



# MANCHESTER-BY-THE-SEA

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SELECT BOARD • TOWN HALL  
Manchester-by-the-Sea, Massachusetts 01944-1399  
Telephone (978) 526-2000 FAX (978) 526-2001

## MINUTES OF THE SELECT BOARD

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September 7, 2022

6:30p.m.

Hybrid Meeting

Join Zoom Meeting, Meeting: ID 859 8871 7441 Passcode: 259599 Mobile: 1.646.558.8656

**MEMBERS PRESENT:** Ms. Harrison, Vice-Chair, Mr. Round, Ms. Bilotta, and Mr. Sollosy

**MEMBERS ABSENT:** Ms. Jaques

**STAFF PRESENT:** Town Administrator, Mr. Federspiel, Executive Assistant, Debbie Powers

**GUESTS:** Steve Gang, Chair of the WRPTF, Fire Chief Cleary and Police Chief Fitzgerald

**PRESS:**

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Ms. Harrison called the Select Board meeting to order at 6:31pm and four members were present by roll call.

**Public Comments on Non-Agenda Items:** none

### 1. Drought Condition Update:

Mr. Federspiel updated the Select Board on the current drought condition. The Town is still in a critical drought situation, but the wells and reservoirs are okay. He stressed to continue to conserve, and it has been effective. The Town has seen a reduction in daily use. He stated the Select Board may have some water ban exemptions to discuss tonight.

Ms. Harrison stated that she was concerned that the ban could impact some businesses. Mr. Round asked what business she was referring? Ms. Harrison answered a car detailing business.

Ms. Bilotta explained that the business owner goes to people homes to detail their cars and he hasn't been able to do preform this service due to the water ban. She would like to see this type of business be able to apply for a waiver.

*Ms. Bilotta moved to allow businesses to apply to the DPW for a waiver from the water ban provided that the use is critical and well monitored; Mr. Round seconded. Motion unanimously approved by roll call vote.*

## **Committee Reappointments:**

Mr. Round spoke on his appointment to the Historic District Commission and how they are currently looking for an architect to fill the remaining position.

Ms. Bilotta spoke on the open seats on the Animal Control Board. Ms. Bisner is the only member and there are four vacancies.

*Mr. Sollosy moved to reappoint John Round to the Historic District Commission for a term to expire on June 30, 2025; Ms. Bilotta seconded. Mr. Sollosy voted yes, Ms. Bilotta voted yes, and Ms. Harrison voted yes.*

*Mr. Sollosy moved to reappoint Kerri Bisner to the Animal Control Board for a term to expire on June 30, 2025; Ms. Bilotta seconded. Mr. Sollosy voted yes, Ms. Bilotta voted yes, Mr. Round voted yes and Ms. Harrison voted yes.*

## **7. Consent agenda:**

*Ms. Bilotta moved to approve the consent agenda. Mr. Sollosy seconded. Motion unanimously approved by roll call vote.*

Mr. Round asked for a proclamation for Alice Nahatis to be presented to her on Monday, September 12<sup>th</sup>, along with the Boston Post Cane.

*Ms. Bilotta moved to amend the consent agenda motion to proclaim September 17, 2022, as Alice Nahatis Day; Mr. Round seconded. Motion unanimously approved by roll call vote.*

## **2. Water Resources Protection Task Force Update & Approval of 100f Proposals:**

Steve Gang, Chairman of Task Force, spoke on the proposal for further investigations into the sources of water for Gravelly Pond and on review of the findings of water usage by accounts. He reviewed the proposal with the Select Board. He informed the Board that the purpose is to understand how ground water fills Gravelly Pond and supplies the wells in Round Pond. There are two purposes to find out how it is fed, the first being if the Town should recommend new ground water protection districts and second is to measure the risk of polluted ground water. There is an urgency to have it done now as it is the ideal time due to the water temperatures. The contractor has picked September 14<sup>th</sup> to conduct the service.

Mr. Federspiel stated the ground water is deep, the proposal is listing shallow probing. He asked how do we get to the deeper sources? Mr. Gang answered that due to the structure of the soil, the consultants are very confident they can get ground water measurements.

Nate Desrosiers, DPW Engineer, spoke with the consultants today to go over the proposal and site visit. This phase is to locate the ground water, and this would help the DPW identify where the water is coming from.

*Mr. Round moved to approve the proposal from Truslow Resource Consulting, LLC; Mr. Sollosy seconded. Motion unanimously approved by roll call vote.*

Mr. Gang spoke on the study of drinking water usage by account. He thanked past Select Board member Eli Boling and the DPW for great meter level data. He reviewed the presentation with the Board. Commercial users are not reflected in the presentation.

Ms. Bilotta asked what the Town is doing right now to account for the missing water. That seems like a task the Town should be doing and if it should not be under the purview of the Task Force. Mr. Federspiel answered that the missing water was a lot higher a few years ago. The Town has been replacing and relining pipes which has reduced the amount of leakage. We have replaced old home meters with newer meters, which are more accurate. The Town also has replaced a few meters at the plant as they are very expensive.

Mr. Desrosiers informed the Board that they replaced the meters at Water Plant last year and the Town should have better readings. The residential meters are 20+ years old but they are showing signs of losing accuracy.

Mr. Gang reviewed the slide of the presentation on how much drinking water is unaccounted for.

Mr. Round asked Mr. Desrosiers if this 25% water lose is over a short period of time? Mr. Desrosiers answered that the 25% water lose comes from our annual statistical report for the DEP. He informed the Board the report data is comprised of how much water is produced at the plant, all meter readings, and other unaccountable water, which would be hydrant flushing and any water breaks, which the department needs to estimate how much water was used in those incidents. The last few years with improvement on the streets and replacing mains by the ocean has helped. The department has used leak detention which can help locate water leaks. The 25% figure is from the 2021 report.

Ms. Harrison asked where the meters are on residences? Mr. Desrosiers answered that many are in the homes and a small number are located outside.

Mr. Gang reviewed the slide of the presentation that showed Manchester as the highest community for loss of drinking water.

Ms. Bilotta referred to the last slide that indicated their next steps. She suggested the Task Force put together a timeline, listing what needs to get done over the remaining months and to bring this back to the Board on what the Task Force has done and include any decision-making points. The timeline is very important as it looks at the Board's tasks and the tasks of the Task Force. Mr. Gang stated that the timeline is almost complete and it should be done by the end of the month to present to the Board.

### **3. Continuation of Traffic Calming Discussion:**

Mr. Federspiel referred to the data summary sheets from the 15 different roads supplied by the Police Department.

Mr. Round asked about the cut off for the high, medium and low determination. Police Chief answered that for a high rating it is 15 mph over, low would be 10 mph or less, and medium would be 10-15 mph.

Ms. Bilotta noted that Pine Street and upper School Street are the worst. Chief Fitzgerald stated the data supplied was from lower Pine Street, in the area of Newport Park. Mr. Sollosy asked how the Town determined the 20 mph speed limit. Chief Fitzgerald stated it was determined a safety zone because of the senior housing there , which has a lot of foot traffic.

Ms. Harrison addressed the enforcement of the over 10 mph tickets. She stated that the Town gives a lot written and verbal warnings in town. Maybe we should enforce the speed limits at the posted limit, rather than the 10 mph over. Chief Fitzgerald stated it is the industry standard. Most of the pull overs are typically a first incident which gets a written warning. Just recently the Chief pulled a car over going over 17 mph over the posted speed limit, he was issued a citation. The Department does issue a fair number of violations when needed. Ms. Harrison stated that if a resident who sees someone that is going 30 in a 20 mph might feel that is unacceptable.

Ms. Bilotta thanked the Chief for the data and asked what we are going to do with the information. The data shows that the two roads that come off the highway are the most problematic.

Chief Fitzgerald stated in his opinion 85% vehicles the department are stopping are town residents. He suggested to put in some traffic measures which would include speed bumps and increase enforcement, which we have been doing.

Mr. Sollosy asked if there is any value to raise the speed limit to 25 mph at lower Pine Street. It might help with any road rage issues. Chief Fitzgerald stated that the speed limit was 30 mph before and dropped it to 20 mph because people were concerned about speed in that area. He would be comfortable to move to 25 mph. Ms. Bilotta stated that is a valid option to look at but what does that data tell us since we lower it, has it gotten worse or did it help us. Chief Fitzgerald referred to that last speed study conducted in the area and the speeding has risen since the change to 20 mph.

Ms. Bilotta feels that the Chief could bring back the data on Pine Street to be added as an agenda item to decide on the speed limit on Pine Street. Ms. Harrison suggested to place it back on an agenda in a month.

#### **4. Police and Fire Staffing Discussions:**

Fire Staffing: Mr. Federspiel stated that this is an initial discussion before the start of the FY24 budget is underway. He stated that the Fire Department has had one retirement and one resignation, and this makes it difficult to keep the three full-time staff shifts. To keep it at three, requires a lot of overtime by the remaining staff. The short-term solution would be to drop to two and with the three new hires that are coming, which have their paramedic certifications the Town will be back to three for ambulance staffing. To have their firefighter credentials, we will

have to send them to the academy, which will be next spring. There may be sometimes that the Town only has two certified firefighters on staff. Not an ideal situation but we have mutual aid.

Ms. Harrison asked how long it takes one to go through the fire academy. Fire Chief Cleary answered that it is a 10-week course. Mr. Sollosy asked if the academy is full time or is it during the weekends. Chief Cleary answered that it runs all day Monday through Friday.

Chief Cleary stated since he has started in Town the staff remained at three. When the department had the retirement and a resignation the amount dropped to 11 firefighters. The floater went away because he had to get assigned to a shift. Currently we have 3 shifts with 3 people assigned and 1 shift with 2 people assigned, so there is 1 vacancy all the time. The department is currently trying to fill to three as much as possible but with only 11 firefighters it is hard to do. The problem with dropping to 2 is if the ambulance goes out of town with only 2 people, the station is unmanned to cover any calls. Also, if we are staffed at 2, we can not respond with mutual aid to neighboring communities and we would also need to rely on the aid for help.

Ms. Bilotta informed the Fire Chief when she is discussing staffing, she needs to see data and numbers. Also, would need benchmarking to see what other towns are doing in regards to staffing.

Mr. Round asked about mutual aid and if we don't have the staff, will the aid still cover for a temporary basis. Chief Cleary answered that some the Town's mutual aid partners have said nothing will change and understand our predicament. Under the Mutual Aid Agreement, no money is given because the needs change. The challenge is whether other communities may feel that their department is supplementing our department.

Ms. Harrison stated that the Board would like to see the ambulance and fire calls separate. Ms. Bilotta feels that the Select Board's role is to look at other comparable towns and if we have the correct level of staffing. Chief Cleary informed the Board that Middleton is the closest station that functions the same way as Manchester.

Police Staffing: Mr. Federspiel informed the Board that the issue with the Police is long term. Once the transition has been made to regional dispatch, which should be by next summer, we need to figure out what is the appropriate staffing model. During the discussion about merging with regional dispatch, there was much talk about staffing the lobby. The Police Chief feels that the town does not get much value out of that person sitting in the lobby and would like to hire additional 2 officers that could help with calls and reduce overtime as well as provide lobby staffing.

Chief Fitzgerald stated staffing the lobby with police officer has a lot of benefits and he reviewed his spreadsheet with the Board. He is suggesting that the Town hire two additional officers that way the lobby would be staffed for a full day. Once the School Resource Officer is out for the summer, that officer could be dedicated to traffic or water or a small, community impact type of unit. The additional officers would cut down on overtime, which is averaging around \$170,000 a

year. He feels it would reduce to \$60,000. It would also give the department flexibility to do a lot of work and cut down on reserve officer use.

Ms. Bilotta asked if there is a seasonal uptick in activity in the summer? Chief Fitzgerald answered the Town's highest month of activity is July. The department sees an increase in calls from late May and slow down by October.

Mr. Round asked how many officers will be on duty if there is a dark reception area. Chief answered that there would be two officers on duty. Mr. Round stated he is looking to staff the station with 3 officers at all times.

Ms. Bilotta asked for data on the Town's staffing levels compared to other towns. She feels that this should not be mixed with the lobby coverage. If the Board committed to have the lobby staffed we should do so. There are different ways to do that. She would like to see the data on the calls and if the data shows it has increased, then we need more officers. If that is not the case, explain why you need more. If we hire the additional officers and they go out on a call, we are not keeping the commitment to the residents to keep the lobby staffed.

Mr. Round asked the Chief how does the money add up with this? Chief Fitzgerald stated that the overtime is very hard to predict. This model would help reduce the use of reserves and cut down on overtime and the need to backfill would be minimal.

Mr. Sollosy asked what the delta is between an administrative person and a police officer. He stated for a few more dollars we have another officer available to the Chief. That makes sense to him. Ms. Bilotta stated then we are not meeting the commitment to the residents.

Discussions on public safety staffing will continue at a future meeting once additional data is provided by the two Chiefs.

## **5. Liaison Updates:**

Mr. Sollosy informed the Board that he spoke with the Parks and Recreation Director, and they will address a short-term solution to the noise complaints at their next meeting. In regards to Upper Pine Street, they are answering questions to the logistics on parking and safety.

Ms. Bilotta updated the Board that the ZBA has filed their 40B denial on the 30<sup>th</sup>. The Planning Board would like to update the Board at our next meeting on the proposed zoning proposals. Ms. Harrison asked how they plan to group the changes/updates so that the voters have a clear understanding of what they are voting on.

Mr. Round updated the Board that the DPW is integrated into the water resource process and is putting together a grid on how the surrounding towns obtain their water and how the water is managed.

Ms. Harrison did not attend the Conservation Commissions meeting and the COA has not met. She did attend the School Committee meeting. The Chair is in her 3<sup>rd</sup> year on the committee and

two members are in their 2<sup>nd</sup> year and three members are newly elected this year. The Administration have a remarkable job to educate the Committee. The school district has a long-term operational deficit. It has been dealt with in the past by overrides and this year they may look for more money or cut programs. Most of the meeting was on the District Improvement Plan and the goals that were set in that plan. The plan lays out the steps if they want to make a change and this process moves very slowly. She spoke with the Superintendent and she is confident that she can move everyone along and keep the direction going that was decided three years ago.

**6. Public Notices:**

- a. **Wetlands Abutter Notification Letter – 208 Summer Street** – stated this was an FYI.
- b. **Seaport Economic Council awarding of grant for Tuck’s Point Rotunda Phase II: different options to come before the board in late fall.** – received the official letter of the grant the town received for the rotunda.
- c. **MBTA Advisory Board Vacancy: can be a SB member or a volunteer. Should make a decision by next month. Meet quarterly** – Town’s seat on the MBTA Advisory Board has been vacant. It can be a board member or an individual. He advised the Board should make an appointment by next month.

**8. Town Administrator’s Report:**

- a. **School Street Construction:** Mr. Federspiel informed the Board that the construction has made good progress and on target to be complete by October. Work has been completed from Pleasant Street to the County Club. Hopefully past Lincoln Street later this week.
- b. **Compost Facility:** Running into a delay to obtain the permit but hopefully the State will issue soon. He will follow up once we have heard more.
- c. **Special Town Meeting:** Scheduled for the November 14<sup>th</sup>. Main topic is recodification and amendments to the zoning bylaws. The Board has received one citizen petition which asks voters to approve a new recall provision for elected officials. If approved at Town Meeting, it would go to the legislature for a special act. Petition deadline is October 17<sup>th</sup>.
- d. **Harbor Discussions and Sand Dollar Cove** – A harbor discussion will be on the next meeting of September 19<sup>th</sup> to talk about a Harbor Master Plan. This is separate from the Sand Dollar Cove issue and is not part of the agenda on the 19<sup>th</sup>. It will be brought back up at a later date.
- e. **Your workshop, part 2:** He asked the Board to send any information or thoughts to him before Saturday.

9. **Executive Session per MGL. Ch.30A, Section 21(A)(2) to conduct strategy with respect to contract negotiations with Clerical Union, if any open meeting may have detrimental effect on the negotiating position of the public body and the Chair so declares.**

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

**Meeting Materials:**

Committee Reappointments  
WRPTF Proposals  
Speed Traffic Data  
Public Notices – as listed  
Consent Agenda – as listed  
Town Administrator’s Report

**Upcoming Regular Select Board Meetings:**

September 19, 2022, and October 3, 2022