



MANCHESTER-BY-THE-SEA

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

March 2, 2020

6:30 p.m.

Town Hall, 5

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

MEMBERS ABSENT: Ms. Jaques

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, Executive Assistant BOS/Town Administrator, Ms. Nathan, Harbormaster, Mr. Pike, DPW Director, Mr. Dam and DPW Project Manager, Mr. Desrosiers

GUESTS: Finance Committee Members, Mr. Creighton, Mr. Weld and Mr. Oldeman

PRESS: *Gloucester Times*, Mr. Cronin

Mr. Boling called the BOS meeting to order at 6:33 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. Mooring Standard Approval for Harbor Rules – 2nd Reading

Mr. Pike stated edits from the first reading had been incorporated in the current document.

Mr. Bodmer-Turner stated in line 10 “fails” should be “fail” and asked that authorized mooring service providers and approved mooring service providers be consistent in the document. Mr. Bodmer-Turner also asked about the period of time for a mooring holder to address the need for a new pennant as recommended by an authorized mooring service provider. Mr. Pike stated the replacement needed to be made within 30 days. Recommended edits will be made in the final document.

Mr. Bodmer-Turner moved to approve the Mooring Standards for Harbor Rules as amended, Ms. Driscoll seconded the motion. The motion passed unanimously.

2. Annual Town Meeting

Review and Approval of Proposed Budget

Ms. Driscoll moved to approve the General Government budget in the amount of \$4,777,168.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Mr. Bodmer-Turner moved to approve the Public Safety budget in the amount of \$3,549,942.00, Ms. Driscoll seconded the motion. The motion passed unanimously.

Mr. Bodmer-Turner moved to approve the DPW budget in the amount of \$2,197,576.00, Ms. Driscoll seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to approve the Other Environment budget in the amount of \$83,903.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to approve the Human Services budget in the amount of \$83,903.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Mr. Bodmer-Turner moved to approve the Library budget in the amount of \$501,232.00, Mr. Steinert seconded the motion. The motion passed with Mr. Boling abstaining.

Ms. Driscoll moved to approve the Parks & Recreation budget in the amount of \$365,512.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to approve the Debt Service budget in the amount of \$1,174,802.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to approve the Enterprise Fund budget in the amount of \$1,612,256.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Mr. Bodmer-Turner moved to approve the Capital budget in the amount of \$3,428,600.00, Ms. Driscoll seconded the motion. The motion passed unanimously.

Mr. Bodmer-Turner moved to approve the MERSD and North Essex Agricultural & Technical School budgets in the amount of \$18,200,293.00, Mr. Steinert seconded the motion. The motion passed with Ms. Driscoll abstaining.

Ms. Driscoll moved to approve Non-Appropriated Expenses in the amount of \$487,910.00, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Review of Warrant Articles

Mr. Boling stated the Board would review the Town Warrant Articles reading the articles when appropriate. Articles 1-6 required no additional action, the Articles were “Per the petition of the Board of Selectmen”. Article 7 approved funding the MERSD, and school debt which the Board has approved in the budget. Article 8 – addresses the allocation of project costs for CPC.

Mr. Bodmer-Turner moved to approve the CPC project costs in the amount of \$426K, Ms. Driscoll seconded the motion. The motion passed unanimously.

Article 9 – requests approval for the Town to deposit funds into the Town’s Other Post-Employment Benefits Trust Fund. The FY21 deposit is a 3.0% increase from FY20.

Mr. Bodmer-Turner moved to approve depositing \$264,769.00 into the OPEB Trust Fund, Ms. Driscoll seconded the motion. The motion passed unanimously.

Article 10 – allows the Town under G.L., ch44 to set spending limits on expenditures from the Parks & Receptions revolving fund.

Ms. Driscoll moved to approve expenditures in the amount of \$290K from the Parks & Recreation revolving fund as amended, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Article 11 – is an amendment to the Affordable Housing Trust Fund incorporation document to delete the need for Trustees to be recorded with the Registry of Deeds. The request was made by the Town Moderator and is “Per the petition of the Board of Selectmen”.

Article 12 – authorizes the Town to establish a lien on property for overdue and unpaid water service charges and is “Per the petition of the Board of Selectmen”.

Article 13 – authorizes the Town to impose 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% and is “Per the petition of the Board of Selectmen”.

The Finance Committee supports the article. Mr. Boling stated he is in favor of the article if it lifts the tax burden from residents. The Board is waiting to hear from the State to estimate the amount of revenue that could be generated from the local room occupancy tax or if there is a reason for the Town to pass over the article.

Mr. Bodmer-Turner stated he shared information on the Community Impact Fee which is an additional 3% tax on multiple rental units. His intention is to share the information with the Board for consideration at the 2021 Annual Town Meeting.

Article 14 – To see if the Town will authorize the Board of Selectmen to acquire...a parcel of land containing 12 acres known as the “Christian Hill Lot”.

Mr. Bodmer-Turner stated the Lot has been discussed multiple times. A long-term plan is being developed regarding how the lot fits into the plan to preserve the Western Woods. Mr. Bodmer-Turner supports the article.

Ms. Driscoll stated the work the Board requested has been done. Ms. Driscoll is in favor of keeping the article on the warrant.

Mr. Steinert stated he still feels the Board is not being totally clear and Article 14 lacks clarity around the expected outcome for the Western Woods and the “Christian Hill Lot”. Mr. Bodmer-Turner stated there are 3 purposes stated in the article.

Mr. Boling stated a number of Boards and Committees have worked on a longer-term plan for the Western Woods and a detailed proposal on how the land could be used by residents. The plan is being distributed with the Town Annual Report the Boards and Committees have reached a consensus on purchasing the Lot in the Western Woods.

Mr. Boling read **Article 14**

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 deems appropriate, a parcel of land containing 12 acres, more or less, known as the “Christian Hill Lot”, identified by the Assessors as Parcel 62 0 37, and described in a deed recorded with the Essex South District Registry of Deeds in Book 3746, Page 149, for water supply protection, open space and passive recreation purposes, including the incidental right to use, widen or otherwise improve the existing logging road thereon, after consultation with the Conservation Commission, for passive recreation purposes and/or pedestrian and vehicular access to other conservation or recreational land, with the care, custody and control of said parcel to be held by the Conservation Commission under the provisions of G.L. c. 40, §8C and subject to Article 97 of the Massachusetts Constitution; and to raise and appropriate and/or transfer from available funds \$65,000 under G.L. c. 44, §§ 7 or 8, G.L. c. 44B, the Community Preservation Act, and/or any other enabling authority to cover the cost of the acquisition and costs incidental or related thereto; and, further, to authorize the Board of Selectmen to grant a perpetual conservation restriction on said parcel pursuant to the provisions of G.L. Ch. 184, Sections 31-33, in compliance with G.L. Ch. 44B, Section 12(a), protecting the parcel for the purposes for which it is acquired, and to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes; or take any other action relative thereto.

Mr. Federspiel stated the request in the article is for \$65K. The additional \$5K covers acquisition costs.

Article 15 – To see what sum of money the Town will vote to appropriate to transfer from available funds for the purpose of reducing the tax rate or take any other action relative thereto.

Mr. Boling requested a motion to approve the Warrant for Annual Town Meeting as discussed, reviewed and amended in the document before us.

Mr. Bodmer-Turner moved to approve the Warrant for Annual Town Meeting as discussed, reviewed and amended in the document before us, Ms. Driscoll seconded the motion. The motion passed with Mr. Steinert abstaining on Article 14.

Mr. Bodmer-Turner moved to support Articles 1-12, Ms. Driscoll seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to recommend Article 13 on Town Meeting Floor, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to recommend Article 14, Mr. Bodmer-Turner seconded the motion. The motion passed with Mr. Steinert abstaining.

Ms. Driscoll moved to recommend Article 15 on Town Meeting Floor, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

3. Complete Streets – Update

Mr. Boling stated this evening the Board would be discussing the Complete Streets update focusing on the intersections at:

- School/Central Street
- Beach/Union Street
- Washington/Sea Street
- Sidewalk project for Beach Street

Mr. Boling stated the Town has been working on these projects for more than 2-years. During that time multiple public forums have been held with the Master Planning Committee, Parks & Recreation Committee, DIP, Bike and Ped Committee, DPW and the Board of Selectmen.

Last year residents and business owners became fully engaged and asked for redesign and suggested changes. As a result, the projects were put on hold for redesign. This evening the Board is voting to move forward as the designs now stand. There will be no further discussion around redesign of the projects.

Mr. Boling indicated the Town has been working on communication efforts for some time. It is difficult to get the community engaged and to get all interested parties engaged sometimes until very late in the process. Last week it happened again on the redesign of the Washington/Sea Street project when neighbors expressed concerns with the proposed plan for the intersection.

There were lots of concerns expressed but no consensus among neighbors. Suggestions included modifications, scrapping the plan altogether and the use of stop signs. It was apparent there was no hope for compromise and deep concern about moving the intersection work forward without causing disruption.

Developing plans takes a significant amount of effort and State approval. Additionally, many people in Town were generally supportive of the recommendations for the Washington/Sea Street intersection and it will take significant work to reengage the community. The intersection is dangerous. Parents do not allow their children to use the crosswalks. Change unfortunately will have to wait while the process is reinitiated.

Mr. Boling thanked the volunteer members of the community who have put in hundreds of hours negotiating plans and designs. The Board appreciates their efforts on behalf of the community. The Washington/Sea Street intersection will not be advanced at this time.

Mr. Dam addressed the remaining 3 projects: School/Central Street, Beach/Union Street and the Beach Street Sidewalk.

- Work will start in April
- Work will be completed by June 30, 2020
- There is drainage work to be completed at the intersection of School/Central Street
- First project to be addressed will be Beach/Union Streets
- All projects have a parking neutral impact
- Church Street will become one way inbound – Mr. Dam will make sure the change is featured in the *Cricket*

Mr. Steinert stated he understood there had not been meetings held regarding Washington/Sea Street intersection. Mr. Boling stated that was untrue there had been several meetings held and he preferred that the Board not get into a prolonged discussion regarding the Washington/Sea Street intersection this evening.

- Mr. Dam stated the objective for Beach/Union Street intersection was to shorten the distance of the sidewalk
- And round out the intersection for trucks with trailers to more easily make the turn
- Mr. Boling stated the Town was improving pedestrian access
- Beach Street sidewalk will be repaved
- Granite curbing will be added to the sidewalk in the current street edge
- The width of the sidewalk will be less than 10 feet but will incorporate the grass strip

Mr. Boling stated the public was welcome to make comments on the intersections at Central/School Street, Beach/Union Street and Beach Street sidewalk.

Robert Coyne, 115 Beach Street – Mr. Coyne was speaking on behalf of himself, the Singing Beach Club, Mr. Mill at 114 Beach Street and Ms. Hill who provided a statement. Mr. Coyne stated it was good news that the two intersections were going to be improved. He believes the Town needs to prioritize the Complete Streets grant funding in the amount of \$240K. He is however concerned that the Town is spending a total of \$660K or \$420K of taxpayers' money on the projects. Mr. Coyne pointed out a recent study stated the Town has \$1.2M in sidewalk repairs and rebuilds to complete. He does not agree the Beach Street sidewalk needs replacement and there is opposition from neighbors and stakeholders to the project. Mr. Coyne also stated neither DIP nor the Bike and Ped Committee supported the project.

Al Center, School Street, Chair of Bike and Ped Committee – Mr. Center stated he is in support of the improvements at the two intersections and believes the changes will make the intersections much safer. He also stated the Bike and Ped Committee is not opposed to the Beach Street sidewalk improvements.

Chris Shea, 50 Bridge Street, Member of Bike and Ped Committee – Mr. Shea stated a lot of hard work has gone into the recommendations for the intersections and also wanted to recognize the work of DIP in the process. Mr. Shea believes with the 375th

Anniversary, work at the front of Town Hall and the Honor Roll Memorial the Town is making the area safer for bicyclists and pedestrians.

Brenda Furlong, 19 Ocean Street – Ms. Furlong stated there is an argument to be made on behalf of the taxpayers. 63% or more spent on projects places a burden on taxpayers who are realizing a substantial increase in property taxes this year. She recommends the Town only complete projects that are essential.

Mr. Coyne – stated the project started out as a Complete Streets project using grant funds and it is now a DPW project and not reimbursable. The Town needs to use the grant funds for the intersection projects not the Beach street sidewalk.

Mr. Boling stated the sidewalk project is one of the highest trafficked sidewalks in Town and frequently people are walking in the street and that is not safe. The Bike and Ped Committee is in favor plus there is consensus from other committees supporting the Beach Street sidewalk project.

Ms. Driscoll stated the Beach Street sidewalk is one of the most used sidewalks in Town and believes if there is a way to make the stretch safer, she is in favor.

Me. Coyne requested a third opportunity to speak. He was refused by Mr. Boling.

Mr. Bodmer-Turner stated the community has gone back and forth on these projects for 2-years. It is time to move forward. He is concerned one project is being dropped. It is a dangerous intersection and needs to be improved. Mr. Bodmer-Turner believes granite curbing provides an additional degree of safety not in existence on a sidewalk without a curb. A truck hit the wall near his home at School and Lincoln Streets moving the wall 8 inches. He does not think that would have happened had there been a granite curb.

Mr. Steinert confirmed Beach Street was not being narrowed. He is concerned that safety vehicles can make it up and down the road. The road is not being narrowed. The curb is going where the grass strip was.

Mr. Bodmer-Turner moved to approve the three projects reviewed and discussed, Ms. Driscoll seconded the motion. The motion passed unanimously.

4. Consent Agenda

- BOS Minutes – February 18, 2020
- Surplus Police Vehicle
- Request for Permanent Extension of Memorial Day Parade Route

Ms. Driscoll moved to approve the Consent Agenda with the Minutes of February 18, 2020 held, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

Ms. Driscoll moved to approve the minutes of February 18, 2020 as amended, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

5. Correspondence

- Letter from Xfinity re: Form 500
- Letter from Mayor Cahill re: Transportation & Climate Initiative

Mr. Boling is okay with adding his signature to Mayor Cahill's letter. Mr. Bodmer-Turner is not fully informed re: TCI so will withhold his signature.

Ms. Driscoll moved to approve adding BOS signatures to Mayor Cahill's letter on Transportation & Climate Initiative, Mr. Steinert seconded the motion. The motion passed with Mr. Bodmer-Turner abstaining.

6. Town Administrator's Report

- Voting – Mr. Federspiel reported a steady stream of early voters went through last week and the projection is for heavy voting tomorrow.
- Fire Chief Recruiting – with John Parow's help as a former Fire Chief. Mr. Federspiel is looking forward to working with Mr. Parow and his contacts to identify candidates. Hopefully there will be leads within the month.
- Police Staffing – testing for the Lieutenants position is taking place this week. The Town has good internal candidates to fill the Lieutenants position and the Sergeant position when the Sergeant is promoted.
- Additionally, there were a couple FYI items in the Town Administrator's report for the Board to consider.

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

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

Meeting Documents:

- Mooring Standard Document
- FY21 Town Budget
- Annual Town Meeting Warrant
- Consent Agenda item listed
- Correspondence as listed
- Town Administrator's Report
- Statement from Sheila Hill
- Mr. Bodmer-Turner's handout on Community Impact Fee
- Washington/Sea Street Reconfiguration Document (Mr. Jay)

Upcoming BOS Meetings

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