MINUTES OF THE BOARD OF SELECTMEN

October 21, 2019  6:30 p.m.  Town Hall, 5

MEMBERS PRESENT: Chairman, Mr. Boling, Ms. Driscoll, Mr. Steinert, Ms. Jaques and Mr. Bodmer-Turner

MEMBERS ABSENT:

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, BOS/TA Executive Assistant, Ms. Nathan, Interim Police Chief Fitzgerald, Sargent Louf, DPW Director, Mr. Dam and DPW Project Manager, Mr. Desrosiers

GUESTS: Town Moderator, Mr. Wilson, CPC Committee Members, Ms. Thorne and Mr. Burke, Conservation Commission Chairman, Mr. Gang, Bike and Pedestrian Committee Member, Mr. Centner, Board of Health member, Dr. Bradley

PRESS: Cricket Publisher, Ms. Brown, Gloucester Times Reporter, Mr. Cronin

Mr. Boling called the BOS meeting to order at 6:32 p.m. stating the meeting was being recorded by Studio 1623 (Cape Ann TV) for later broadcast and by Ms. Hunter for accuracy in minutes. He asked if anyone was recording the meeting to let him know and requested attendees silence their cell phones.

Mr. Boling asked if there was public comment on items not on the agenda.

There was no public comment on items not on the agenda.

1) Review Recommendations & Next Steps for Speed Limits in Town

Interim Chief Fitzgerald summarized the recommendations of the Speed Limit Collective Group:

- Pine Street recommend Special Regulation #380-B be amended to the following: Establishment of a 20-mph Safety Zone beginning at Pine/Central St./Bridge St./Bennett St. intersection and extending out for 1/4 mile. The speed limit would then change to 25-mph and continue until the end of the thickly settled zone and then change to 35-mph near Route 128.

- Pleasant St. recommend Special Regulation #380-D is appropriate in this circumstance and that Pleasant St. remain 25-mph in both directions.

- School St. recommend Special Regulation #380-C be amended to the following: establish a 20-mph Safety Zone beginning at Central St. to Pleasant St. The speed limit would change to 25-mph from Pleasant to the end of the thickly settled zone and change to 35-mph near Route 128.

- Lincoln St. recommend Special Regulation #380-D be amended to the following: establish a 20-mph Safety Zone in both directions.
o Raymond St. recommend Special Regulation #995 be amended to the following: 25-mph in both directions.
o Atwater Ave. recommend Special Regulation #7512 be amended to the following: establish a 20-mph Safety Zone in both directions.
o Walker Rd. recommend Special Regulation #7808 be amended to the following: establish a 25-mph in both directions, thickly settled area.
o Beach St. recommend keeping the portion of Special Regulation #995-A speed limit of 15-mph beginning at Union Street to Tappan St. and a 20-mph Safety Zone from Tappan St. to the end of Beach St.
o Establish 20-mph Safety Zones; Norwood Ave., Brooke St., Rosedale Ave., Arbella St. and Pleasant St. Extension.

Ms. Driscoll asked who comprised the Speed Limit Collective Group? Interim Chief Fitzgerald stated the group included Town Planner, DPW, Fire and Police Department Representatives, Downtown Improvement Committee and Bike and Pedestrian Committee.

Mr. Boling confirmed the recommendation is to keep the existing regulatory speed limits currently defined by the State at 15-mph. Interim Chief Fitzgerald stated that is correct and he recommends the entire downtown area from Pine St./Central St. to Beach St. down to Singing Beach circle and up to the 1661 Cemetery be 15-mph. Interim Chief Fitzgerald indicated that would take an engineering study and it is the recommendation of the Group.

Ms. Driscoll confirmed the engineering study would go to the State for State approval and the State could say the 15-mph speed limit is too low. Interim Chief Fitzgerald stated that was correct.

Mr. Boling asked if the area could be declared a Safety Zone. Interim Chief Fitzgerald does not think the downtown district could be declared a Safety Zone because the area does not include a school or park. Mr. Federspiel indicated if the Town submitted a new engineering report the statutory area currently 15-mph would be left out and the 15-mph speed limit preserved in that area.

Mr. Bodmer-Turner recommends dropping back to 15-mph in the area that was previously approved for 15-mph. and adopting the recommendations of the body of the report to 20-mph and see how that goes for a period of time before the Town drops the downtown area to 15-mph. He also agrees with the need for the State assessment regarding the speed limit for Sweeney Park zone.

Mr. Boling stated the recommendation is to increase the 15-mph stretch to include the downtown area. He suggests the recommendation remain and allow for public comment. The report will be published for a period of one month to measure public comment on the recommendations.

Public Comment:

Steve Hamilton, 51 Forrest Street — Stated it appears the study did not include Forrest Street. There has been significant increase in commuter traffic and speed with the use
of Waze and Goggle Maps. He would like to see signs indicating "no thru traffic" or "residents only" in order to decrease the commuter traffic on Forrest Street. Mr. Boling responded the Board understands residents are concerned about speed on Forrest and Mill Streets. The Town has recently added lines as a means of narrowing the visual traffic lanes. This step will hopefully slow speed. Police Department, DPW and the Board will continue to monitor traffic and if necessary, consider additional measures to slow traffic on Mill and Forrest Streets.

Steve Hall, 30 Loading Place Road — Stated Mill and Forrest Streets are scenic roads and any changes to the roads require public hearings. It was first recommended to use these streets to get around Town on July 4th and now with Waze and Google Maps the traffic is worse. Putting a 25-mph speed on these streets encourages a speed way on roads that are not meant to handle traffic at that speed. He is requesting a public hearing on the scenic roads to consider a reduced speed limit to discourage traffic.

Jeff Conley, 28 Mill Street — Stated he holds his breath when he leaves his driveway because of the excessive speed of traffic. He knows families who will not use the school bus stop at the corner of Forrest and Mill Streets because they feel it is not safe.

Mr. Boling stated the lines just went in this past week let the Town get the data back and the Board will follow up. He assured residents we are listening to you.

John Gaythwaite, 155 Pine Street — Requested the Town keep the speed limit down on outer Pine Street. According to Mr. Gaythwaite speeding is a real issue and encourages the Town to keep the speed limit at 25-mph. Mr. Boling stated Mr. Gaythwaite was welcome to meet with the police and to put his concerns in writing.

2) Special Town Meeting Discussion

Article 1-12 Acre Western Woods Parcel

The Finance Committee recommends delaying consideration of the purchase until Annual Town Meeting.

Mr. Boling stated there are three ways to approach this parcel: delay to Annual Town Meeting, purchase with CPC funds or purchase with Town funds. Ms. Driscoll asked if there was a problem waiting until the Annual Town Meeting. Mr. Federspiel stated the owners could find another buyer.

Ms. Jaques and Mr. Bodmer-Turner support the purchase of the 12 acres with CPC funding previously allocated. Mr. Steinert is reluctant to spend CPC funds.

CPC funds were allocated for the purchase of Conservation land at a previous Town Meeting. The Board discussed possible access to the 12-acre parcel and concluded access is difficult and goes through private property.

Mr. Boling concluded the final decision can be held and decided on Town Meeting Floor.
**Article 2 — 5.7 Acre Western Woods Parcel**

Mr. Federspiel indicated this parcel is owned by the Town and the Conservation Commission is requesting the parcel be transferred to Conservation. The land has been determined to be unlikely for development.

Mr. Boling stated this is the first time the parcel has come before the Board and asked if the Town Planner or Planning Board have made a recommendation on the 5.7-acre parcel. Mr. Boling will hold further discussion until the Planning Board provides a recommendation.

**Article 3 — CPC request for funding Historical Museum Restoration $3K and Town Common Renovation $225K.**

The Finance Committee and Board support the $3K allocation for the Historical Museum Restoration.

The Town Common Renovation project was initially presented as a modification to asphalt, removal of trees and replanting throughout the new layout. This project was estimated to cost $100K and funds for the project were approved at Annual Town Meeting in spring.

Over time with input from the Conservation Commission, Historic District Commission and Board hearings with residents the project has changed significantly to now include pervious pavers, historically accurate lighting, maintenance of trees, an ADA compliant ramp to Town Hall and rework of the sidewalk in front of the Police Department to include steps. CPC has agreed to fund the project with an additional $225K.

The Finance Committee is holding their recommendation until final bids for the project are received. Bids are due on October 24, 2019.

Ms. Driscoll proposed leaving the final decision until bids are received. Mr. Steinert recommends a review of the projects process.

**Article 4 — Water pipe engineering effort: The Finance Committee voted to approve this request for $55K for engineering/bidding services for the next year's waterline project on Boardman Avenue. The Board agreed with the recommendation.**

**Article 5 and 6 — Compost Facility**

The Finance Committee supports the Compost Facility and requests a member of the Committee participate in the lease negotiations. Additionally, the Finance Committee recommends increasing the Town budget allocation to $300K from $200K to assure adequate funding for the project.

Mr. Bodmer-Turner asked if the Town was negotiating a 20-year lease or a 30-year lease as originally proposed. Mr. Federspiel clarified the Town cannot negotiate a 30-year lease. Mr. Steinert would like the Town to consider additional alternatives to the proposed Compost Facility.
Mr. Boling concluded he would ask the Sustainability Committee to review possible alternatives to the proposed new Compost Facility. The Board will finalize their recommendation on October 29, 2019.

3) Police Chief Interview — Interim Police Chief Fitzgerald

Mr. Boling stated the Police Chief Interview is for the Board of Selectmen to hold a public interview with Todd Fitzgerald for the Police Chief position in Town. Pending the results of this interview the Town Administrator will get back to the Board with a recommendation. The recommendation will be considered and ratified at the Board's next meeting on November 4, 2019.

Mr. Boling understands there are several people here in support of Todd and the Board appreciates your participation. The Board has received a number of letters stating support of Todd. If you have any additional comments, please submit your comments in writing. This evening’s interview is between the Board and Todd.

Interim Chief Fitzgerald stated he was raised in Manchester and graduated from MHS as part of the class of 1989. He has served in the Police Department 27 years moving up through the ranks with a lot of hard work and dedication to both the Department and the Town. Interim Chief Fitzgerald stated he holds a degree in criminal justice and completed the F.B.I. Executive Leadership Institute receiving the F.B.I. trilogy award for leadership training.

Mr. Bodmer-Turner stated in previous discussions you have discussed the importance of expanding the community policing model. Please describe the accomplishments to date and your plans for going forward particularly with emphasis on specific goals that could be measured in the process.

Interim Chief Fitzgerald stated the Department's success is measured by four pillars among the pillars are protect the public, recognize the needs of the community and with that we achieve a sustainable model. To date we've been extremely successful we have a social media presence and events like Coffee with a Cop, Touch a Truck, Police Safety Day, a Coloring Contest for children and maintaining a public presence.

Mr. Bodmer-Turner stated that was a lot to accomplish and asked in addition to the social media presence what other means will be used to maintain communication with residents? Interim Chief Fitzgerald stated he believes it is important to lead by example and he will maintain a face to face presence in the community.

Ms. Jaques asked how you would balance staffing, equipment and on-going training given taxpayers concerns regarding costs and their feeling the budget is too high. Interim Chief Fitzgerald replied a lot of training for staff is now on-line. In the past officers needed to attend training which resulted in increased costs. As far as the current budget is concerned, he believes it is a sustainable model and does not see any significant needs for additional staff. There is one officer out on permanent disability, and he hopes that will be resolved soon.

Ms. Jaques understands Interim Chief Fitzgerald has handled some difficult personnel situations and asked how he managed those types of situations. Interim Chief Fitzgerald
replied since Chief Conley left, he has handled four personnel issues. None of them major but he believes it is important to be fair and impartial. One event resulted in a reserve officer resigning.

Ms. Jaques asked if there was anything he would have done differently? Interim Chief Conley stated as an Accredited Department everything done in the Department is on paper and that record leaves little room for doubt. It is fairly direct, staff needs to follow the policies and rules and if they do not, they are held accountable.

Ms. Jaques final question was, how does someone in the community get in touch with you? Interim Chief Fitzgerald said call me or most people know where I live stop by the house.

Ms. Driscoll asked as Chief when you're hiring what are the 3 most important qualities you would look for in a candidate? Interim Chief Fitzgerald replied he would like to know the candidate is impartial, college educated, Police Academy trained and has great communication skills.

You mentioned the training you've been through, what are the key insights you have gained through your training? Be fair and impartial and I believe I have successfully managed that throughout my career as demonstrated by the support I have from within the community.

Mr. Steinert asked about the budget indicating the Police Department budget has gone up 5% for the past two years. Interim Chief Fitzgerald stated he has reviewed the budget and anticipates a 2% increase this year. He hopes to maintain the increase in the budget by hiring the right people.

Mr. Steinert asked what Interim Chief Fitzgerald would like to see for the Department in 10-years? Interim Chief Fitzgerald replied a new building. It is important for Officer safety to have a safe secure place to work and there are many elements of the current building that do not provide for officer safety.

Mr. Steinert asked what were Interim Chief Fitzgerald's most significant concerns around public safety? Interim Chief Fitzgerald replied, "dogs on the beach", all dog related issues and parking. What are you most proud of? I am humbled by the amount of support I have received from the community and proud of my commitment to the Department and the Town.

Mr. Boling stated 2 V2 years ago we were in a different position and there was a different outcome. He asked Interim Chief Fitzgerald how that impacted him? In 2016 I was a different person from the person I am today. Was I upset by the Board's decision in 2016? I was. However, working with Chief Conley learning from his knowledge and experience and how he came in and changed the culture helped me immeasurably. The most significant part of the process was getting the Department accredited.

Ms. Driscoll stated the interview tonight was important for the Board and for Interim Chief Fitzgerald to stand up in front of supporters and the Board to share his successes and what he has learned over the past years.
Mr. Boling stated going forward the Town Administrator will ask questions of the Board and make a recommendation following those discussions.

4) Complete Streets Update and Discussion

Mr. Boling stated this is a Complete Streets update. Last week the Board approved the Washington/Sea Streets intersection. There was a call to review the intersections at School/Central Streets and Union/Beach Streets. There have been meetings in the past weeks with Bike and Pedestrian and Downtown Improvement Committees. We are going to discuss options developed during those discussions this evening.

At the last meeting there was significant feedback provided about the proposed changes to the sidewalk on Beach Street. Changes to the original plan recommend the sidewalk be reduced from a 10-foot-wide shared path to a 7-foot-wide sidewalk with painting for bikes sharing the road with cars (sharrows). The new recommendation is supported by the Bike and Pedestrian Committee.

Mr. Federspiel summarized recommendations for the two intersections. At School/Union Street the new concept calls for the crosswalk at School Street to be moved forward and the curb moved out to allow for a better sight line. Church Street would become one way in the opposite direction and with outbound traffic using the Seaside One. There would be additional parking in front of the library for a net gain of one parking space.

At Union/Beach Streets the existing crosswalk would be kept but shortened by moving Union Street stop sign forward. This also allows for an additional parking space. Both of the proposed intersection recommendations will require engineering review for compliance with State safety standards and for funding through the Complete Streets Grant.

Mr. Federspiel concluded, we have reached a consensus with both Bike and Pedestrian Committee and Downtown Improvement Committee agreeing on the new configurations. He recommends moving forward with the required engineering reports. Hopefully the engineering reports will come back favorably. Timing is a challenge. We are working on a deadline and may have time to complete the project in early spring.

Ms. Jaques asked if the property owners had been consulted. They were in attendance and agreed to the new configurations.

Mr. Boling asked if DPW would be able to complete the drainage work. Mr. Dam indicated he needs to improve the drainage before winter, the work may be a temporary repair for winter while we're waiting for concepts to be approved by the engineers. Mr. Boling asked if DPW was going ahead with the Washington/Sea Streets intersections Mr. Dam confirmed that is being addressed.

Mr. Bodmer-Turner asked if the yellow areas coming up to the sidewalks was an additional area of sidewalk. Mr. Federspiel replied that is correct. Mr. Bodmer-Turner expressed concern for safety vehicles making the turn right onto Central Street.

Chris Shea, 50 Bridge Street — with Downtown Improvement Committee the new versions modify the sidewalks which is important to the Bike and Pedestrian
Committee. Both new versions improve the sight lines and increase safety. Mr. Shea would like to see the Beach Street sidewalk put on the back burner to address one of the two intersection projects.

Al Centner, 72 School Street — Bike and Pedestrian Committee agrees with the recommendations. The Committee is recommending in the interim the Board adopt crosswalk setbacks on either side of crosswalks at the two intersections.

5) Bike & Pedestrian Committee — New Language for Official Charter

Mr. Centner stated the Bike & Pedestrian Committee was formed in 1998 with the unanimous support of the Board of Selectmen.

Since that time, the Committee has acted without an official charter but with a Mission Statement: The mission of the Committee is to make bicycling and walking, as non-motorized forms of transportation, safer and more accessible throughout the Town of Manchester-by-the-Sea.

The Committee would like the Board's formal approval to expand their scope to include Safe Routes to School projects. Recently the Committee took the lead on the one Safe Routes to School project completed. And are interested in discussing setbacks from crosswalks as part of the Complete Streets projects.

Proposed Charter: To make bicycling and walking as non-motorized forms of transportation safer and more accessible throughout the Town of Manchester-by-the-Sea and to work with the Manchester Essex Regional School District to implement and sustain a Safe Routes to School program at all schools in Manchester-by-the-Sea.

Mr. Bodmer-Turner asked if there was a Committee like the Bike and Pedestrian Committee in Essex. Mr. Centner did not believe there was. Mr. Bodmer-Turner asked if there were any costs for the Committee. Mr. Centner replied it is an all-volunteer Committee and any costs for Safe Routes to Schools program were covered through the grant.

Mr. Boling moved to approve the proposed Bike and Pedestrian Charter; Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

6) Consent Agenda

- BOS Minutes — September 16, 2019 and October 7, 2019
- Halloween Trick or Treat Hours

Ms. Driscoll moved to approve the Consent Agenda holding the Halloween Trick or Treat Hours; Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Discussion on Halloween Trick or Treat Hours:
Deb Bradley, 51 Forrest St., Board of Health — Dr. Bradley stated she participated in a meeting with the State Department of Public Health and 38 representatives from Towns regarding EEE a mosquito borne illness. The threat of EEE remains high.

There has not been a frost of 28 degrees for a duration of 4 hours and mosquitos are most active just before sunset. Sunset on October 31, 2019 is at 5:36 p.m. To safely Trick or Treat it is recommended the hours for the event end at 5:30 p.m.

Mr. Kehoe stated the Halloween Party will end at 6:00 p.m. it is an indoor event. The Board of Health recommendation is outdoor trick of treating in Manchester should be completed by 5:30 p.m. to limit the risk of mosquito exposure to EEE.

*Mr. Boling moved to accept the recommendation of the Board of Health that outdoor trick or treating in Manchester should be completed by 5:30 p.m. to limit the risk of mosquito exposure to EEE; Ms. Jaques seconded the motion. The motion passed unanimously.*

7) Correspondence

- Mass Cultural Council re: Transfer of Funds to Manchester Cultural Council
- Mass DEP re: Recycling Dividends Program Grant Award
- Letter from Robert Coyne re: Masconomo/Beach Street Complete Street Project #16
- MAPC re: Municipal Elections to the Boston Region Metropolitan Planning Organization
- Xfinity re: Changes to Starz/Encore and EPIX Programming
- Xfinity re: TV Channel Updates
- Dept of Public Utilities re: Notice of Filing, Public Hearing and Procedural Conference
- Correspondence from Resident re: Police Chief Search

8) Town Administrator's Report

- **Construction Updates:** Paving at Rockwood Heights hit a snag when a couple of service lines broke at the connection to the main pipe. Work will continue through the week. Water pipe work in the eastern end of Town has not started as planned but DPW will continue to push the contractor to mobilize.

- **Cape Ann Climate Action:** A second meeting to discuss collaborative, Cape Ann wide effort on addressing issues related to climate change is taking place on Wednesday, October 23, 2019 at the UU Church in Gloucester at 7:00 p.m.

- **School Resource Officer:** One officer from Manchester applied for the position. Assuming the candidate meets the District's requirements it is hoped the person will start early November.

- **Boats Damaged in Storm:** Two dozen boats were damaged as a result of the October 17th storm. The Harbor Advisory Committee will be meeting to discuss minimum standards for size and weight of crafts. Undersized anchors were likely the cause of some of the unmoored boats.
9) Other matters, as may not have been reasonably anticipated by the Chair. (Discussion Only)

There were no additional matters discussed this evening.

10) Executive Session — Per M.G.L. CIL 30A Sec. 21 (A)(2) To Conduct Strategy Sessions in Preparation for Negotiations with Non-Union Personnel and Union Contracts

Ms. Jaques moved the Board to Executive Session Per M.G.L. Ch. 30A Sec 21 (A)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel and union contracts and to not return to Open Meeting; Mr. Bodmer-Turner seconded the motion. The roll call vote: Mr. Boling, yes, Ms. Driscoll, yes, Mr. Bodmer-Turner, yes, Ms. Jaques, yes and Mr. Steinert, yes.

Meeting Documents:

- Town Administrator's Report
- Consent Agenda Items as Listed
- Correspondence Items as Listed
- Town Meeting Warrant Articles
- Board of Health Memo re: Halloween Festivities
- Proposed Charter Language for Bike and Pedestrian Committee
- Assessment of Speed Limits and Recommendations
- Black Earth — Informational Handouts
- Police Chief Interview Questions
- Police Chief Letter and Resume
- Complete Streets Intersection Diagram

Upcoming BOS Meetings

- November 4, 2019
- November 18, 2019
- Fall Town Meeting, November 19, 2019