



MANCHESTER-BY-THE-SEA

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

August 5, 2019

6:30 p.m.

Town Hall, 5

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

MEMBERS ABSENT: Mr. Steinert

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS/TA Executive Assistant, Ms. Nathan, Town Planner Sue Brown, Harbormaster Bion Pike

GUESTS: Sheila Pidgeon Hill, Su Mittermaier, Stephen Bates, Stephen Rosenthal, Kathryn Rosenthal, Jessica Lamothe, Lynn Atkinson, Francie Caudill

PRESS:

Mr. Boling called the BOS meeting to order at 6:30 p.m. Stated the meeting was being recorded by Studio 1623 (Cape Ann TV) for later broadcast and by Ms. Nathan for accuracy in minutes. He asked if anyone was recording the meeting to let him know and requested attendees to silence their cell phones.

Mr. Boling asked if there was public comment on items not on the agenda. There was none.

1) Review/Approve Revised Personnel Handbook

The process has involved a team of employees working with our HR consultant, Erin Stewart, from Insight Performance. The handbook has been reviewed by legal counsel and has gone through a public hearing process for employees and the public per the town bylaw. Two edits emerged from the public hearing-provide 5 weeks of vacation after 20 years of service, not 17, and make the handbook introductory letter generic and not signed by a specific Town Administrator.

Ms. Driscoll stated that the staff did a nice job on the handbook.

Mr. Bodmer-Turner asked for clarification on why the change in vacation policy. Mr. Federspiel explained that initially after an employee earned four weeks of vacation they would accrue one day each year after 16 years of employment up to 5 weeks by year 20. The change was made for ease in tracking purposes and to be more in-line with other communities. Mr. Bodmer-Turner also asked if employees who aren't required to drive as a job responsibility could be denied employment if they had discrepancies on their driving records. Mr. Federspiel stated that it's only applicable to those required to drive for the town as part of their job description. The handbook will be edited to clarify this.

Ms. Driscoll moved to approve the new version of the personnel handbook with the three edits noted. Ms. Jaques seconded the motion. The motion passed unanimously.

2) Discuss Request for New Public Tree Policy

The proposed set of policies governing public trees developed by The Friends of Manchester Trees and Tree Warden, Tom Henderson was reviewed by the Board. The two key points of the policy are how far off the actual road or sidewalk should the town extend to capture public trees and how much of the tree trunk should be in the Right of Way to qualify.

Mr. Boling asked that the definition of 50% of the tree trunk being in the Right of Way be made more clear, so that two arborists, for example, would reasonably and reliably come up with the same answer with respect to whether a tree met the definition of not. Ms. Driscoll stated that the effort on behalf of The Friends of Manchester Trees and the Tree Warden was a great start and asked if there was a formal job description for the Tree Warden position. Ms. Jaques stated that this was a great idea and noted the proposed set of policies will add to the Tree Warden's responsibilities. She also asked how many trees would be effected by the change in policy. Mr. Federspiel acknowledged additional time would be needed to carry out the job requirements and that paying a stipend would be explored. Su Mittermaier, President of The Friends of Manchester Trees, stated that they applied unsuccessfully for a grant to create more funds for the Tree Warden position including paying the current Tree Warden to train his replacement. Ms. Mittermaier added that she would like to see a tree maintenance budget increased. Mr. Bodmer-Turner wants to see an accurate inventory of town trees as the inventory has an impact on maintenance costs. The last inventory was conducted in May/June '18. Trees in parks, cemeteries and schools were not included. A new inventory will be necessary based on the proposed change to how far we extend beyond the road or sidewalk.

The Board is amenable to furthering the development of a New Public Tree Policy and requested that DPW and The Friends of Trees continue to work together to present a final draft.

3) Shellfish Constable Update

The newly appointed Shellfish Constable, James Elder, provided an update on the efforts to open clamming flats in town. He discussed how shellfish beds are a great indicator of the livelihood of the ocean's ecosystem and the water quality testing taking place in Manchester-by-the-Sea. Volunteers from the Manchester Coastal Stream Committee Lynn Atkinson and Francie Caudill conducted the testing. Gray and White Beaches met the standards of the study. Black Beach didn't meet the standards within the timeframe of the study. Further study is needed as to why it failed. Septic systems are a possibility. The next step will be a Resource Study conducted by volunteers. Mr. Elder proposed coming back to the Board in the winter or early spring to present results/recommendations from the Resource Study.

Jessica Lamothe, Manchester Coastal Stream Committee Chair, talked about the Black Beach bacteria identified from the water quality testing. Is it due to human bacteria? Assessment is ongoing. The results will be shared with the Board of Selectmen. Mr.

Elder requested a letter supporting the continuation of water quality testing at shellfish beds be sent from the Board of Selectmen to the Division of Marine Fisheries. He provided a document that included wording for the letter to the state agency.

4) Review Strategies for Communications & Community Engagement

Mr. Federspiel addressed the desire to finalize plans for staffing holes in three primary areas: communications and engagement; human resource management/accountability; and elevated office management. Mr. Federspiel began with a focus on communications engagement. He drafted a comprehensive plan for the Communications and Communications Engagement position by creating a laundry list of strategies and requested the Board critique the suggestions while keeping in mind how best to ramp up these strategies and who will be responsible.

Mr. Boling stated he liked to see the return of the quarterly newsletters mailed to every household in town or inserted in the water bills. He also proposed the Selectmen provide Board updates at community events, i.e. Rotary.

Ms. Driscoll stated that the larger conversation is how we manage information going out in a timely manner.

Mr. Bodmer-Turner warned against relying too heavily on social media to keep residents informed and agreed that a quarterly newsletter sent in the mail is an excellent way of communicating information.

The Shared Service report will touch upon this directive on August 19 but the findings won't be conclusive enough to rely exclusively on them.

Sheila Pidgeon Hill, 2 Running Ridge Row, stated that communication has to be two way to be effective. She shared with the Board of Selectmen a business sized card with the link to a community survey that the city of Sarasota used to seek input from its residents.

The Human Resource management/accountability position's responsibilities would include: personnel issues, assisting with contract negotiations, union collective bargaining, making sure job performance reviews are taking place, etc.

Mr. Boling stated that he would prefer Mr. Federspiel figure out the best way to restructure staff/departments. He was worried about giving too much detailed information on how to do this and feels the Board of Selectmen should stick with broad parameters to fit the culture of the town.

Mr. Federspiel stated that Hamilton and Rockport are willing to share services relative to Human Resources.

Mr. Federspiel was directed to present to the Board of Selectmen the best way to approach addressing the town's Human Resource needs including potential time and cost requirements-on our own or shared with another community. Monies from allocation of taxes are available for a one third time position. If it requires more money we need to ask for additional funds at Town Meeting. Mr. Federspiel will provide a

clear understanding of what to expect from the Human Resources position and will proceed with the Community/Citizen Engagement Coordinator as a part time position.

The general consensus of the Board is the position is worth pursuing and that the Communications and Citizen Engagement Coordinator position can't be combined as two different skill sets are needed.

5) Consent Agenda

- BOS Minutes – June 10, July 12 & July 22
- Approve Deed Transfer 0 Magnolia
- Declare Old Street Signs As Surplus Property
- Recommendation to Change Title – Nate Desrosiers: Town Engineer/Facility Manager

Ms. Jaques moved to approve the items in the Consent Agenda contingent upon correcting the spelling of Ms. Jaques name on the Deed Transfer for 0 Magnolia and the corrections to the June 10 & July 22 BOS Minutes; Ms. Driscoll seconded the motion. The motion passed unanimously.

6) Correspondence

- Letter From Xfinity re: Municipal Emergency Reporting Procedure Reminder
- Request for Restricted Parking Rosedale Avenue

Mr. Boling stated that with regards to the request for restricted parking on Rosedale Avenue, it would be best to leave it to Town Hall to reach out to the appropriate departments asking for feedback/research on the issue and then reporting back those findings to the Board of Selectmen.

7) Town Administrator's Report

Speed Limits- The new local option laws we adopted allowing a town wide speed limit of 25 mph is applicable to all roads with at least modest development and that have not been the subject of a regulatory speed limit process in the past. Manchester in the past has requested slower regularity speed limits as opposed to statutory limits on various roads in town. If we now want 25mph on these same roads we must petition the state to override the previous regulatory limit we requested. Legally, regulatory limits supersede statutory limits. The new 25mph is a statutory limit. Regarding the speed zone limit of 20mph, the state's concern here is that we have painted the town with too broad a brush.

Mr. Federspiel recommended convening a group of stakeholders (DIP and Bike/Ped members, police, concerned citizens) for a working session to review the new information from the MADoT and determine what adjustments need to be made.

Mr. Boling expressed the need to define the public engagement while providing committees with some sort of direction. He's concerned that all boards don't know all the information on the subject and that a summary letter should be provided to them.

Mr. Bodmer-Turner questioned how this decision was made without being vetted by the MADot.

Mr. Federspiel explained that the MADot was approached but they were ambiguous by with the answers. Staff has changed at the DPW and the state level since these decisions were made and we have clearer guidance now.

The next steps:

- To write a letter to Police, DPW, DIP, Bike/Ped, Fire, Town Clerk's Office asking people to take a second look at speed limits
- To submit an article to the Cricket stating that the speed limit topic is back on the forefront as new information has become available from the Department of Transportation that wasn't initially available. Include an invitation for groups to come together and discuss the subject jointly.

Compost Operations/Proposal-Black Earth is willing to invest their own capital funds in a new composting facility in exchange for a 20 year land lease. Voter approval for this lease is required. State law exempts solid waste services from the normal bidding rules thus we are allowed to negotiate a deal with Black Earth. Black Earth proposes that they can run both the transfer station and the composting facility for the town. Black Earth has asked to make a presentation on the project. Mr. Federspiel will reach out to the Fin Com to see if they are available on September 3 for a joint meeting with the Board of Selectmen and Black Earth.

Harbormaster Office at Reed or Masco-The grant application was denied. The application will be resubmitted once a precise location and more detailed proposal for the work are compiled. We will be starting up a public process of vetting the preferred location and scope.

Dogs-Continue to work on a settlement for the Glass dog issue.

With regards to the situation involving Ed Gavin's dog, Bailey, the Police are still trying to work out an agreement that would avoid us having to hold a dog hearing on August 12.

Editor's note-subsequent to the August 8th meeting the parties have reached an agreement.

Waterfront Use- Revenues at Singing Beach are up some 25% compared to the average over the last four years. The new dock at Reed Park has already brought in thousands of dollars in "parking" fees. Trash continues to be a problem. Cheryl and Bion will provide a wrap up of the season in September.

8) Executive Session

Ms. Driscoll moved the meeting into Executive Session per G.L. c. 30A, §21 (a)(6) to consider the purchase of real estate and per under G.L. c. 30A, §21 (a)(3) to discuss strategy with respect to possible litigation regarding the Water Plant and not to return to open session. Ms. Jaques seconded the motion. The motion passed with Mr. Boling, Ms. Driscoll, Ms. Jaques and Mr. Bodmer-Turner all voting yes by a roll call vote.

Meeting Documents:

- Consent Agenda Items as Listed
- Correspondence Items as Listed
- Personnel Handbook
- Town Tree Policy (8.5.19)
- Manchester Western Woods Study
- Communications and Citizen Engagement Strategies

Upcoming BOS Meeting

- August 19, 2019
- September 3, 2019
- September 16, 2019