



# 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

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March 21, 2022 6:30p.m. Virtual Meeting

Join Zoom Meeting, Meeting: ID 833 5347 0837 Passcode: 432226 Mobile: 1.646.558.8656

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

**MEMBERS ABSENT:**

**STAFF PRESENT:** Town Administrator, Mr. Federspiel, BOS Clerk, Ms. Hunter, Fire Department Chief Cleary, Police Department Chief Fitzgerald

**GUESTS:** Town Moderator, Mr. Wilson, Mr. Burke, CPC Chair

**PRESS:**

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Mr. Bodmer-Turner called the BOS meeting to order at 6:31 p.m.

Mr. Bodmer-Turner welcomed participants to the virtual meeting indicating the meeting was being recorded and minutes were being taken by the illustrious Ms. Hunter.

**0. Public Comment** – There was no public comment this evening.

### Chairs Report:

#### 1. Annual Town Meeting

##### a. Community Preservation Projects



CPC\_Funding\_Rebuilt.pdf

Mr. Burke stated CPC has three categories for funding, Open Space and Recreation, Community Housing and Historic Preservation. Each category is required to receive a minimum of 10% annually of the Town's CPC funds which is \$58,548.00 for FY23. Mr. Burke noted all categories exceeded that amount in grants awarded for FY23. The distribution of funding is listed in the above PDF with the addition of a \$10K grant for the restoration of artifacts and photographs collected from the Fire Department.

Ms. Jaques asked about the Pine Street site for the new athletic field indicating questions had come up around the use for a field. Mr. Burke stated there had been no questions raised at CPC.

Mr. Federspiel stated there had been debate in the past about the Pine Street site indicating the site was determined to be too small for a Public Safety facility or a new DPW facility. Additionally, consideration had been given to a Senior Center, but it was decided an in-Town location was preferred. Mr. Boling added that when Mr. Barclay was on the Board, he had suggested the site as a possible place for cremains. Mr. Federspiel indicated the Board would be reviewing additional plot layout recommendations for the cemetery later in the meeting and the recommendations included space for additional cremains.

Mr. Bodmer-Turner asked for a motion to approve the Community Preservation Projects for FY23.

*Mr. Round moved to approve the full list of projects proposed by the CPC for FY23; Ms. Harrison seconded the motion. The motion passed unanimously.*

b. FY23 Budget Review Including BOH Staffing

Mr. Federspiel stated the Finance Committee has completed their review of the preliminary budget and approved budgets for all departments and for capital. Their approval included new funding in the Police Department to backfill the police officer who is on permanent disability and funding a second floater in the Fire Department to save on overtime.

The Board of Health has asked to hire a Health Agent who will also serve as the Department Head. Mr. Federspiel agrees with this need and suggested for the next four years to use ARPA funds to pay for the new Health Agent. Mr. Federspiel suggests slowly ramping up general fund use for the position to avoid a significant increase in year five. Mr. Federspiel proposes in FY23 the Town will rely 100% on ARPA funds. After hearing again from the BOH, the Finance Committee voted to endorse hiring a Health Agent using ARPA funds (up to \$86,000.) The hiring is not in the budget because the ARPA funding is a grant.

Additionally, the Finance Committee agreed to move custodial staffing back to the Library budget along with window cleaning and pest control which adjusted the Library budget to a level that assures State certification.

The Board discussed and agreed to support the hiring of a Health Agent utilizing ARPA funds for the position and the benefits coming from the benefits account.

*Mr. Round moved to support spending up to \$86K from ARPA funds with benefits coming from the benefit account to support the hiring of a Health Agent; Ms. Jaques seconded the motion. The motion passed unanimously by roll call vote.*

The Board briefly discussed the Safer Grant with Chief Cleary and will more fully explore the grant's acceptance and preparations for additional Fire Fighters later in April. Chief Cleary will confirm the Town can apply for three Fire Fighters instead of four, will also confirm if the clock starts when the grant is awarded or accepted and hopefully firm up the date the grant could be awarded.

Operating Budget changes have been made to Fire, Police and Library (shifting of funds from facilities to the library.)

Mr. Federspiel stated the District budget for Manchester was coming in at a 2% increase not the originally projected 3%. Mr. Federspiel stated the Town's Capital budget is an aggressive \$3M adding the Sweeney Park project has shifted to FY24 due to delays in engineering.

Mr. Boling asked about the docks at Reed Park stating given the Harbormaster had located a used Eastern and with the \$110K allocated at the 2021 Fall Town Meeting would also be able to cover the new engines for the Safe Boat and improvements to the pump out boat.

Mr. Boling stated the dock rentals at Reed Park are low and suggested with the proposed improvements additional revenue could be generated and would like to support the work now. Ms. Jaques agreed with Mr. Boling. Ms. Harrison supports moving the project into the current capital budget.

*Mr. Boling moved to put the upgrade to Reed Park transient dock for water and electricity for \$40K back into the capital budget; Ms. Jaques seconded the motion. The motion passed unanimously by roll call vote.*

c. Review of Warrant Articles



Draft Warrant  
Articles ATM 4.25.22

The Board briefly discussed the Articles in the attached PDF.

Mr. Wilson is not recommending a consent calendar for ATM. He believes it takes as long if not longer to explain the consent calendar as it takes to vote the Articles. He pointed out that last year the vote was not unanimous, and the Articles needed to be voted.

*Mr. Boling moved to approve the proposed Room Tax Rate of 3% for Article 12; Ms. Harrison seconded the motion. The motion passed unanimously by roll call vote.*

*Mr. Bodmer-Turner moved to approve the implementation of the Room Tax Rate on October 1, 2022; Mr. Boling seconded the motion. The motion passed unanimously by roll call vote.*

The ATM will start at 7:00 p.m. on Monday, April 25, 2022. The Board will meet on Tuesday, March 29, 2022 at 8:30 a.m. for the final vote on the budget and Warrant.

## **2. Dispatch – Discussion of North Shore Regional 911 Study**

Mr. Bodmer-Turner stated the Board is discussing Dispatch this evening and not taking any Public Comment, however there will be Public Forums after ATM in May and before Special Town Meeting in June to allow for discussion on Dispatch.

Ms. Harrison stated she would like to get the Board's position on Dispatch out prior to May because things are percolating in Town. Ms. Harrison added there is no reason to monitor Marine Chanel 9 it is a chat channel. Chief Fitzgerald stated Dispatch only monitors Channel 16 not channel 9. He also stated in the interest of time he has gone through the Study a number of times and will put his comments in a document for the Board to review.

Mr. Boling stated he had four items for consideration,

- The first has the Town looked at solar support for radios. Mr. Federspiel stated all radios have battery backup that was misstated by the REC.
- Switch Reach vs. Code Red Support – Mr. Boling would like to understand the differences.
- Data conversion – who is doing the heavy lifting and how much will be on our side and how much will be done by the REC. Mr. Boling is curious to understand the scope.
- Clarification of Marine support and differences in the support we have now. He would like to know the characterization of differences.

Chief Fitzgerald stated the radio infrastructure question is part of the comments he will be forwarding.

Mr. Round asked about direct monitoring of alarms. Mr. Federspiel stated we no longer do that. Mr. Round also asked about staffing at the REC noting it was stated they had 44 FTE and based on the formula will not need to add additional staff. Mr. Federspiel will confirm staffing, ratio, and vacancies at the REC.

Ms. Jaques is interested in hearing what the Chiefs have to say. Mr. Bodmer-Turner asked if the Board would like to put Dispatch to a vote at Special Town Meeting and define where the Board stands as soon as is reasonably practicable.

Ms. Harrison restated she would like to see the Board take a position prior to Public Forums. Mr. Bodmer-Turner indicated the Board meets twice in April and there will be an opportunity to clarify the Board's position and meet with Chief Fitzgerald. Chief Cleary indicated he will review the proposal again and follow up with questions. Chief Cleary stated there were some discrepancies.

Ms. Harrison stated she would like to have clarification and suggested the question be put on the Town Ballot, which is available to everyone, adding this is an issue that is of substantial interest to the voters. Ms. Harrison stated she is asking for a second election after the Special Town Meeting. Mr. Boling suggested that a ballot question could be added to the annual town election instead of asking people to vote again. Mr. Federspiel stated the Board can put the question on the ballot. Ms. Harrison agreed with Mr. Boling.

Mr. Federspiel agreed more people vote at elections but at Town Meeting there is an opportunity for debate, to get that facts and to listen. It is the idealistic view of Town Meeting, and the element is lost at the ballot. Ms. Harrison believes the Board can do a great deal to inform the voters and is concerned about packing Town Meeting.

The Board discussed the budget as it relates to Dispatch and concluded the FY23 budget includes Dispatch and that will support Dispatch if it is decided to remain in house. The

increase to upgrade Dispatch could wait until FY24. Ms. Harrison pointed out if we were to decide to go to the REC it will take some time and the Town will work with the budget approved. Mr. Federspiel agreed with Ms. Harrison's point that if the Board waits a year before increasing the budget noting it is not essential that the Board have a supplemental budget regardless of the final decision.

Mr. Bodmer-Turner suggested holding two public forums one on April 28<sup>th</sup> and one on May 12<sup>th</sup>. And with a vote of the Board to place Dispatch on the Town Ballot on May 17, 2022.

Chief Cleary requested the Board make the decision in the best interest of public safety. Mr. Bodmer-Turner stated prior to the vote of the Town the Board needed to know where the Board is going regarding staffing. Chief Fitzgerald stated he would not be able to participate in the April 28<sup>th</sup> forum as he would be out of the country.

Following a discussion on possible dates for the forum. The forum were proposed for April 14<sup>th</sup> and May 12<sup>th</sup>

*Ms. Harrison moved the Board place a non-binding referendum on the ballot for May 17, 2022 and hold to Public Forum on April 14<sup>th</sup> and May 12<sup>th</sup> to inform voters and hear their comments on the non-binding vote. Mr. Boling seconded the motion.*

Following a brief discussion and Mr. Bodmer-Turner's request that the Public Forum not be included in the vote. Ms. Harrison withdrew her motion with Mr. Boling's support. Additionally, it was concluded that the May 12<sup>th</sup> date was too close to the election and the forum should be held on May 5, 2022.

*Ms. Harrison moved the Board place an Article on the Ballot for May 17, 2022 for a non-binding vote on the future of Dispatch. Mr. Boling seconded the motion. The motion passed with a vote of 3 to 2. Mr. Boling, Ms. Harrison, and Mr. Round voted yes, Ms. Jaques and Mr. Bodmer-Turner voted no.*

*Ms. Harrison moved to hold Public Forum on April 14, 2022 and May 5, 2022 on Dispatch; Mr. Boling seconded the motion. The motion passed unanimously by roll call vote.*

### **3. Cemetery – Additional Plots Layout**



Pleasant Grove Cemetery Expansion.pdf

The proposed cemetery expansion is described in the above PDF.

Mr. Boling stated he is an abutter but does not believe that will influence his decision given the area under consideration is a rocky mess and the slated expansion is reasonable. He did express concern around drainage in the area and the need to address that to avoid flooding nearby homes. Mr. Boling was also concerned about the proposed areas for cremains and the potential for removing trees.

Ms. Leslie Nitkiewicz, 117 Pleasant Street expressed concern about the removal of trees. Mr. Bodmer-Turner assured Ms. Nichols any decisions around trees would be made in compliance with the Town's tree policy. Mr. Federspiel stated decisions about a new cremains section is not being proposed at this time and that neighbor input would be sought prior to deciding.

Ms. Heather Ramsey, 107 Pleasant Street stated she had a few questions about the expansion. She asked about a buffer zone and how close the expansion would be to her property line. She also suggested trees should be planted to protect the privacy of mourners. Mr. Federspiel stated trees would be planted along the perimeter of the proposed expansion. Mr. Ramsey also was concerned about drainage noting the cemetery is significantly higher than her property.

Ms. Jaques asked about the Town informing abutters of the proposed changes. Mr. Federspiel indicated there is no formal permitting process but will plan to meet with the abutters. Ms. Jaques proposed moving the discussion to a future agenda to address the concerns of the abutters

#### 4. Board of Selectmen Policies –



BOS Policies in Revised Format.pdf

Mr. Bodmer-Turner stated the following Policies:

- Recordings of Board and Committee Meetings
- Use of Town Counsel
- Meetings of the BOS
- Use of Town Hall

were all second readings. He proposed if the Board had no changes to the Policies the Board could move to accept the Policies and move the First Reading of the Public Hearing Procedures Policy to the next meeting. The Board concurred.

*Mr. Boling moved the Board approve the second reading of the Recordings of Board and Committee Meetings, Use of Town Counsel, Meetings of the BOS, and Use of Town Hall and accept as Policy; Mr. Round seconded the motion. The motion passed unanimously by roll call vote.*

#### 5. Consent Agenda

- a. **Approval of Minutes**
- b. **Manchester Community Center – Easter Egg Hunt, April 16<sup>th</sup> 9:00 a.m. to 11:00 a.m.**
- c. **Cape Ann PMC Kids Ride Saturday, May 21 9:00 to Noon at Masconomo Park**
- d. **Half Marathon-by-the-Sea Sunday, September 25, 2022 10:00 a.m. to 1:00 p.m.**

Prior to approving the Consent Agenda, the Half Marathon was pulled out to provide the proposed route. The Board discussed the quality of materials provided. The Board requests in the future all materials be complete and in an easy-to-read format,

specifically mentioning the quality of the PMC Kids Ride and the lack of route provided for the marathon.

*Ms. Jaques moved to approve the Consent Agenda with half marathon held, Mr. Bodmer-Turner seconded the motion. The motion passed unanimously by roll call vote.*

## **6. Town Administrator's Report: MBTA Zoning Forum, DIP Work**

**MBTA transit-oriented development – Public Forum, 3/22, 7PM:** The Board is hosting a presentation and Q&A session on the new Law that seeks higher density by-right uses in communities with transit stations. The Public Forum is the first requirement of the new Law. The Board was provided the presentation from the State and Ms. Brown, Town Planner is developing a presentation that incorporates key points from the State's presentation as well as Manchester specifics which the Board will receive prior to Tuesday's meeting. The goals of the Forum are to provide an overview of the new Law, the timeline for the Town (deadline is end of 2024) and to explain how between now and then the Planning Board will pursue options and host additional Forums and possibly Public Hearing in the future.

**DIP work:** The Downtown Improvement Program Committee is working on several projects. With the help of Senator Tarr, the Town has received funding to develop a plan for upgrading Central and Union Streets from Pine Street to Beach Street, as well as extending down Beach Street to Tappan and Summer Streets up to Sea Street. The DIP will survey property owners abutting these areas as the Committee begins design work proposed to improve the streetscape (sidewalks, lighting, parking.)

Additionally, DIP is working on parking and will be part of the new parking study that the Town hopes to initiate this spring.

DIP is also working on public restrooms. Ideally, they hope to receive the cooperation of businesses that would be willing to open up their restrooms to the public. The Town could offer stipends to help cover the costs. The hope is this would be more cost effective and more convenient than the expensive unit we brought in last year.

Finally, the DIP has been studying ways to provide space for outdoor dining. Not easily achieved in the Town's compact core village area. (To date we have not heard from restaurant owners asking for permission for renewing outdoor dining. At the most Mr. Federspiel sees the Board granting permission for limited use of the sidewalks but not using any parking spaces. Assuming that operations can continue at full indoor capacity the pressure to provide outdoor space should be much less. Mr. Federspiel wishes the Town had more space to accommodate outdoor dining as he believes it is well liked but we are constrained unless we were to consider making one-way streets!)

## **7. Other Matters, As May Have Not Been Reasonably Anticipated by the Chair – There were no additional matters to discuss this evening.**

*Ms. Jaques moved to adjourn the meeting; Ms. Harrison seconded the motion. The motion passed unanimously by roll call vote.*

**Meeting Materials:**

Community Preservation Project Proposal  
FY23 Budget Review with BOH Staffing Discussion  
ATM Warrant Articles  
Cemetery Proposed Plot Layout  
BOS Policies  
Consent Agenda – as listed  
Town Administrator’s Report

**Upcoming Board of Selectmen Meetings:**

Monday, April 4, 2022  
Monday, April 18, 2022