



MANCHESTER-BY-THE-SEA

BOARD OF SELECTMEN • TOWN HALL
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MINUTES OF THE BOARD OF SELECTMEN

February 18, 2020

6:30 p.m.

Town Hall, 5

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

MEMBERS ABSENT:

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, Executive Assistant BOS/Town Administrator, Ms. Nathan, Town Moderator, Mr. Wilson, Director Parks & Recreation, Ms. Marshall

GUESTS: Parks & Recreation Committee Members, Finance Committee Members, Mr. Creighton, Mr. Weld, Ms. Harrison, Ms. Mellish and Mr. Oldeman, Weston & Sampson, Cass Chroust, RLA

PRESS: *Gloucester Times*, Mr. Cronin

Mr. Boling called the BOS meeting to order at 6:34 p.m.

Mr. Boling stated the meeting is being recorded by Studio 1623 (Cape Ann TV) for future broadcast and recorded by Ms. Hunter for accuracy in minutes. He asked if anyone was recording the meeting to please let him know and requested attendees silence their cell phones.

0. Items not on the agenda – There were no requests to comment on items not on the agenda.

1. Short Term Paying Guest Applications – 23 School St. and 54 Union St.

All items on both applications for Short Term Paying Guests were accurate and complete.

Ms. Jaques moved to approve the applications, Ms. Driscoll seconded the motion. The motion passed unanimously.

2. Athletic Fields Master Plan

Ms. Marshall introduced Mr. Chroust a landscape architect with Weston & Sampson who has developed field improvement strategies and a draft concept plan for Sweeney Park. In addition to Sweeney Park Weston & Sampson also reviewed Masconomo Park for improvements of pathways to allow for ADA accessibility and a possible field on Pine Street.

The Parks & Recreation Committee working with Weston & Sampson met with interested residents at 2 public meetings, conducted online surveys and met with the Planning Board, Conservation Commission and other stakeholders regarding field improvements in Town. Sweeny Park is the highest action item and the plan being presented this evening will focus on recommendations for Sweeney Park.

Mr. Chroust stated the objective of the study was to solve the challenge of too many hours of use on grass fields and proposes a new synthetic field for Sweeney Park. The new turf field would be expanded into the tree line to allow for a larger rectangular playing field. Preliminary work will provide for sub surface testing to evaluate infiltration rate, drainage and stone layer needed under the turf field. Additional consideration will be given to the retention system needed to support drainage.

Ms. Driscoll asked about lighting and if the plan included a new lighting system for the Park. The plan does not include new lighting, however, conduit and footings would be in place for future installation. The current lighting system was installed in 1999, the light locations are not ideal. Mr. Chroust recommends a new lighting system.

Ms. Jaques asked about the life span of the proposed field. Mr. Chroust stated the field would last for 12-15 years at which point it would be necessary to replace the carpet. Carpet replacement cost is approximately \$350K - \$400K.

Ms. Jaques also asked about the cost of maintenance. Ms. Marshall stated DPW would be in charge of maintenance and grooming around the field. Initial estimates for these costs will be developed. Ms. Jaques asked about the cleaning solution given the proximity of wetlands. Mr. Chroust stated there are organic cleaning solutions available.

Ms. Driscoll asked about the reaction from the Conservation Commission regarding the proposal. Ms. Marshall stated overall there were no negatives and the Commission thought things were going well and understood the need to expand into the tree line.

Mr. Steinert asked if it was possible to add an additional field to the proposed plan. Mr. Chroust stated the layout of Sweeney Park was given extensive consideration and given parking needs and the intermittent stream there was not enough area to create an additional field.

Mr. Boling confirmed the cost of the turf field all in with installation is \$910K and replacement after 12-15 years costs approximately \$350 - \$400K. Mr. Chroust indicated that was correct. Mr. Boling asked who was doing the drainage engineering. Ms. Marshall stated DPW was working with an engineer to complete the initial drainage assessment of the area.

Mr. Boing asked if there was a road map for other projects. Ms. Marshall stated initially the goal was to define the big picture and the Master Plan. The Master Plan is not yet approved, and the first step was to request funding for the design phase in the capital budget with the support of Weston & Sampson.

Mr. Boling asked if the Brook Street field had been part of the assessment. Ms. Marshall stated Brook Street had been part of the initial review but is not part of the

Master Plan. Mr. Boling stated it was his understanding the MERSD would be taking the lead on Brook Street, Ms. Marshall agreed.

Mr. Bodmer-Turner confirmed that for FY21 the request was for the design phase only. Mr. Federspiel stated the request for construction documents had been deferred and the FY21 request is for Preliminary Design, Design Development and Design Fee for a total of \$94,850.00.

Mr. Bodmer-Turner also asked about the restrooms. Mr. Chroust stated it was included as part of the options and many Towns included restrooms as part of their plans. Weston & Sampson will confirm there is water and sewer on site for future consideration of restroom construction.

Ms. Jaques asked about the charge for mobilization. Mr. Chroust stated it is an industry standard charge. Ms. Jaques also inquired about the number of hours and players projected to use the field. The number of hours is estimated at more than 1,800. Ms. Marshall stated the player usage is more difficult to estimate but she would review permitted field usage to develop an estimate.

Mr. Boling thanked the Members of the Parks & Recreation Committee for the time they had spent on the project. He is hopeful and confident the residents appreciate the time the Committee has spent and asked if there were additional comments from the Committee. There were no additional comments.

3. Annual Town Meeting Warrant Articles and Review of Proposed Budget

Review of Proposed Budget

Operating Budget Changes from Preliminary Budget

- Pension reduced by \$23K with receipt of invoice from Essex County
- DPW – level with \$10K shifted from Vehicle Repair Line to Tree Maintenance (also noted that a \$3000 stipend could be paid to the Tree Warden using existing DPW funds)
- MERSD reduced by \$45K for a final \$18,200,293.00
- Regional Vocational Technical School is level funded

Capital Budget Changes from Preliminary Budget

- DPW – reduced by \$25K from Drainage Sidewalk Improvement to in-house
- Management Plan for Conservation Land – \$10K with an additional \$20K from CPC
- Planning for Zoning – an additional \$15K for a total of \$25K
- Cornerstone Church – funding deferred to FY22
- Fire Engine Fund – reduced by \$10K to \$240K with \$6,500 to replace Zodiac
- Sweeney Park Design Funding – currently budgeted at \$55K may reduce to \$47K with \$50K from CPC
- Harbormaster Office – funding deferred

Projected Tax Rate Increase

- 2.0% to 2.25% depending on Snow and Ice Deficit Funding

Community Preservation Funding

- Open Space & Recreation
 - Sweeney Park Design \$50K
 - Park Signage, Water and Lighting \$12K
 - Landscape Restoration \$35K
 - Conservation Commission Land Plan \$20K with an additional \$10K in Capital
- Community Housing
 - Future Projects \$150K
 - Housing Production Plan \$8,500 – updated every 5-years
- Historic Preservation
 - Cemetery Restoration \$35K
 - Veterans Honor Roll \$25K
 - Seaside One Restoration \$39K
 - First Parish Church Restoration of Steeple Railings \$30K
- Administration \$20K

Total Community Preservation Funding \$424,500.00

Ms. Driscoll moved to approve Community Preservation Committee applications as presented, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Warrant Articles – Draft Documents

Local Room Occupancy Excise Tax

To see if the Town will vote to accept the provisions of G.L. c. 64G. #3A, authorizing imposition of the so-called local room occupancy tax on the rental of rooms in a Bed and Breakfast establishment, hotel, lodging house, short-term rental or motel, at the rate of 6% of the total values of such occupancy, to take effect on July 1, 2020, or take any other action relative hereto.

General local option needs to be adopted to impose excise tax and set tax up to 6%. There are two additional options, Mr. Federspiel is recommending the Town adopt the local option like surrounding communities. Mr. Boling clarified the Town would be using the State definition of short-term rental. Mr. Federspiel stated that was correct which picks up more than the Town currently licenses.

Ms. Jaques asked what would be collected from the addition of the tax. Mr. Federspiel is unsure. He will attempt to get information from the State but estimates it could be \$100K plus.

Mr. Bodmer-Turner asked about the State definition of short-term rental. Mr. Federspiel stated it is how often a place is rented over a year. Ms. Jaques confirmed the number of days is fewer than 14 days in a calendar year. Mr. Bodmer-Turner asked how this is collected. It is collected by the State; all people are required to pay the State tax. We can monitor advertisers and ask the State if they are complying.

Mr. Boling is comfortable advancing the first article for discussion and debate at 6%.

Ms. Driscoll moved to go forward with the local room occupancy excise tax on the warrant, Ms. Jaques seconded the motion. The motion passed unanimously.

Tenure of Trustees

This article proposes removing the necessity of recording names of Trustees in the Registry of Deeds.

Mr. Wilson asked if it was a legal requirement to fill vacancy on the Trust with a joint meeting with the remaining members of the AHT. Mr. Federspiel stated he believed that is correct, however, he will need to confirm that.

Mr. Bodmer-Turner moved to approve the Warrant Article removing the necessity of recording names of Trustees from the Registry of Deeds, Ms. Jaques seconded the motion. The motion passed unanimously.

Lien on property with outstanding utility bills is the responsibility of the owner. It is a local option adopted by many Towns. Mr. Bodmer-Turner asked if this included water and sewer. Mr. Federspiel stated that is correct.

Ms. Driscoll moved to advance the article on the lien on property with outstanding utility bills, Ms. Jaques seconded the motion. The motion passed unanimously.

Automatic sprinkler system, Mr. Federspiel is concerned this is not the time to present this warrant article, Mr. Boling agreed.

Alpers Land Purchase To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift and/or eminent domain and on such terms and conditions as the Board deem appropriate, a parcel of land containing 12 acres, more or less, known as the “Christian Hill Lot”, shown on the Assessors’ Map 62 as lot 37 and described in a deed recorded with the Essex South District ...

Mr. Boling stated when this was discussed previously the Board could not reach a consensus with the Finance Committee partly because there was not a wholistic plan in place regarding the Western Woods. In the past couple of months there have been meetings with members of the Finance Committee, Planning Board, Conservation Commission, the Town Planner and Board of Selectmen. What has come out those meetings is a document titled Preserving the Western Woods.

Preserving Manchester’s Western Woods is a bold and timely initiative that will serve the Town and the region. It is an initiative that helps protect the Town’s water supply, improve climate change resiliency, protect habitat and biodiversity, and expand opportunities for education and outdoor recreation. And it fits well into the overall Town Plan.

The Town’s Overall Plan

The Town’s recently adopted Master Plan has three dominant themes: Preservation, Economic Development and Diversified Housing. The Plan recommends the Town change course on Economic Development and Diversified Housing and stay the course on Preservation. Preserving the Western Woods is staying the course on protecting the

Town's resources and community character: an overriding goal of the 2020 Master Plan.

Preservation: The Town has consistently looked to protect its natural resources and retain its rural coastal New England character. Preservation efforts have focused on protecting natural resources including drinking water, wetland and other water resources, vegetation, habitat, biodiversity, and open space for passive recreation and enjoying nature. These efforts have also focused on maintaining development patterns, protecting historic buildings and landscapes and maintaining the general look and feel of Manchester.

The Plan for the Western Woods

The Town is in a strong position to help assure that around 500 contiguous acres along Manchester's western border remain undeveloped and become an integral part of the Town's and the Region's open space network. Research has recently determined that around 130 acres within the Western Woods are Town-owned. Lands owned by the Manchester Essex Conservation Trust and private lands under Conservation Restrictions account for over 200 acres of protected lands. Remaining lands in the Woods are privately owned among around 25 landowners, and, without road frontage, are undevelopable and generally not accessible. The Town is interested in acquiring these lands or acquiring preservation restrictions and access rights to assure continuous right of use for trails and for land and resource management.

Preserving the Western Woods is a wise investment for the Town and does not jeopardize opportunities for economic development or housing diversity. The Woods are highly valuable for their conservation values and have considerable development constraints including no road access, steep slopes, generally poor development soils, wetlands and lack of utilities. Further, the Town is confident that land parcels in the Limited Commercial District, north of Route 128, provide adequate lands for development opportunities. Incremental development in the downtown will also help the Town meet both economic development and housing diversity goals.

Forest Stewardship Plan

An important early step in the planning process is to more fully understand the lands and resources that make up the Western Woods. The Town has applied to the Department of Conservation and Recreation for funding to create a Forest Stewardship Plan (FSP) that will document and assess the area's resource values and provide a series of recommendations for securing, managing and maintaining the Woods.

As the Consultant begins work on the physical cataloging and assessment, Town staff will work with residents to identify community goals and objectives for the Western Woods. The FSP Consultant will craft management and maintenance recommendations based on the community's goals and objectives.

Recommendations are anticipated for acquisition, vegetation management, water protection, wetland health, habitat management, species protection and support, resiliency, education, and recreation.

The Town will work with all stakeholders in an effort to provide good access to the land, including parking, and to enable and encourage a range of community uses.

Preliminary ideas, in addition to conservation, include recreational trails and educational programs that serve a wide variety of users. The Town invites participation from all members of the community to assure the Western Woods become a beloved public open space.

Data

Total Acres	569 Acres	
Town-Owned	133 Acres	
Privately-Owned Protected	200 Acres	(includes MECT and CRs)
Privately-owned Unprotected	236 Acres	
Unknown Unprotected	18 Acres	(unknown whether private or municipal)

# of Private Owners with unprotected lands <u>25</u> individuals, trusts, businesses or organizations. 2020 Feb/Mar	<ul style="list-style-type: none"> • Community Meetings • PB Report on Alpers' Parcel
April	Town Meeting Vote on Alpers' Parcel
May-Aug	<ul style="list-style-type: none"> • Forest Stewardship Plan • Acquisition Efforts • ID needed funding/Apply to CPC • Develop Preservation resolution for Fall TM
Sept	PB Report on acquisition parcels
Oct	Town Meeting Vote <ul style="list-style-type: none"> • CPC Funding • Acquisition of parcels
Nov - Dec	Finalize Forest Stewardship Plan (FSP)
2021	Begin Implementation of FSP <ul style="list-style-type: none"> • Continue acquisition efforts • ID funding needs • PB reports on new parcels • Management and Operations Agreements • Trail and other physical improvements

Mr. Boling would like the above information to be included in the packet delivered to residents prior to Town Meeting. Additionally, the Town will develop a road map for purchasing land in the future.

Mr. Boling proposes parking and access for the area. Over the next several months the group proposes developing plans for residents to access the area. Additionally, the long-term management plan for the Western Woods will be developed by the Town

Planner. Mr. Boling hopes to present the information to the School Committee to see how the District would be interested in utilizing the Western Woods for their cross-country team and educational opportunities for advance science research.

Ms. Driscoll stated prior consensus was not reached because this work had not been done. Ms. Jaques agreed.

Mr. Bodmer-Turner asked about access to the land and further development of the land. Mr. Federspiel stated options are being preserved with access from the logging road. Conservation and passive recreation could include an athletic field which may be considered in the future.

Mr. Steinert stated Mr. Boling was articulating a Town position and has everything outlined been validated. For instance, the role of the Town in conservation and what does conservation mean. Does it mean protecting land as it is, or does it mean creating land for public use with vehicle access?

Mr. Boling replied in the past when we discussed conservation as part of the Master Plan and public discussions land was to be available for hiking and passive recreation. The community groups involved Cape Ann Trails, Manchester Essex Conservation Trust and other groups have been involved in the process and passive recreation is a goal for these properties. Communication from these groups indicate these lands should be open to the public. The Town did not have a wholistic view of what it was trying to accomplish and now the Town is taking active steps to preserve the land and make the land available to residents.

Mr. Steinert believes the Board needs to tighten definitions of the Town's role in conserving and managing. Mr. Boling referred to the Forest Stewardship Plan, which includes grant funding for a detail analysis of the area. When the analysis is completed areas of the Western Woods will be identified by use. The analysis is a detailed undertaking which will take months to accomplish. There will be a plan developed for how we want to make use of the woods. The Town is now organized and can discuss its approach and plans for the Western Woods.

Ms. Jaques asked if the Warrant Article had been reviewed by Town Counsel. Mr. Federspiel stated it had been. Ms. Jaques asked if Town Counsel had any concerns around the language or potential confusion. The only potential conflict is with Article 97 lands and improving access.

Mr. Bodmer-Turner moved to go forward with the Alpers Land Purchase warrant article, Ms. Jaques seconded the motion. The motion passed unanimously.

The Board briefly discussed the possibility of changing Annual Town Meeting from the first Monday in April to the end of April. It was concluded further discussion around Town Meeting dates with neighboring communities and Districts might provide information to guide the discussion and decision to move ATM to later in April.

4. Consent Agenda

- BOS Minutes – February 3, 2020

Ms. Driscoll moved to approve the minutes of February 3, 2020 as amended, Ms. Jaques seconded the motion. The motion passed unanimously.

5. Correspondence

- Letter from Xfinity re: Changes in Pricing
- Letter from Friends of the Manchester Trees, Inc. re: Town Tree Warden Stipend
- Memo from MMA re: Legislative Breakfast Meeting on March 13, 2020

6. Town Administrator's Report

- 1) **Complete Streets:** The contractor is planning to proceed with the intersection work this spring. If the Town does not complete the work on sidewalk to the beach at this time, he may raise his prices, the inclusion of the sidewalk made the package more attractive. On 2/27 at 6:00 p.m. DIP and DPW is hosting a meeting with residents concerned about the Sea/Washington/Summer intersection changes. Hopefully residents will see the full layout and the reason it is designed and understand the plan behind the recommended design. The intersection will be on the BOS agenda on March 2, 2020. A final decision on the sidewalk improvements will also be needed at this time.
- 2) **Compost Facility:** The engineering process has begun. Once completed the Town and Black Earth will move on to permitting and finally out to bid. A fall construction timeframe is anticipated.
- 3) **Speed Limits:** Plan to develop public relation information for residents and stakeholders encouraging feedback and will schedule a time for the BOS to formally approve revised speed limits.
- 4) **Electric Aggregation:** The Town has an opportunity to join with other North Shore communities to offer a joint purchasing program for electricity for all residents and businesses. While individuals picking a supplier does not have a good track record, aggregation efforts have been successful in lowering electricity costs while providing a "greener" mix. People can always opt out if they wish. Still in early stages of development more to come later.
- 5) **Fire Chief:** Mr. Federspiel is meeting with an additional recruiting firm Tuesday and will move forward with one of the firms.

7. **Other Matters, as May Have Not Been Reasonably Anticipated by the Chairman – Discussion Only.** There were no additional matters discussed this evening.

Mr. Bodmer-Turner moved the Board go into Executive Session and not to return to Open Meeting, Ms. Jaques seconded the motion. Mr. Boling, yes, Mr. Bodmer-Turner, yes, Ms. Driscoll, yes, Ms. Jaques, yes. Mr. Steinert, yes. The motion passed.

8. Executive Session:

Under M.G.L. Ch. 30A, 21 (a)(3) To Discuss Strategy with Respect to Possible Litigation and To Discuss Strategy with Respect to Collective Bargaining

Mr. Bodmer-Turner moved to adjourn the meeting, Ms. Jaques seconded the motion. The motion passed unanimously.

Meeting Documents:

- Applications for Short Term Guests, 23 School St. and 54 Union St.
- Athletic Field Master Plan
- Consent Agenda item listed
- Correspondence as listed
- Town Administrator's Report
- Proposed Warrant Articles
- Proposed Budget FY21

Upcoming BOS Meetings

- Monday, March 2, 2020
- Monday, March 16, 2020
- Monday, April 6, 2020 – Annual Town Meeting
- Tuesday, April 21, 2020