



MANCHESTER-BY-THE-SEA

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

May 18, 2020 6:30p.m. Virtual Meeting
<https://join.startmeeting.com/communication2>
Virtual Meeting 425-535-9843

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

MEMBERS ABSENT:

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, Chief Fitzgerald, Harbormaster Pike

GUESTS: Town Moderator, Mr. Wilson, BOH Member, Dr. Bradley and Finance Committee Chairman, Mr. Creighton

PRESS:

Mr. Boling called the BOS meeting to order at 6:36 p.m. Mr. Boling welcomed participants to the virtual meeting. He requested participants online to ask questions and make comments through the chat window and participants on the phone to state their name and address if you wish to speak and speak when recognized. If for some reason you are not called to speak please remind the Chairman, you wish to speak.

0. Public Comment on Items not on the Agenda

There were no comments from the public on items not on the agenda.

1. Annual Town Meeting

a. Review of Warrant and Logistics

Mr. Wilson stated the Annual Town meeting will take place outdoors at the MEMSHS on the football field. Some logistics still need to be worked out like wireless microphones, Town Clerk, Ms. St. Pierre is working to address this issue. Mr. Wilson has four areas of the Town Meeting to discuss with the Board.

- 1) Possible rain date Mr. Wilson would like to wait to schedule a rain date for a more reliable weather forecast. He noted that for the past 5-6 years there had not been 3 consecutive days of rain in June. The Board universally stated that worked for them. While some on chat requested a rain date be selected sooner.
- 2) Mr. Wilson thought it might be useful to start the meeting prior to 7:00 p.m. In an outdoor setting with sunset at 8:22 p.m. starting the meeting earlier will allow for additional daylight time for questions and discussion. Mr. Boling stated he would like to hold off on the time decision to after the review of the Warrant.

Dr. Bradley added there had been no cases of EEE in humans or animals reported in the month of June.

- 3) Mr. Wilson suggested the Board use a mechanism in the General Law called a "Consent Calendar" this allows for Warrant Articles to be lumped together. This will save time, be published ahead of time and any voter can call a hold. Mr. Wilson is proposing combining Article 1 acceptance of reports and Article 2 no salaries for the Board and the moderator, Article 9 OPEB funding, Article 10 Parks & Recreation revolving fund and Article 11 AHT amendment to the regulations. He believes it is unlikely anyone will object.
Ms. Jaques stated she trusted Mr. Wilson's recommendations and thought it wise to remind voters the Town voted consistently on the articles in the "Consent Calendar" with descriptions and an explanation as to why the recommendation was being made.
- 4) Mr. Wilson suggested Article 12 and Article 13 be deferred to another meeting.

A resident asked if the Town could create a call-in option for Town Meeting. Mr. Wilson stated there is no provision in state law for teleconferencing a Town Meeting. There is a bill pending to allow teleconferencing for representative Town Meetings, but it would not apply to Manchester. Ms. Driscoll pointed out if there was a call-in option the listeners would not be able to vote.

Mr. Wilson stated he anticipated a 10-foot separation between residents on the football field.

Mr. Wilson stated there had been some discussion about a Saturday meeting and the decision was to go with a weeknight.

Mr. Boling asked if the Board would like to pass over Article 12, Liens on properties that do not pay utility bills and Article 13, Room tax on short-term rentals. Mr. Steinert recommended passing over these Articles and addressing the Articles that were most critical to the Town.

Ms. Driscoll and Ms. Jaques agreed, Mr. Bodmer-Turner thought the Articles should remain but be pushed to the end of the agenda. Mr. Wilson pointed out that could create a problem because we will not know how long discussion on the Articles would take. The main motion on Town Meeting Floor to pass over would go quickly while a debate may prolong the meeting.

Mr. Bodmer-Turner agreed to go with the consensus of the Board and focus on the most important Articles. Mr. Boling agreed to pass over the Articles stating the reasons for the Articles needed to be more fully discussed and room tax on short-term rentals will require more analysis given the current situation.

Ms. Driscoll stated the whole Saturday Annual Town Meeting conversation needs to happen at some time in the future. There has been a lot of work done preparing for this meeting and the Board should move forward with the evening meeting and consider a Saturday meeting at a different time. Ms. Jaques and Mr. Bodmer-Turner agree with Ms. Driscoll.

The meeting is currently scheduled for 7:00 p.m. Ms. Jaques stated it is difficult for residents who are commuting to get home for a 6:00 p.m. start. Mr. Wilson indicated the check in process for this meeting is going to take longer than usual and the earlier start would make it even more difficult. It is important to maintain social distancing while checking residents in and handing out clickers.

Ms. Driscoll suggested 6:30 p.m. Mr. Bodmer-Turner agreed. Mr. Boling stated he was in favor of starting at 7:00 p.m. residents are back from commuting, there are lights on the field and the Board has taken steps to streamline the meeting. Mr. Wilson stated the meeting could be shortened with elimination of the invocation and limiting Mr. Boling and Mr. Creighton's comments to two-minutes.

Mr. Boling indicated the decision was Mr. Wilson's to make. Mr. Wilson stated he is inclined to go with a 6:30 p.m. start time.

b. Discussion of Plan B Budget

Mr. Federspiel stated Plan B as it currently stands relies on reducing the appropriation to the School District by \$150K (requiring a \$235K cut to the District budget). As discussed, the District is concerned about significant cuts in state and federal aid. The Finance Committee reviewed the budget and developed alternatives to the \$150K adjustment from the District.

The Finance Committee considered a freeze on Department Head COLAs, eliminating the Fire Engine Fund (a \$100K savings) and either eliminating or asking CPC to pick up the cost of the Sweeney Park design/engineering project. The Finance Committee did not take a formal vote on their recommendations as they would like to understand the District's final decision.

Mr. Boling stated Essex is still working through their budget and that may also influence the District's decision.

Mr. Bodmer-Turner indicated he believed the areas identified were solid. The Sweeney Park design/engineering shifting to CPC for funding is a good direction. Mr. Bodmer-Turner supports putting money into the Fire Engine Fund. He hopes the School Committee will come to an agreement soon.

Mr. Steinert would like to be reassured the Board and Finance Committee are reviewing these decisions and the economic impact of Covid-19 monthly.

Ms. Jaques expressed concern the Town was taking money from the Fire Engine Fund indicating in the initial budget there was \$240K allocated for the fund. Ms. Driscoll stated she was reluctant to take funds from the Fire Engine Fund and it seems public safety is often taken from in budget reduction times. Both Ms. Jaques and Ms. Driscoll are interested in waiting to see where the District comes in.

Mr. Boling stated he supports the recommended cuts and CPC assuming the cost of Sweeney Park design/engineering project. Mr. Boling further stated the Town was not deferring the Fire Engine but putting funds towards a future purchase. If the Engine

needs to be replaced sooner that will happen with use of reserve funds. The Fire Engine Fund is a Capital project saving for a future expense.

Mr. Federspiel proposed a meeting with the Finance Committee and Board for May 21, 2020, indicating the more quickly a final Plan B was resolved the more quickly the Town Report can be completed and prepared for distribution. Mr. Federspiel does not believe the Boy Scouts will be available to distribute the reports. The reports could be mailed to residents or the MEMSHS parking lot could be used for pick-up. Mr. Boling stated the Board would decide on the process following the May 21, 2020 meeting with the Finance Committee.

Chris Abbott asked about cost overruns on Town projects. Mr. Federspiel stated the Memorial School project was on time and on budget and the front of Town Hall project has added an update to the front steps, but funds were available for that work. No cost overruns at this time.

2. Annual Town Election: Review and Approve Warrant

Ms. Driscoll moved to accept the Town Election warrant as presented, Ms. Jaques seconded the motion. The motion passed unanimously.

3. Covid-19

a. General Updates

Mr. Federspiel summarized the current status of the Town.

- ✓ Town is stable with no new cases. The newly reported cases were late reports to the BOH; there are no recent cases in Town.
- ✓ Town staff is healthy.
- ✓ The State is distributing CARES Act funds. Manchester is in line to receive a \$250K disbursement for expenses related to Covid-19. The Town continues to track all expenses related to Covid-19. The tracking process will remain in place through the end of 2020.
- ✓ Governor Baker announced Phase I of an IV Phase reopening plan. The plan is conservative focusing on essential services, manufacturing, construction, houses of worship at 40% capacity and with 6 feet of social distancing.
- ✓ In a week retailers can reopen for curbside service.
- ✓ The Governor's Phase I for opening of beaches is less strict than the Town's Phase II reopening.

b. Status of Planned Events

- Memorial Day Parade has been cancelled.
- Mr. Heisey has requested Town approval to place 19 flags along the fencing in front of Town Hall and along the harbor on Beach Street.
Ms. Driscoll moved to approve the placing of flags along the fencing, Ms. Jaques seconded the motion. The motion passed unanimously.
- The July 4th parade has been cancelled. The July 4th Committee is recommending residents decorate their yards to celebrate July 4th.
- The July 4th fireworks are postponed to Labor Day.

Mr. Boling asked Chief Fitzgerald for an update. Chief Fitzgerald reported the opening of Masconomo, and Reed Parks went without incident. People were social distancing. Singing Beach circle was staffed with a police officer to keep the circle clear and traffic moving. The Chief stated this past weekend was professionally managed with no incidents.

c. Town Facilities Reopening Plans

Mr. Boling asked the Chief where the Town is in planning for Phase II. Ms. Jaques stated she was inclined to let residents on the beach during the week as proposed in Phase II.

Chief Fitzgerald stated his officers will maintain order, address oppositional incidents, and educate the public to the Town protocols regarding beach use. Mr. Federspiel clarified residents will be allowed on the beach for walking and running only. Ms. Jaques stated she believed that was prudent at this time.

Mr. Steinert asked how the limitations of beach use will be maintained. He is uncomfortable with high school and college age students determining who is a resident and who is not a resident.

Additionally, he is concerned about the impact of the train and dealing with a large flow of people into Town where residents have worked to keep Covid-19 infections low. He believes the arrival of people on the train puts residents at an increased health risk. That said he supports Phase II for residents as they deserve the opening of beaches.

Mr. Boling stated Ms. Marshall, Director of Parks & Recreations and Chief Fitzgerald will address the questions raised by Mr. Steinert. Mr. Boling also stated beach tags have been sold to residents only and the train is currently not operating at full service.

Ms. Marshall stated Parks & Recreation management staff at Singing Beach will be adults. There are no high school students currently on staff.

Ms. Driscoll asked what metric will be used to count people on and off the beach and how will residents be reminded to social distance. Ms. Marshall stated at high tide the number of residents will be limited and staff will remind people to social distance.

Mr. Steinert stated the beach could not be viewed in isolation. He recommends signage in Town indicating the beach is full or closed. Mr. Steinert also asked how the Town plans to diffuse people.

Mr. Boling stated the Town is only selling beach passes to residents and on June 1 the 2020 passes are the only valid passes. Staff simply needs to check for the tag. Sidewalks to Singing Beach are already congested, and people are in close contact. Mr. Boling suggests an officer downtown close to the Post Office to inform people of the status of the beach. (An electronic sign will be utilized as well.)

Ms. Driscoll recommended parking enforcement start three weeks earlier than usual.

Ms. Jaques confirmed with Ms. Marshall that, in addition to checking beach passes, everyone entering the beach will be required to wear a mask and social distance. Ms. Jaques also asked where the entrance set up would be located. Ms. Marshall confirmed beach pass, mask and social distancing would be required. The entrance to the beach will be at the opening to the path down to the beach. Ms. Jaques also recommended residents be made aware of high and low tides.

Mr. Bodmer-Turner believes in these special and challenging times it is fair to open the beach to residents only. It is difficult to plan for huge crowds. He agrees with moving forward with Phase II and implementing the guidelines as spelled out. If people demonstrate obnoxious or aggressive behavior it becomes a police matter.

Mr. Boling stated nothing is perfect and the Board could kick this discussion around forever. Monday to Friday opening for residents only is not permanent it is a starting point. This is a slow race to determine the impact of the beach on downtown. The Phase II guidelines also allow us to measure and address deficiencies. At this time, we do not know how to best proceed with walk on traffic and enforce social distancing. The Parking lot will remain closed. The Town is observing and gaining experience and we will adjust to what the situation dictates.

White and Black beaches, tennis courts and Tucks Point will open to residents. Phase II focuses on opening beaches to residents only.

Ms. Driscoll expressed her thanks to Chief Fitzgerald and Ms. Marshall for their efforts in these unusual times. Ms. Driscoll supports moving forward with Phase II.

Mike Leahy stated he does not agree with the Town's guidance to limit beaches to residents only and limit parking. He hopes the Board will consider out of towners. Mr. Leahy recommends the Town follow the Governor's recommendations and direct Ms. Marshall and Chief Fitzgerald to open the beaches to all following the state guidelines.

Mr. Boling stated this is a unique situation. The Town has one road to the beach, and it is within easy walking distance of the commuter rail station. In a small town we have seen what happens and it matters what happens. Mr. Boling indicated he understands the State guidance, but local governments act based on their unique circumstances. What was observed on a warm day in March was not appropriate or acceptable. There is no perfect answer. It that means fewer people have full access to the beach and people in Town stay healthy that is what is important. The Board will move cautiously forward.

Mr. Steinert pointed out about one third of Manchester's population is over 60 years old, in Boston the population over 60 is 15%. The Town needs to be protective with regard to the number of people flowing into Town as it could put the senior population at risk.

Ms. Driscoll reminded everyone we are faced with a situation no one anticipated and finding the best way to approach and utilize our resources and make decisions for the Town is a starting point.

Dr. Marsh, a new resident to Town and emergency room doctor, stated she admired the effort of the Board and Town and suggested the Town look at what works. Screen

people who enter the Town, limit the number of people on the beach while social distancing. Dr. Marsh believes the restriction on nonresidents should be lifted.

Mr. Boling restated the resident vs. nonresident restriction is a temporary measure to allow the Town to measure the impact on the beach. It is a difficult and imperfect solution.

Ms. Jaques stated it is wonderful when the Board receives input from sources with expertise. Ms. Jaques acknowledges there is not a significant amount of consensus except when protecting a demographic which comprises one third of the Town's population. It is a difficult decision and we want to do the best we can with our beaches that has historically welcomed visitors.

The beach will be open Monday to Friday and closed on Saturday and Sunday. The beach will be staffed from 9:00 a.m. to 5:00 p.m.

Attempts to unmute resulted in feedback and background noise. Comments ranged from supporting the cautious approach Phase 2 represents to advocating for less restrictive use of the beach.

The Board concluded the Phase II guidance would be released and beaches would open on Monday, May 25th. Chief Fitzgerald stated his officers will do the best they can and if incidents come up or there are significant problems the beach will close, issue addressed and move forward.

Ms. Driscoll move to accept Phase II procedures as written, Ms. Jaques seconded the motion. The motion passed unanimously.

4. Annual Board and Committee Appointments: Discussions of Vacancies

There are a number of Board and Committee opportunities and the listing will be provided on the Town website and in the *Cricket*.

5. Consent Agenda

- BOS Minutes – May 4, 2020
- Adele Quincy Ervin Citizenship Award
- 2020 Arbor Day Proclamation

Mr. Bodmer-Turner moved to approve the Consent Agenda with the minutes for May 4, 2020 held for edits by Mr. Boling. Ms. Jaques seconded the motion. The motion passed unanimously.

6. Town Administrator's Report: Construction Update, Fire Chief Hiring Update

- Waterline work has moved from Ocean Street to Raymond Street. Good progress is being made on Raymond Street.
- Town Common work has slowed due to the concrete firm closure as a result of Covid-19. Front steps to Town Hall require shoring up. The Finance Committee recommends moving forward with the repairs with funds from repair budget and reserves.

- Fire Chief search committee has narrowed the finalists to 3 candidates and hope to have a final candidate for the Board's ratification at the June 1st meeting.
- Cape Anne Climate Coalition and the Harvard Graduate School of Design – the Town has an exciting opportunity to team up with our Cape Ann neighbors and Harvard University to undertake a study to identify regional actions that will help address the challenges of climate change. Private funding and foundation support will pay for the new effort.

7. Other Matters, as May Have Not Been Reasonably Anticipated by the Chairman – Discussion Only.

Ms. Jaques moved to adjourn the meeting, Ms. Driscoll seconded the motion. The motion passed unanimously.

Meeting Documents:

- Budget Reduction Spreadsheet
- Consent Agenda as listed
- Town Administrator's Report
- Town Warrant
- Town Election Warrant
- Annual Board and Committee Listing and Vacancies

Upcoming BOS Meetings

- Monday, June 1, 2020
- Monday, June 15, 2020
- Monday, July 6, 2020
- Monday, July 20, 2020