



MANCHESTER-BY-THE-SEA

SELECT BOARD • TOWN HALL
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MINUTES OF THE SELECT BOARD

June 6, 2022 6:30p.m. Virtual Meeting

Join Zoom Meeting, Meeting: ID 883 8771 5978 Passcode: 102470 Mobile: 1.646.558.8656

MEMBERS PRESENT: Ms. Jaques, Chair, Ms. Harrison, Ms. Bilotta, and Mr. Sollosy

MEMBERS ABSENT: Mr. Round

STAFF PRESENT: Town Administrator, Mr. Federspiel, Ms. Hunter, Town Planner, Ms. Brown, Chief Cleary, Chief Fitzgerald

GUESTS: Town Moderator, Mr. Wilson, Planning Board Members

PRESS:

Ms. Jaques called the Select Board meeting to order at 6:34 p.m.

Ms. Jaques welcomed participants to the hybrid meeting and introduced Ms. Powers, the new Executive Assistant to the Town Administrator. Ms. Jaques also thanked Mr. Bodmer-Turner for his dedicated service and welcomed Mr. Sollosy to the Board.

Ms. Jaques added as a small Town going forward, she would like to see the community come together and work more collaboratively. Ms. Jaques stated we are a small Town of close-knit neighbors and friends, and she believes as a community we can work together. Later this evening the Board will be discussing procedures and information sharing which she hopes will help with the collaborative efforts.

0. Public Comment on items not on the agenda – There was no public comment this evening.

1. Joint Meeting with the Planning Board

Proposed Zoning amendments and Special Town Meeting

- a. Reaffirm Select Board Decision to postpone June 11, 2022, Special Town Meeting

Ms. Harrison moved to reaffirm the Select Board's previous vote to postpone the Special Town Meeting scheduled for June 11, 2022 due to concerns around quorum during a busy weekend and for additional information from the Planning Board; Ms. Bilotta seconded the motion. The motion passed unanimously.

- b. Vote on which proposed amendments are to be remanded to the Planning Board (note there was a change in the vote from the agenda)

Mr. Mastrogiacomo moved that the Planning Board recommend to the Select Board that the Special Town Meeting be postponed considering By-Law changes to the fall of 2022.

Mr. Mastrogiacomo added the Planning Board has worked hard over the past several months in honing the language and voting through motions for recodification and By-Law changes. The Board has worked through administrative hardships and glitches over the past months. The Board's focus has been on getting the motion language and By-Law details perfected and in agreement with the majority of the Board. Mr.

Mastrogiacomo believes the Board has done this and is prepared to go before Town Meeting. Mr. Mastrogiacomo acknowledged the work of the Planning Board's Vice Chair, Ms. Creighton who has taken on much of the workload and accomplished this in spite of setbacks. With this work completed the thinking was to present the ministerial administrative changes in an evening Town Meeting session at the end of the month. In the interim Mr. Mastrogiacomo received and continues receiving comments from the public that we have not done a good job of explaining the Board's proposed By-Law changes. The Board's website has been slow in providing up to date changes as well information to the Cricket has not been timely. Mr. Mastrogiacomo believes moving proposed changes to fall 2022 will provide the Board with the necessary time to convey our changes to Manchester residents, perhaps with handouts, workshops, and additional opportunities. As with the Master Plan, Mr. Mastrogiacomo would like to let the residents know that the Planning Board is listening.

Mr. Olney seconded the motion. The motion passed with Mr. Mastrogiacomo, Ms. Delisio, Ms. Foley, Ms. Tenny, Mr. Olney, and Ms. Creighton voting affirmatively.

- c. Vote on new Special Town Meeting Date(s) and Warrant Language Meeting has been postponed to a to be scheduled Fall Town Meeting.

Ms. Harrison moved to accept the Planning Board's recommendation to adopt the Zoning By-Law changes in a Fall Town Meeting, Ms. Bilotta seconded the motion. The motion passed with Ms. Harrison, Mr. Sollosy, Ms. Bilotta, and Ms. Jaques voting affirmatively.

- d. Discuss public outreach /education efforts –
Mr. Mastrogiacomo outlined additional outreach and education efforts in his motion.

Ms. Mellish, Chair of ZBA, asked if the Boards would be voting to remand the Warrant Articles back to the Planning Board. Mr. Federspiel stated he believes that a remand vote can only take place at a Town Meeting. Mr. Wilson agreed with Mr. Federspiel adding that no Warrant is outstanding and under MGL 40A section 5 applications to ZBA will be considered under existing law. If changes to the law are more stringent the ZBA may need to reconsider Decisions. Mr. Wilson believes the risks to ZBA applicants are small given that most of the proposed changes do not alter the actual zoning requirements and very few changes are more stringent.

The Boards briefly discussed information and outreach to voters and the best way to present the proposed changes to the voters. Ms. Bilotta suggested the changes to the By-Laws be presented in a narrative format explaining what and how each change was developed. Mr. Olney agreed.

Ms. Harrison pointed out that the process has been ongoing for four years and the how has been communicated but needs to be addressed for the current audience.

Mr. Mastrogiacomo moved to adjourn the Planning Board meeting; Ms. Creighton seconded the motion. The motion passed unanimously.

2. Select Board Reorganization

Ms. Harrison nominated and moved that Ms. Jaques serve as Chair of the Select Board; Ms. Bilotta seconded the motion. The Motion passed unanimously.

Ms. Jaques nominated and moved that Ms. Harrison serve as Vice Chair; Ms. Bilotta seconded the motion. The motion passed unanimously.

Select Board Liaisons:

- Ms. Bilotta has been attending the ZBA and Planning Boards meetings and will continue to attend both Board meetings.
- Mr. Sollosy will participate in the Parks & Recreation Committee and Library meetings
- Mr. Round serves on the Water Resource Task Force
- Ms. Bilotta expressed interest in the Conservation Commission
- Ms. Harrison will work with COA
- Ms. Jaques will participate as the Boards Representative to the MERSD Collaborative meetings and Board of Health
- Ms. Driscoll, a former member of the Select Board, serves as the Board's Representative to the Affordable Housing Trust and will remain in that roll.

3. Chebacco Road Update – Presentation by the Town of Hamilton

Mr. Federspiel indicated that Hamilton is proceeding with the repaving and paving of Chebacco Road in the road's current location. Manchester voters failed to approve by the needed 2/3rds vote relocating the road and Hamilton is required to spend their bond funding this summer.

The Hamilton Conservation Commission held a hearing on the project last week and approved the project. Steve Gang, Chair of MBTS Conservation Commission, attended the meeting and requested some additional measures which were mostly declined by the Hamilton Conservation Commission. This evening the Board will hear from Tim Olson, DPW Director from Hamilton and Woodard & Curran their engineering firm for a brief presentation on the project and to answer any questions the Board may have.

Mr. Federspiel indicated the project will be an improvement over the current status of Chebacco Road. Prior to repaving the gravel road, a portion of the road will be re-built

to slope away from Gravelly Pond. New stormwater swales and sedimentation basins will treat runoff before it drains through the wetland and into Gravelly Pond. The Board may want to request that Hamilton place a truck exclusion signage on the road and MBTS will post a truck exclusion sign on our end of Chebacco Road which would have a similar effect of limiting truck traffic to local deliveries only. Additionally, the Board could request that Hamilton designate Chebacco Road as a low salt area to reduce the amount of salt spread on the road in winter.

Woodard and Curran, engineers for the project presented this evening.

- From Essex St. to the Hamilton/MBTS Town line there will be 7,450 LF milled and overlaid
- An additional 3,300 LF will be paved
- Objectives: address public safety concerns, improve pavement conditions, improve drainage, and reduce sediment build up, and improve existing stormwater treatment
- The road will be regraded, so runoff flows away from Gravelly Pond
- Road will be built with some traffic calming measures – the road will be 20 ft. wide, there will be speed bumps (removed in winter months), defined lines, and restrictions for truck traffic.
- Project timeline start is late August 2022 to early September with completion anticipated spring of 2023

Public Comment

Steve Gang, 18 Ashland Ave., Chair MBTS Conservation Commission, Mr. Gang stated there is no proof that the proposals will be an improvement. He believes stormwater management could be insufficient and had requested a two-week continuance from Hamilton Conservation Commission which was rejected. He is concerned about stormwater and salt build up from treating the road during winter storms. Mr. Gang is concerned that with increased traffic and worries that there could be an increase in PFAS in the Town's water supply. He recommends that the Select Board recommend no road salt used in the section of road that crosses wetlands. Mr. Gang also recommended the Board confirm the Town's road will remain permanently unpaved with a conservation easement and suggested banning truck traffic.

Mary Foley, 1 Pulaski Drive – Ms. Foley stated she agrees with Mr. Gang and supports restrictions to protect the watershed.

Christina Delisio, Lincoln Ave – Ms. Delisio asked if the Town has considered appealing Hamilton's Conservation Commission decisions.

Shelia Hill, 2 Running Ridge Road – Ms. Hill asked if the Select Board would pursue additional conditions and restrictions.

Ms. Jaques responded that the Select Board would reach out to Hamilton's Select Board and come to an agreement on proposed restrictions. Mr. Gang suggested the Select Board appeal the Hamilton Decision to the State DEP. Ms. Jaques recognized the important and valid points raised.

Ms. Foley suggested the Select Board propose that Hamilton end the road in Hamilton at the point where there are no residences. Mr. Federspiel concluded that a good amount of information has been discussed and will be pursued with the Board and Commission in Hamilton. He added there is no perfect solution. However, the Select Board Chair to Chair discussion may have a favorable outcome.

4. Board of Health Updates

Board of Health Updates were postponed to a future meeting.

5. Dispatch Next Steps

Ms. Jaques stated the Board has received significant correspondence regarding the Dispatch vote. Voters made their feeling known with 35% of registered voters participating in the election and 57% of the voters voted to keep Dispatch in Town. Ms. Jaques added it was disheartening to read the misinformation in social media but now that the majority of voters have decided to keep Dispatch in Town the Board will discuss what is needed.

Ms. Bilotta stated she interpreted the vote differently. There were 1,540 votes 55.5% voted to keep Dispatch in house 41.2% voted to move to 911 Regional and 3.3% expressed no opinion. The Town did not reach the 2/3rd vote threshold traditionally set to make major decisions and suggested out of respect for the 44.5% she recommended keeping the door open, adding an immediate move to 911 Dispatch without improving internal operations would be challenging. Fire and Police Dispatch are currently running on two different systems and that needs to be resolved prior to considering a move to shared services.

Ms. Harrison asked Ms. Bilotta how the Town would go about doing what she is proposing. Ms. Bilotta replied, referencing the Feasibility Study and the depth of how technology driven Dispatch is and the importance of a Transition Plan. She added Regional 911 is a well-run organization but the transitions to Regional 911 have been messy.

Ms. Harrison asked what the Town should be doing. Ms. Bilotta restated the importance of focusing on the Transition Plan and partnering with Regional to understand the process. She added the first step is to consolidate internal systems and data to avoid messy conversion and suggested mimicking the Regional Center process in Town.

Ms. Jaques stated currently Dispatch is in the Police Department and managed by the Police Chief. She suggested that Dispatch should be a separate Department managed equally by the Fire and Police Chiefs. Ms. Harrison pointed out moving Dispatch would be challenging, Ms. Bilotta indicated she understood that but would like to see the organizational structure redefined.

At this point in the discussion the Board was not focusing on an either-or choice around Dispatch. The Board was discussing a process and the focus appeared to be eventually moving to Regional 911, for improved service and to save money. Ms. Jaques added the situation is fluid and always changing and the concerns Ms. Bilotta has raised are worth exploring. Ms. Harrison agreed and expressed concern that a single Dispatcher is not

safe. The Town may need to add a second Dispatcher and that could result in overstaffing.

Mr. Federspiel stated Ms. Bilotta made several good points, and he agrees that Dispatch should be on one data management system with both Fire and Police Chiefs managing Dispatch. The first step would be to outline the steps needed to get onto one system and the investment request for a supplemental appropriation at Fall Town Meeting.

Mr. Federspiel cautioned that the Board needs to have a plan in place for the future of Dispatch. If that plan is for 3-4 years that will help to eliminate uncertainty; Dispatch needs the certainty of how long, the Department will remain in-house.

Chief Cleary and Chief Fitzgerald agreed that a decision and commitment from the Board needs to be made. The Board agreed to review the Regional Contract and Transition Plan. Ms. Jaques stated the Board would decide by the next meeting on June 21, 2022.

Public Comment

Sarah Pierce, 9 Friend Street – Ms. Pierce stated she supports keeping Dispatch in Town. Adding the local turnout to vote was amazing and voters are willing to pay for Public Safety.

Mary Foley, 1 Pulaski Drive – Ms. Foley indicated she felt the vote was brushed aside during the Board's discussion while the Board pivoted to a new strategy.

Lorrain Iovanni, 20A Pine Street – Ms. Iovanni stated the Board appeared to be suffering from paralysis of analysis and would like to see a final plan and understand the investment the Town needs to make in Public Safety.

Mr. Rosmarin, 13 Crooked Lane – Mr. Rosmarin encouraged the Board to decide this evening adding the Police and Fire Chiefs work for us, and the Board should decide.

6. Preliminary Discussion – Board Processes and Information Flow, Schedule Future Agendas for Public Input

Item 6 on this evening's agenda will be discussed at a future meeting.

7. Consent Agenda

- a. Formal Approval of Oyster Upweller Project at Morss Pier**
- b. Approval of Minutes**
- c. Cape Ann Small Business Week Proclamation**

Ms. Bilotta moved to approve the Consent Agenda with the minutes of May 16, 2022 pulled out; Ms. Harrison seconded the motion. The motion passed unanimously.

Ms. Harrison moved to approve the meeting minutes of May 16, 2022; Ms. Jaques seconded the motion. The motion passed with Ms. Harrison and Ms. Jacques voting affirmatively.

8. Town Administrator's Report

Tucks Point floats are installed and ramp is working. Harbormaster and DPW completed some of the work. The project was completed on time and on budget.

Construction work – the most significant project this summer will be relining the water pipe up School St. from Central St. to Essex County Club. There will be detours. Firm completing the work will be mobilizing and work will begin at the end of June with digging taking place in specific places for relining the pipe. It is a major construction project and will be an inconvenience for School St. traffic.

Select Board Retreat – the Board will need to schedule a “retreat” for early to mid-July.

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

10.

11. Executive Session per MGL. Ch. 30a, Section 21 (A)(2): To Discuss strategy with respect to contract negotiations with non-union personnel.

Ms. Harrison moved to adjourn the meeting to Executive Session not to return to open meeting; Ms. Bilotta seconded the motion. The motion passed unanimously by roll call vote.

Meeting Materials:

Warrant Articles
Chebacco Road Presentation
Consent Agenda – as listed
Town Administrator's Report

Upcoming Select Board Meetings:

Tuesday, June 21, 2022
Tuesday, July 5, 2022