



MANCHESTER-BY-THE-SEA

SELECT BOARD • TOWN HALL
Manchester-by-the-Sea, Massachusetts 01944-1399
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MINUTES OF THE SELECT BOARD

July 18, 2022

6:30p.m.

Hybrid Meeting

Join Zoom Meeting, Meeting: ID 894 4998 7507 Passcode: 635388 Mobile: 1.646.558.8656

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

MEMBERS ABSENT:

STAFF PRESENT: Town Administrator, Mr. Federspiel (remotely), Executive Assistant, Debbie Powers

GUESTS:

PRESS:

Ms. Jaques called the Select Board meeting to order at 6:30 p.m.

Public Comment on items not on the agenda – none

Chair's Report – moment of silence for the Crosby family for the passing of David.

1. Water and Sewer Rates for FY23: review/approve:

Nate Desrosiers, Town Engineer, stated that former Select Board member Eli Boling began looking into the rates and tiers and the Water Resource Protection Task Force has been currently looking into the data and modeling. With the work that is under way, it was felt going with the standard 3% increase for all tiers would be fitting for this year.

Ms. Bilotta asked if the current rate structure had any meaningful effect on the behavior of the residents? Mr. Federspiel answered that the Town has not seen any sizable reduction. She also commented that there are too many tiers and there is very little differential between the rates to have any effect.

Mr. Round ask what was the increase last year and if the 3% was due to inflation.

Mr. Desrosiers said last year increase was 2.25% and this year's increase is due to the market increase in chemical use that the Town treats the water/sewer with and electricity costs.

Ms. Polo-Filias, 1 Wood Hollow Road, stated that not all large water users are big homes. Her family owns an apartment complex on Desmond Avenue, with includes three different buildings with 8 units in each. It falls under the large use and there is no way to split up the bill.

Ms. Bilotta asked when will the Water Resource Protection Task Force come before the Board with a list of options to consider.

Mr. Round answered that the Task Force has been working on this and have an 18-month window to complete their work. He asked if the rates need to change the same time every year or can the Board update them quarterly. Mr. Federspiel answered the Board has the option to change them more often if you feel you need to.

Ms. Harrison moved to approve the rates as presented; Mr. Round seconded. Motion approved unanimously by roll call vote.

2. Drought Condition Update:

Mr. Federspiel informed the Board that the area is experiencing drought conditions. The eastern portion of state is one of the driest areas. Even though our own water supply is doing okay, Gravelly Pond is dropping and if the dry conditions continue, our concern will increase. He recommends that people be mindful and cut back on water consumption. If this continues, there may be a need to mandate a cut back in irrigation at the Board's meeting in August.

Ms. Jaques asked if we can notify the residents of the drought condition by using of the electronic signs. Nate Desrosiers said the DPW can include wording on the sign boards.

Sarah Mellish, 11 Bennett Street, asked the Board if they are thinking of any future water restrictions, they should consider what type of landscape is used, instead of a ban on all irrigation.

3. Tree Policy: review implementation/enforcement:

Ms. Jaques stated that an incident has occurred recently regarding a potential town tree taken down and inquired how we can better educate property owners so these types of incidents do not occur.

Mr. Federspiel spoke on the updated tree policy. The Board worked with the Friends of Manchester Trees and it was decided that if a tree is within eleven feet from the edge of the pavement it is considered a town tree. These trees cannot be taken down until a Select Board hearing and an official decision is made. The policy needs to be made more available to the public so that these types of violations don't happen. In this incident, due to the extent of the size of the trees, two or three trees will need to be planted in its place.

Ms. Jaques asks if the tree policy can be added to the Welcome to Manchester section on the website for new residents.

Mr. Sollosy suggested to include a small flyer in one of the tax bill mailings.

Christina Delisio, 6 Lincoln Avenue, asked for a clarification on the eleven feet reference. Ms. Jaques informed her to read the policy online which is posted on the Department of Public Works webpage.

4. Board of Health – review proposed Agreement with Select Board:

Mr. Federspiel spoke on the draft Memorandum of Understanding that the Select Board reviewed at their last meeting. The MOU clarifies the roles and responsibilities of the Board of Health and Town Administrator. He reviewed the draft MOU with BOH members Paula Polo-Filias and Peter Colarusso and fine-tuned the language. The agreement will help to clarify each Board's role and to move forward with the hiring of a Health Agent. He asked the Board if they have any further suggestions.

Ms. Polo-Filias, Co-Chair of Board of Health, reviewed the revised MOU and distributed it along to the other BOH members. Town Counsel and the attorney at the Massachusetts Association of Health Boards recommended the Select Board and the BOH take this avenue. With the Select Board and the BOH's agreement on the MOU next step would be to advertise for the new Health Agent.

Ms. Jaques asked if Town Counsel reviewed the latest MOU? Mr. Federspiel answered that Town Counsel is very comfortable with the wording and the structure of the MOU.

Ms. Harrison moved to approve the updated Memorandum of Understand between the Select Board and Board of Health as presented at the July 18th meeting; Mr. Round seconded. Approved unanimously by roll call

5. Remote Meeting Participation Approval:

Mr. Federspiel informed the Board that we are still waiting for the formal legislative action to continue with remote participation but suggested that the Board vote on approving the pre-pandemic law allowing remote participation. The pre-pandemic law allows meetings to be held remotely but the majority of the board needs to be in person, including whoever is chairing the meeting. .

Ms. Bilotta informed the Board that she received an email from the Massachusetts Municipal Association stating that the Lieutenant Governor Polito signed the remote meeting extension bill on Saturday on behalf of the Governor.

Ms. Harrison moved that the Select Board accept the conditions of remote participation under 940 CMR 29.10; Mr. Round seconded. Motion passed unanimously by roll call.

6. July 30 Select Board Workshop – review format, topics:

Ms. Jaques suggested that the workshop be held at Town Hall in room 7 from 9am to 12pm. All members agreed.

Mr. Federspiel stated that in the past the Board has looked at what has worked and hasn't worked in processes and identify what needs to be worked on. Then it would be good to look at the Board priorities for the upcoming budget, operational areas and longer-term effects going forward. This was the format past Board's has used but we don't need to stick with that format.

Ms. Jaques asked each member to email Mr. Federspiel and herself three topics they would like to address.

Mr. Round thought the format was very good last year where it was broken down to three areas - processes and procedures, projects, and new initiatives.

Ms. Bilotta stated all that was said sounded good but was wondering when can we talk strategy for the Town and asked if there was a document to review? Mr. Federspiel informed Ms. Bilotta the Board does not have an active strategic document, but it would be good to start on.

7. Select Board Liaison updates:

Ms. Bilotta informed the Board that she attended the Planning Board's July 11th meeting where they reviewed the website updates that have put into place to help residents understand the proposed new bylaws. They put a table online with the new information and discussed what other information would be helpful to residents.

Mr. Sollosy informed the Board that the Parks and Recreation Committee has received one noise complaint about the pickleball courts.

Ms. Harrison stated that the Council on Aging will not be meeting July and August.

8. Consent Agenda:

a. **Approval of Minutes of July 5, 2022** – postposed for the August 1, 2022

b. **Establish Early Voting Hours:**

Ms. Bilotta asked what is it changing from? Mr. Federspiel answered that the legislation passed a new law regarding early voting going forward and the standard is 35.5 hours per week for towns that have over 5,000 registered voters. For communities that have less than 5,000 voters, which includes Manchester, it is allowed to reduce the hours to 29 hours per week.

Ms. Harrison moved to approve the early voting hours as suggested by the Town Clerk with the recommendation that room 5 be used unless a conflict occurs; Mr. Round seconded. Motion passed unanimously by roll call.

9. Town Administrator's Report:

- a. **Compost/PFAS** – Mr. Federspiel addressed the Board on the Boston Globe article about a compost facility in Westminster that contaminated nearby wells and gardens with PFAS. He let the Board know that he wrote about this in the Cricket. This large operation is run by a subsidiary of the local paper mill and used paper production by-products and large amounts of sewer sludge as part of their feedstock for the compost which likely were the sources for the PFAS. We have received a handful of emails asking whether we have the proper safeguards in place to ensure the new compost facility will not be adding to our PFAS concentrations. Our vendor, Black Earth Compost, tests for PFAS and they have always been below the maximum thresholds. The Town will need to continue to monitor we should be OK on this front.

- b. **Reed Park Floats** – He informed the Board that the Harbormaster discussed the possibility of expanding the floats at Reed out toward the railroad drawbridge as a way to accommodate more visiting boats and raise more revenues that will be needed for on-going harbor dredging. Also, the Board asked the Harbormaster to review the concept with the Finance Committee. The Finance Committee was okay with expanding toward the drawbridge, but they were not enthused about connecting over to Morss Pier from an esthetic perspective. The Harbormaster contacted two funding sources and they both would be willing to consider a proposal for funding 50% of the project. This means no local match would be necessary. Assuming you are okay with proceeding with the expansion toward the drawbridge we will pursue the grants. Also, the Harbormaster was able to secure 80% funding for the engineering work at for the Rotunda at Tuck's. This also positions us to receive up to \$1 million in construction funding for the selected solution.

- c. **Dispatch Update** – The Town has the IMA to sign. Becky and the TA will plan to do so at a brief signing ceremony at the Center in Middleton on July 26 at 1PM. We have started discussions with Essex about using their radio frequency to receive dispatching from the Center if we lose our own dispatchers prior to being ready to switch over. Work continues on ordering the various equipment that will be needed to effectuate the transfers. The Fire Chief has agreed that the record management system provided by the Center will be adequate for his needs, thus avoiding the need to purchase a separate program.

Ms. Jaques asked to have updated information to put on the website to notify the residents of the next steps. Mr. Federspiel said this is being worked on and should be uploaded soon.

- d. **August & September Meeting Dates** – Mr. Federspiel asked the Board to look ahead at the following meeting to be held on August 1st and 15th and September 6th, due to the Labor Day holiday and September 19th.

Ms. Jaques is not available on Tuesday, September 6th but all other members are available. Ms. Harrison may not be available on Monday, August 15th.

Ms. Harrison moved to end meeting; Mr. Sollosy seconded. Motion passed unanimously by roll call.

Meeting Materials:

Policy and Rates for Sewer and Water
State Drought Condition Information
MOU between Board of Health and Select Board
Remote Participation – KP Law Update
Tree Policy

Upcoming Select Board Meetings:

Monday, August 1, 2022
Monday, August 15, 2022