



MANCHESTER-BY-THE-SEA

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

February 16, 2021

6:30p.m.

Virtual Meeting

Join Zoom Meeting, Meeting: ID 924 7129 6414, Passcode: 672994 One tap mobile: 1.646.558.8656

MEMBERS PRESENT: Mr. Boling, Mr. Bodmer-Turner, Ms. Jaques, Ms. Harrison and Mr. Round

MEMBERS ABSENT:

STAFF PRESENT: Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, Fire Department, Chief Cleary, Police Department, Chief Fitzgerald, DPW Director, Mr. Dam, Town Moderator, Mr. Wilson

GUESTS:

PRESS:

Mr. Boling called the BOS meeting to order at 6:37 p.m.

Mr. Boling welcomed participants to the virtual meeting indicating the meeting was being recorded and minutes were being taken by Ms. Hunter.

- **Public Comment** – There was no public comment this evening.
- **Dispatch Operations Discussion**

Mr. Boling stated some years ago the Town looked into the Regional Call Center in Middleton when the center was run by the Sheriff's Department. Following research and review the Town decided not to move forward due to lack of confidence around the new system. Changes have been made at the call center and the Board has asked the Town Administrator, Police Chief and Fire Chief to revisit the possibility of a move to the call center and provide an analysis of a possible move for the Board. Mr. Boling stated the Board is not deciding this evening we are reviewing the information and discussing the possibility.

Mr. Federspiel stated dispatch remaining in house requires a significant capital investment both short term (\$190K for new dispatch software) and longer term (replacement cycle of communications equipment including consoles, portable and mobile radios, and more). Moving to the regional center has a modest capital cost, \$18K for retrofitting the lobby area as a safe refuge and, depending on how we structure our reception staffing, a projected annual savings of \$136K to \$290K.

Chief Cleary feels that the regional center offers superior service to what we have now, primarily because the regional center would always have a dedicated dispatcher for all

fire calls. The Town has one dispatcher on at a time. During a fire incident dispatchers are required to manage other calls, for large fire incidents it is planned to bring in a second dispatcher but there is a delay in the second dispatcher arriving.

Chief Fitzgerald proposes maintaining full walk-in service for the day and evening shifts by hiring or retaining two full time staff plus part-time workers for weekends. This plan requires an expenditure of \$200K. Mr. Federspiel believes this is a high estimate for the 1 to 2 walk-ins daily. Alternatively, the Police Department could have the current Public Safety Administrator who works 30 hours in Police Department and 10 hours in the Fire Department work 100% for the Police Department, handling the walk-in needs. The Town would hire a new part-time Fire Department Administrator to pick up the work currently shared with the Police Department. In the evenings, the Police Department Lieutenant could work a modified afternoon to evening shift and manage any walk-ins while completing his administrative work. Mr. Federspiel proposed weekend coverage from 10:00 a.m. to 8:00 p.m. with part-time staff. Hiring part-time staff for this alternative approach is estimated at \$46K with no benefit or legacy costs.

To move forward with the regional approach for FY23, the Town would budget \$18K for retrofitting the lobby area in the FY22 budget. If the Board decides to remain in house, the Board might consider adding funds for new dispatch software (\$190K). However, this expenditure could be delayed for another year and upgrades budgeted in FY23.

There is significant interest in maintaining dispatch in house, both internally with the Police Department and from the public. The thought of having a “familiar voice” taking emergency calls is reassuring to the public, however, the in house option has its deficiencies. The deficiencies can be addressed by investing more in the in house system or with a move to the regional center.

Making the leap to the regional center has some uncertainties. The biggest unknown is whether the State will start charging municipalities for the service. Mr. Federspiel believes the State will eventually charge for the service but even if it does, the Town should still realize a net savings assuming we take a more modest approach to serving walk-in traffic at the Police Department. Many of the walk-in requests can be handled by another office in Town Hall as many requests are informational in nature.

The other dynamic at play is a desire for more paid Fire Fighters. The goal of the Fire Department is to have four career Fire Fighters on every shift. There are a few ways to achieve this, one is having current staff work a 56 hour week on average vs. the current 42 hour week or hiring four new Fire Fighters to add a fourth to each of the four shifts of three we currently have. Freeing up nearly \$300K by moving to the regional dispatch center makes this much more financially in reach.

The goal for this evening is for the Board to develop an understanding of the choices that need to be made and the financial implications of each choice. Mr. Federspiel believes the Board will want to consider the information and ask the Finance Committee to review the information and make a recommendation. The Board would then decide at a subsequent meeting. Additionally, the Board may want to hold a public forum on the topic.

Summary of costs:

- \$400 K current cost of dispatch less annual grant of \$70K
- Anticipated annual software cost \$15K
- Regional Call Center \$0.00
- Update Police Station Libby \$18K
- Annual Operating Savings estimated between \$136K and \$290K
- Capital Savings \$230K
- All expenses assume the current offer from the State continues.

Board Discussion

Mr. Bodmer-Turner asked if there was a sunset clause with the Annual 911 Grant. Mr. Federspiel stated there is not. Chief Fitzgerald stated the grant is applied for and received annually and that has been ongoing for 15 to 20 years. Mr. Federspiel added the grant funding appears stable. Ms. Harrison asked if the grant was specifically for training and equipment. Chief Fitzgerald stated it was a Law Enforcement Grant and was used for departmental needs.

Ms. Jaques asked if the Police Department's accreditation was impacted by the grant. Chief Fitzgerald stated the grant is a 911 Grant and not related to accreditation. Ms. Jaques also asked about dispatch in Town which takes calls for Animal Control, the Harbormaster and after hours DPW calls, will taking those calls be part of the service provided by regional dispatch. Mr. Federspiel stated he understands all those calls would be processed through regional dispatch. Chief Fitzgerald agreed but will confirm those calls would be processed through regional dispatch.

Mr. Boling stated the lobby update for \$18K is for basic equipment and does not include connecting the Police Department to Town Hall entrance. Mr. Federspiel stated that was correct. The front of the building connection needs to happen whether the Town moves to regional dispatch or stays in Town. Unfortunately, the application for grant funding around connecting the front of Town Hall and the Police Department was not received but will be reapplied for in the next round.

Mr. Round asked how many North Shore communities were currently at the regional center. Mr. Federspiel stated there were 5 communities at the regional center. Ms. Jaques asked if Chief Cleary's request for reporting software as well as mobile data terminals were factored into the capital costs. Mr. Federspiel stated the reporting software is in the capital estimate and acquisition of mobile data terminals are projected over 5-8 years at a cost of \$60K.

Ms. Jaques asked what happened if all computers and internet systems went down. Chief Cleary stated the Department communicates with radios at all times during emergencies.

Ms. Harrison asked about the organizational structure of the regional center. Mr. Federspiel stated the center is fully funded by the State with Advisory Boards comprised of all Fire and Police Chiefs from enrolled communities. Chief Cleary added there is a Director, Regional Call Center, Assistant Director, Training Director and Supervisory Staff covering both fire and police calls on every shift at the call center.

Mr. Boling asked for information around the Town's infrastructure that was an issue during the previous consideration of moving to the regional call center. Mr. Federspiel stated most infrastructure issues had been addressed. The final fiber connection is scheduled to be completed in FY22 working with the District. The Town will connect to Essex who is currently connected with the regional center. Ms. Harrison asked if the fiber connections was a prerequisite. Mr. Federspiel stated it is an important addition to support redundancies.

Mr. Boling asked Chief Fitzgerald and Chief Cleary to speak to the information and if there were any additional items requiring clarification for a recommendation from the Board.

Chief Cleary stated the regional center offers a better level of service for the residents of the Town at a significant savings. He does not mean that as a criticism of the Town's dispatchers it is simply impossible for a single dispatcher to manage simultaneous calls in an emergency situation. He knows this from having worked as a solo dispatcher in Salem, NH and VA.

Chief Fitzgerald stated the current dispatch staff has the same training as dispatchers at the regional call center. The Department has requested additional training for fire calls. Chief Fitzgerald does not believe the Town needs two dispatchers on duty as the current back up call back system works well. Chief Fitzgerald cautioned that when the regional call center starts charging for service it is unknown what the charge will be. Additionally, he asked if the regional call center is so attractive why have not more communities joined.

Mr. Round followed up on Chief Fitzgerald's question and suggested the Board look more closely at the reasons other communities have not joined. Mr. Bodmer-Turner asked who would follow up on Mr. Round's question. Mr. Boling said he had planned to follow up but would welcome Mr. Bodmer-Turner's assistance.

Ms. Jaques asked if the Town moves to the regional center how is that move managed. All preparation is completed prior to the move with current dispatch in place. When all new procedures are in place the switch is flipped. Mr. Boling concluded items remain to review and the Board will follow up at a subsequent meeting.

- **Compost Facility Discussion**

Mr. Federspiel stated there had been non-responsive and incomplete bids to the January RFP. The current vendor is interested in a Plan B for a smaller facility that will provide capacity for up to 30 tons of compost material a week. The vendor would construct, operate and own the facility with a 20 year lease. Plan B simplifies the structure and provides, while addressing the need of the Town, for up to 15 tons of compost material. The Town will seek vendors to prepare their responses under a new RFP. It is hoped bids will be received by March or early April with the vendor moving forward in the summer and the new facility operational in the fall.

Mr. Round asked about the first round of responses to the RFP and if there were vendors other than the current vendor interested in the project. Mr. Federspiel stated there had been inquiries but no responses. Mr. Dam suggested the timing of the bid over

the holidays and the focus on the grant element may have held up responses from other vendors.

Mr. Bodmer-Turner asked about the possibility of leaving the School St. site and would the vendor be operating both sites at the same time. He would like to see no new material added to School St. Mr. Bodmer-Turner also asked what happens to the functions of the transfer station and how that will work in the interim. Mr. Dam stated the details Mr. Bodmer-Turner is asking about will be worked out in the RFP and contract.

Mr. Federspiel believes this is a better way to reach the Town's goals without micro-managing the project while assuring the specification and aeration requirements are met. Mr. Bodmer-Turner asked about the time to cap and recover the School St. site. Mr. Dam stated he was open to suggestions and looked at winding down operations in the contract within 90-180 days and with 3rd party inspections.

Ms. Jaques asked what will happen if the building goes up and the vendor goes away. Mr. Federspiel stated the investment will default to the Town. Ms. Harrison stated the new proposal seems less complicated and better delineated. Mr. Boling will be interested to see if additional proposals come back to the Town.

Ms. Jaques moved the Board support going back out to bid for compost facility as described, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously.

- **Annual Town Meeting: Date, Articles, FY22 Budget Discussion**

Mr. Boling stated this discussion is under Chapter 39, section 9 to move the Annual Town Meeting (ATM) to Monday, June 21, 2021 with a proposed rain date of Wednesday, June 23, 2021. Mr. Boling stated he will confirm the dates with the District and the dates will be voted on at the next BOS meeting.

Mr. Wilson stated the meeting will run similar to last year's meeting. Mr. Boling stated he believes we want and need to have ATM outdoors and he would like to commit to that decision at this time. Mr. Wilson stated there are two options for moving Town meeting and since the BOS has not approved the Warrant Chapter 39, section 9 is the law to follow.

Mr. Boling recommends keeping controversial Articles out of ATM and setting those articles aside for a Fall Town Meeting. ATM will address the statutory needs of the Town.

Mr. Bodmer-Turner asked if there had been any discussion about holding ATM on a Saturday and during the day. Mr. Wilson stated there had been some consideration given to a Saturday meeting. However, he believes young families would be committed to sports programs and a rain date would be difficult to schedule. Mr. Round, Ms. Jaques and Ms. Harrison all supported ATM as planned.

Mr. Boling confirmed the ATM is committed to the end of June with a Fall Town Meeting optimistically held in doors in the new Memorial School auditorium.

Mr. Boling stated one item considered in rescheduling is recodification. Once the Planning Board holds public hearings and submits the proposed zoning amendments for town meeting consideration new applications are put on hold. It is recommended the Planning Board wait to schedule public hearings. It would be unwieldy to handle recodification votes outdoors and indoors there is the advantage of preparing a comprehensive audio visual presentation of proposed changes. Mr. Mastrogiacomo, Chairperson of Planning Board had no comment this evening and will discuss with the Board proposed changes at their next meeting. Mr. Wilson stated there is a substantive advantage to pushing out recodification discussions.

Mr. Boling stated there were three petition articles from ATM Warrant 2020 passed over:

1. Local option for room tax on short term stays. This may not be an easy vote and it is recommended to hold off.
2. Liens on rental property unpaid utility bills collected from property owners. This is not essential and could be passed over.
3. Local option to require sprinkler systems for congregate living facilities with a five year compliance requirement. This article, too, could wait.

Ms. Harrison asked if congregate living facilities would include multiunit apartment buildings and institutions like Sober-by-the-Sea. Mr. Federspiel stated the exact definition would determine the application of the law.

Mr. Boling concluded the Board will vote on ATM date on March 1, 2021.

Mr. Federspiel stated the Finance Committee is working their way through the FY22 Budget. A joint meeting with BOS is scheduled for Thursday, February 18, 2021 at 7:00 p.m. to review CPC grant funding and the capital budget.

An outstanding issue remains around funding for the FY22 MERSD budget with Essex requesting their contribution to the budget be no higher than 2.5%. The District will need to restructure school operations or lock in an override vote sooner than initially planned if Essex's position remains at 2.5%. A meeting with both Town's BOS and Finance Committees along with the District needs to occur to address the challenge and will be scheduled in early March.

Additional budget issues include Call Fire Fighters, the Fire Chief's request for four additional full time Fire Fighters and discussions around moving dispatch to the RCC.

Mr. Bodmer-Turner asked about new hires to the Fire Department under the SAFER Grant, are those positions paid in full for three years with the Town required to pick up the salaries and benefits in year four. Mr. Federspiel confirmed that was correct.

Mr. Round asked if the Town moved to the regional call center if those funds would pay for the additional positions in the Fire Department. It was concluded there is lots to think about with no decisions being made this evening.

- **40B Project Update/Discussion**

Mr. Boling stated during the 2nd round of negotiations the Board will be discussing environmental aspects. The Board is staying with the Developer's original proposal for onsite septic, requesting that landscaping not be irrigated with municipal water and water meters provided for each unit. The current plan is to hold to the gold standard to protect the community's ecological concerns and water.

The Developer stated during the last meeting that he plans to come to the Board with his cards on the table and wrap up negotiations soon. Mr. Boling stated the Board will decide on a timeline that supports provision of the best information available.

Board Discussion:

- Mr. Round asked about the sidewalk, Mr. Boling stated he had not heard.
- Ms. Jaques stated the Developer was to provide specific information around wetland bylaw recommendations and waiver requests.
- Mr. Boling stated the Board will schedule a meeting two weeks after receiving critical information and some information may take longer. Indicating information on sidewalks may be available this week with wetlands information in two weeks.
- Mr. Bodmer-Turner asked about wetlands bylaws and waivers as part of an agreement. Is the developer expecting the Board to come back with a decision?.
- Mr. Boling replied the Developer made that request in the first round of negotiations. The condition the Town requested was for him to adhere to our wetland bylaws. In 40B the Developer can seek waivers of local bylaws. It may be too much to expect the developer to adhere to all our local bylaws in exchange for the Board's endorsement .
- Ms. Harrison stated two weeks gives the Board time and requested the Conservation Commission provide an opinion.
- Mr. Round indicated the Developer is stating he will comply with DEP standards.
- Mr. Boling stated this comes down to what is important and what we give up. Ask Conservation Commission to comment on existing waiver requests and provide a response.
- Mr. Bodmer-Turner asked if Mr. Witten would comment on the comparison.
- Mr. Federspiel stated an alternative on this issue is to have the ZBA manage the request for waivers . These are details for a full review by ZBA.
- Ms. Mellish stated the wetlands waivers from conservation laws are not automatic, they have to be requested. Ms. Mellish stated we can ask him not to request waivers. The Town could also ask the developer not to appeal local conditions that might be imposed.
- Ms. Jaques wants the Board to not approve waivers.
- Mr. Bodmer-Turner would like the Board to leave waivers up to ZBA and Conservation Commission.
- Mr. Boling indicated some waivers are too important and the Board needs to protect those particular items.
- Mr. Boling stated the earliest meeting would be scheduled for March 4th when the Board has information from the Conservation Commission and staff regarding wetlands bylaws. That is assuming we get the Developers information this week. We will schedule two weeks out from receipt of his information.

- Mr. Boling concluded the Developer plans to put all his card out in the public meeting all items on conditions list. Information will be addressed as it comes in and if there is a problem, we will address the problem.
- **Consent Agenda**
 - BOS Meeting Minutes – February 1
 - Return of 375th Celebration Start-Up Funding

Mr. Bodmer-Turner moved to approve the consent agenda, Ms. Jaques seconded the motion. The motion passed unanimously with a request to acknowledged and thank the 375th Committee.

- **Correspondence**
 - Letter from Senior Care re: Contribution to Council of Aging
 - Letter from MassDOT re: MBTA Forging Ahead Service Proposal
 - Letter from Xfinity re: Programming Advisory
- **Town Administrator's Report**
 - ✓ **COVID Updates:** Mr. Federspiel stated the vaccination clinic went very smoothly and was well run by Nancy Hammond, Director COA and Conley's Pharmacy. There were 303 shots administered and the clinic could have added and administered more shots. The volunteers, residents and 75+ residents from Essex were all grateful for the opportunity. Second shots will be administered on Saturday, March 6, 2021. Additional clinics will take place dependent on availability of the vaccine.
 - ✓ **Construction Updates:** Work continues repairing the revetment at Singing Beach and should be completed in two weeks. Repairs to the seawall at West Beach are also continuing. It looks like FEMA will approve the addition of one more section of seawall not two.
 - ✓ **Sober-by-the-Sea:** With the recent death of one of the residents of the home, the neighborhood is understandably upset. Paul Orlando, Chief Fitzgerald and I held a Zoom conference with a dozen of the neighbors to answer their questions and explained the legal parameters the Town is required to operate under. Corsetti is advertising a training academy to be held at the location as well as therapy services, both might push this into a new zoning category. Town Counsel is assisting in researching the proposed changes. The Town has not received any applications for these additional services but will continue to monitor where possible.
- **Other Matters, as May Have Not Been Reasonably Anticipated by the Chairman** – There were no additional matters this evening.

Mr. Bodmer-Turner moved to adjourn the meeting to go into Executive Session and not to return to Open Meeting, Ms. Jaques seconded the motion. The motion passed unanimously.

- **Executive Session:**
Under M.G.L. Ch. 30A, sect 21 (a)(2) to Conduct Strategy Sessions in Preparation for Union Negotiations.

Meeting Documents:

- Consent Agenda as listed
- Correspondence as listed
- Annual Town Meeting materials
- FY22 Budget
- Town Administrator's Report

Upcoming BOS Meeting

- Monday, March 1, 2021
- Tuesday, March 15, 2021