitzgerald answered that they have gone down, the department is only getting about one to two a week. He also informed the Board that all traffic and speed studies are on the website.

The Board and the Chief discussed the speed and traffic sign update on Pine Street. Ms. Jaques asked when the Town last performed a speed study on Pine Street. Chief stated that it was last year.

Ms. Harrison asked about the data from the speed trailers, where is that information located? Chief Fitzgerald stated the department is using the pole mounted unit for an actual speed study request because it easier to download the information instantly, which is not possible with the trailers. In 2021 the department had a dozen requests and so far in 2022 there has been two requests.

Ms. Bilotta asked if information can be downloaded on a routine basis from the speed trailers. Chief Fitzgerald with speak with the Sergeant to find out how much data that they hold and will get back to the Board.

Ms. Harrison asked the placement of the speed signs should be thought more about. DPW Director Chuck Dam stated that there is a lot of thought that goes into the placement of the signs, they take in account to the sun as they are solar powered and the proximity to residents homes.

Lt. Mark McCoy stated the speed signs do not give accurate data, the black box on the poles gives the most accurate information and also provide the type of vehicle.

Mr. Chuck stated they will evaluate the data from the traffic study happening on Harbor Street when it becomes available and the Town did receive a grant to install permanent speed signage and that money will be available in November. He will be working with the Chief on the placements of those signs.

7. Liaison Updates:

Ms. Jaques reviewed the liaison assignments. Ms. Bilotta is the liaison for the Zoning Board of Appeals and Planning Board, Mr. Sollosy is the liaison for Parks and Recreation and Library, Ms. Harrison is the liaison for the Conservation Commission, Council on Aging and School Committee and Mr. Round is the liaison for the Water Resource Protection Task Force and Department of Public Works with Ms. Bilotta has the backup, Muffin Driscoll is the liaison for the Affordable Housing Trust and Ms. Jaques is the liaison for the Board of Health.

Mr. Sollosy spoke with Cheryl Marshall, Director of Parks and Recreation and updated the Board that the Pine Street Fields passed the Conservation Commission and will hold a public hearing in September. The pickleball court complaint, the committee decided to hold off on any restrictions and will revisit next month.

Ms. Bilotta asked what the feedback from the residents of Pine Street fields was. Mr. Sollosy will ask the Director and get back to the Board.

Ms. Bilotta spoke on the 40B deliberations and no decision as of right now. Next step would be for Town Counsel to draft a denial letter for the Zoning Board of Appeals to review. Ms. Sollosy spoke on the draft denial letter which they have received. The Board will be voting on the letter tomorrow evening. He asked Mr. Federspiel once the vote has been done, when does the 20-days appeal period start? Mr. Federspiel answered once the Town Clerk files the decision, that would start the 20-day period.

Ms. Bilotta continued that the Planning Board met a few times, they have caught up on their meeting minutes and have provided a statement of findings to the ZBA on the SLV 40B project to make sure their position was well documented. Sue Brown gave an update on the parking study and data collections that were gathered in July. Discussion on the Master Plan's next steps and she informed the Planning Board that the Select Board is looking for a status update in a few weeks. They also spoke on the Chapter 91 licensing process and wondering what their roles and responsibilities are on these licenses.

Mr. Federspiel addressed the Board that the town bylaw state that applicants needs a special permit from the ZBA for any projects that require a Chapter 91 license. There are two separate processes at the state and local level. The state license is not valid until the town permit but there is no clarification on which permit should be obtained first.

Ms. Harrison stated that the Council on Aging did not meet in July and August and she missed the Conservation Commission meeting but will follow up at their next meeting.

Mr. Round spoke on the Water Resource Protection Task Force, which will meet on August 17th. Progress has been made on studies in the six working groups. During the 17th meeting, the group will be looking at the water rates and review a potential proposal on how Gravelly Pond is fed.

Ms. Driscoll stated that the Request for Proposal will be listed in Central Register next week and on September 21st from 11:00 am to noon, Sue Brown and two members of Trust will be available for any developer to ask questions about the proposal.

Ms. Jaques informed the Board that the co-chair of the Board of Health would like to pass along a proposal to protect drinking water sources to the Planning Board.

8. Public Notices:

- a. **DEP Notice of Chapter 91 License/permit Application to Replace Central Street Bridge:** Mr. Federspiel spoke on the notice to replace the Central Street Bridge. The state is going through their process and this notification is a step. Residents can submit comments to the state.
- b. **Xfinity TV Service Changes:** Mr. Federspiel spoke on the update to tv channels.
- c. **Manchester Marine Coastsweep Event:** Manchester Marine is sponsoring a Coastsweep event on August 20th and 21st to clean debris from the water and beaches.

10. Town Administrator's Report:

MBTA Zoning Guideline Released: The final guidelines have been released and there has been flexibility and the total number of new units have come down. The Town will need to discuss the new requirements and if the town wants to move forward. The deadline for filing a plan is by January 31, 2023 and by December 31, 2024 to enact new zoning to be in compliance with the new laws.

Boston Post Cane: The Board accepted to take on the administration of the Boston Post Cane. It was suggested that a few members to put together the details of the dedication of the cane. Mr. Round is willing to work with Ms. Harrison on this.

Personnel Policy updates: A number of Select Board policies were decided to be placed in the Town's Personnel Policies and the exit interview was one of those. HR Director Michelle Maloney will coordinate the placement of the policies and will bring the Personnel Policy back to the Board for signatures in the fall.

Harbor Master Plan: The Board received a letter from an engineer who, on behalf of various residents, is advocating for a master plan for the harbor. This was brought on by the expansion plans of the two marinas. It was suggested to come before the Board on September 19th.

Ms. Bilotta suggested that the roles and responsibilities of all appropriate Boards and Committees are clarified prior to the September 19th meeting.

Climate Resiliency efforts: Work is advancing through the Cape Ann Climate Coalition and Town Green along with other efforts. With funding that we secured from the state with the help of Senator Tarr along with private funding, the first year of work with Harvard's Graduate School of Design included five studies that have been or are soon will be completed – a simulation of a category 3 hurricane hitting the area; a summary of short term actions that could be taken to lessen the impacts of big storms; a look at net zero housing strategies; an analysis of new waste to energy technologies that could be incorporated at sewer plants and an ethnographic study of the values and attitudes Cape Ann's have toward our environment and climate challenges. These studies will be available to the public and will be presented at upcoming workshops. With the help of Representative Ferrante and Senator Tarr, We have secured a grant of \$200,000 for a second-year effort focused on our natural lands on Cape Ann, their health and how they can be better managed to help increase our resilience against climate change. Possible nature-based solutions along with more traditional "hardening" options, are also the focus of a grant application we have submitted to the State's Coastal Zone Management Agency for the village area. We should be hearing about this soon. Finally, with the support of Senator's Warren and Markey, we have tentatively secured funding through NOAA to develop strategies that will enable us to respond to the challenges we are facing as the climate continues to change. This will include emergency preparedness planning as well as how communities can build the capacity to more actively implement actions

needed to be more resilient to the changes that are happening. A future special meeting dedicated to these efforts will be appropriate later in the fall.

Schedules: Spoke on the Board's rescheduling of their workshop meeting. Office will send out some dates for the Board to consider.

11. Executive Session per MGL. Ch. 30a, Section 21 (A)(3): To Discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares and not to return to open meeting.

12. Executive Session per MGL. Ch. 30a, Section 21 (A)(2): To Discuss strategy with respect to contract negotiations with clerical union if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares and not to return to open meeting.

Mr. Round moved to adjourn the meeting to Executive Session not to return to open meeting; Ms. Bilotta seconded the motion. The motion passed unanimously by roll call vote.

Meeting Materials:

Committee Reappointments and Interview Backup

Little Free Library documents

Draft Financial Management Policy

Public Notices – as listed

Consent Agenda – as listed

Town Administrator's Report

Upcoming Regular Select Board Meetings:

Wednesday, September 7, 2022, and Monday, September 19, 2022