

Town of Ipswich
Annual Town Meeting
Tuesday - May 14, 2019 - 7:00 PM
WARRANT

ESSEX, ss

To the Constable of the Town of Ipswich in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Ipswich qualified to vote in Town affairs to meet in the IPSWICH MIDDLE SCHOOL/HIGH SCHOOL, 134 High Street in said Ipswich, on TUESDAY, THE FOURTEENTH DAY OF MAY, 2019, at 7:00 o'clock in the evening, then and there to act on the following articles, viz:

ARTICLE 1 – Consent Calendar

Requested By: Select Board

To see if the Town will vote:

- (1) To fix the annual salary and compensation of all elected Town Officers as follows: Town Moderator: \$250.00; Select Board: member \$750.00; Chairperson \$1,000.00; School Committee: member \$ 200.00;
- (2) To transfer the sum of \$325,000 as a payment-in-lieu of taxes from the Electric Light Department;
- (3) To hear reports from the Commuter Rail Committee, the Hall-Haskell Committee, and the Open Space & Recreation Committee, and to continue these as standing committees of Town Meeting;
- (4) To see if the Town will amend Section 15-29 of the General Bylaws by adding a new subpart “L.” as follows:

L. Crane Beach Maintenance Fund: funds derived from the sale of Crane Beach parking permits and the Trustees of the Reservation Crane Beach PILOT Agreement, to be expended by the Town Manager (or Select Board) for maintenance and repair of Town-owned or operated parking and pedestrian facilities at Crane Beach in Fiscal Year 2020 and subsequent years.

And to establish the following expenditure limitations for the revolving funds authorized in § 15-29 of the Town Bylaws for FY2020:

- a. Town Wharf Revolving Fund: \$12,000;
 - b. Beautification Fund: \$5,000;
 - c. Public Health Fund: \$5,000;
 - d. Sanitary Housing Fund: \$7,000;
 - e. Food Inspectional Services Fund: \$25,000;
 - f. Council on Aging Fund: \$100,000;
 - g. Historical Commission Fund: \$5,000;
 - h. Town Hall Custodial Services Fund: \$20,000;
 - i. Shellfish Enhancement Fund: \$15,000;
 - j. Electric Vehicle Charging Fund: \$1,000;
 - k. Health Reimbursement Fund: \$85,000; and
 - l. Crane Beach Maintenance Fund: \$5,000.
- (5) To authorize the payment of any unpaid bills from prior years, if necessary;
 - (6) To amend the Town’s action taken under Article 3 of the May 8, 2018 Annual Town Meeting (FY 2019 Municipal Operating Budget) by transferring from available funds, if necessary; and
 - (7) To appropriate a sum of \$440,336, or a greater or lesser sum, from the state for highway improvements under the authority of M.G.L. Chapter 90, or any such applicable laws, and to authorize the Board of Selectmen, if necessary, to apply for, accept and borrow in anticipation of state aid for such projects.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to set the salaries of elected officials; transfer funds from the Electric Light Department; hear reports from committees and continue listed committees as standing committees of Town Meeting; amend section 15-29 of the General Bylaws and add subpart “L” to establish the Crane Beach Maintenance Fund and establish expenditure limitations of revolving funds; to appropriate the sum of \$440,336 under the authority of M.G.L. Chapter 90 and to authorize the Select

Board to borrow in anticipation of state aid for such projects, all as set forth in Article 1 of the warrant for this Town Meeting.

ARTICLE 2 – Finance Committee Election

Requested By: Select Board

To see if the Town will vote to appoint one [1] member of the Finance Committee for three [3] years, or to take any action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to appoint Walter Hartford to the Finance Committee for a term of three years.

ARTICLE 3 - FY 2020 Municipal Budget

Requested By: Select Board

To see if the Town will vote to hear and act upon the reports of the Select Board and Finance Committee relative to the Fiscal 2020 municipal budget, and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year’s operations, including the compensation of elected Town officers, and to authorize the Town to enter into lease-purchase contracts for equipment having a term of five years or less; or to take any other action relative thereto.

Summary: An annual operating budget must be adopted and funded for Fiscal Year 2020 which begins July 1, 2019. A budget was adopted by the Select Board and submitted to the Finance Committee as required under the Town Charter and general by-laws. Detailed budget information is available on the town website <http://www.ipswichma.gov/632/Budget-Information>.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to appropriate the sum of \$26,401,824 for the FY2020 municipal budget to be expended as follows:

General Government	\$709,219
Finance	\$1,052,329
Planning	\$570,664
Public Safety	\$5,372,544
Public Works	\$4,687,133
Community & Cultural Services	\$1,526,072
Benefits & Other Misc.	\$5,750,361
	<hr/>
General Fund Total	\$19,668,321

For a General Fund Total of \$19,668,321 including waterways; and

Water Department	\$3,914,948
Wastewater Department	\$2,728,655
Sanitation, Solid Waste, Recycling	\$89,900
	<hr/>
Total Municipal Budget	\$26,401,824

And that the following sums be raised and appropriated or transferred to fund the FY2020 budget:

Septic Loan Program	\$ 17,865
Tourism Account	\$2,000
Debt Premium	\$1,931
Overlay Surplus	\$125,000
Waterways Improvements	\$102,052
Raise and Appropriate	\$19,419,473
Water Receipts	\$3,798,106

Water Reserves	\$116,842
Wastewater Receipts	\$2,434,072
Wastewater Reserves	\$294,583
Sanitation, Solid Waste & Recycling	\$89,900
Total Funding Sources	\$26,401,824

and to authorize the Town to enter into lease-purchase contracts for equipment having a term of five years or less.

ARTICLE 4 – FY 2020 School Budget

Requested By: School Committee

To see if the Town will vote to hear and act upon the reports of the School Committee and Finance Committee relative to the Fiscal 2020 School Department budget and to raise, appropriate, or transfer money from available funds (including the Education Stabilization Fund), and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year’s operations, including entering into lease-purchase agreements having a term of five years or less for a school bus and/or for other purposes; and to act upon a request to reauthorize existing revolving funds pursuant to state law; or to take any other action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to transfer \$125,000 from the Overlay Surplus account, to transfer \$380,754 from the Education Stabilization Fund, and to raise and appropriate the sum of \$33,069,647 for a total budget of \$33,575,401 to fund the FY 2020 School Budget as set forth in Article 4 of the warrant for this town meeting.

ARTICLE 5 – FY 2020 Whittier Regional High School Budget

Requested By: Whittier RVTHS Representative

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$455,189, or a greater or lesser sum, to cover the Town’s share of the ensuing year’s annual operating and debt service expenses of the Whittier Regional Vocational Technical High School; or to take any other action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to raise and appropriate the sum of \$455,189 to pay the Town’s share of the ensuing year’s annual operating and debt service expenses of the Whittier Regional Vocational Technical High School.

ARTICLE 6 – FY 2020 Essex County Technical Institute Budget

Requested By: Select Board

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$235,707, or a greater or lesser sum, to cover the Town’s share of the ensuing year’s annual operating and debt service expenses of the Essex County Technical Institute; or to take any other action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to raise and appropriate the sum of \$235,707 to pay the Town’s share of the ensuing year’s annual operating and debt service expenses of the Essex County Technical Institute.

ARTICLE 7 – Transfer of FY 2019 Appropriated Budget Funds to Educational Stabilization Fund

Requested By: School Committee

To see if the Town will vote to transfer available funds from the FY 2019 school budget to the Educational Stabilization Fund or take any action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to transfer the sum of \$219,118 from the FY 2019 School Budget to the Education Stabilization Fund.

ARTICLE 8 – Transfer FY 2019 Budget Funds to Special Education Reserve Fund

Requested By: School Committee

To see if the Town will vote to transfer available funds from the FY 2019 school budget to the Special Education Reserve Fund or take any action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to transfer the sum of \$100,000 from the FY 2019 School Budget to the Special Education Reserve Fund.

ARTICLE 9 – Annual Capital Plan

Requested By: Select Board and School Committee

To see if the Town will vote to transfer from the Capital Stabilization fund the sum of \$16,500, from Free Cash the sum of \$1,025,000, from Overlay Surplus the sum of \$50,000, from the Fire Pumper Set-Aside fund the sum of \$51,084, from the Waterways Fund – Harbor Capital the sum of \$50,000, and raise and appropriate the sum of \$66,651 for the following purposes, and that any remaining funds be transferred to the Capital Stabilization Fund:

IT:

Computer Replacement \$50,000

SCHOOLS:

Payne Building Repairs & Restoration \$15,000
SPED Vehicle (Year 2 of 4) \$12,000
Wind Turbine Gear Box Set-Aside (Year 2 of 7) \$20,000
Technology: User Equipment \$150,000
Roof Repairs (Doyon) \$50,000
Bathroom Upgrades (Winthrop) \$50,000
Roof Repairs (Winthrop) \$50,000
MS/HS Upgrade Phone/PA/Clock and Bell System (Year 4 of 5) \$35,914
Paint Floor – Performing Arts Center \$15,000
Paint MS/HS Interior & Exterior \$48,070
High School Classroom Furniture Replacement \$45,980
Middle School Classroom Furniture Replacement \$45,980

BUILDINGS:

Fire Alarm Panel Replacement (Town Hall) \$36,000
Replacement of Single Pane Windows (Library-Year 1 of 2) \$60,000

EQUIPMENT:

Sidewalk Machine \$21,411
PW-46 Ford Dump Truck (Year 5 of 5) \$35,108
PW-45 F650 Dump (Year 4 of 5) \$29,270
PW-56 Bucket Truck (Year 3 of 5) \$43,500
60” Zero Turn Mower \$15,000
FY25 E1 Truck Replacement Matching Funds \$25,000
E-4 Class A Pumper Truck (Year 3 of 5) \$95,501
E-2 1992 Replacement Pumper (Year 3 of 5) \$95,501
Radio Infrastructure (E440 Mhz Digital Repeater) \$75,000
Police Computer Server Replacement \$10,000
Administrative Vehicle – Police Chief \$40,000
New Engines for Patrol Boat \$50,000

ECONOMIC DEVELOPMENT:

Community Development Plan Update \$40,000

Or to take any action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to transfer from the Capital Stabilization Fund the sum of \$16,500; to transfer from Free Cash the sum of \$1,025,000; to raise and appropriate the sum of \$66,651; from the Overlay Surplus Account the sum of \$50,000; from the Fire Pumper Set-Aside fund the sum of \$51,084; and from the Waterways Fund – Harbor Capital the sum of \$50,000 for a total capital spending of \$1,259.235 to fund the capital budget as set forth in Article 9 of the warrant for this town meeting, and that any remaining funds be transferred to the Capital Stabilization Fund.

ARTICLE 10 – Water Main Replacement

Requested By: Select Board as Water Commissioners

To see if the Town will vote:

(1) to appropriate the sum of \$5,500,000 to survey, design, permit and construct improvements to the Town’s water distribution system, including the payment of costs incidental or related thereto: and

(2) to raise this appropriation by authorizing the Treasurer, with the approval of the Select Board, to issue bonds or serial notes under the provisions of M.G.L c.44, Section 8(5), or pursuant to any other enabling authority. All or any portion of the borrowing may be accomplished through the Massachusetts Clean Water Trust. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premiums applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount: or

(3) to take any other action relative thereto

Summary:

This article will authorize the Treasurer to borrow the sum of \$5,500,000 to replace water mains within the Town of Ipswich. Funds are anticipated to be used to replace a portion of the water main on High Street between the Utilities Office and Kimball Avenue. This High Street water main has experienced several breaks in the past year with significant impacts to the community and high repair costs.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move that the Town votes to:

(1) appropriate the sum of \$5,500,000 to survey, design, permit and construct improvements to the Town's water distribution system, including the payment of costs incidental or related thereto; and

(2) to raise this appropriation the Treasurer, with the approval of the Select Board is authorized to borrow said amount under the provisions of M.G.L. c. 44, §8(5), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. All or any portion of this borrowing may be accomplished through the Massachusetts Clean Water Trust. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premiums applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 11: Change to procedures for voting at Town Meeting

Requested by: Town Moderator

[Note: ~~strikethrough~~ indicates deletions; ***bold italics*** indicates additions.]

To see if the Town will amend Section 25-9A of the General Bylaws as set forth below, or make any other changes thereto:

- A. Except in those cases where a particular procedure is required by law, or by other provisions of these bylaws, the Moderator, in his discretion and upon his own motion, may put a question to a vote of the meeting by any one of the following

procedures: by voice vote; by counting the "Yeas" and "Nays", as determined from a show of hands by persons present and desiring to vote; ~~or~~ by counting the "Yeas" and "Nays" as determined by having persons present and desiring to vote stand in their places to be counted; **or by the use of an electronic voting system with handheld wireless devices distributed to each registered voter.** Before asking for a vote on any question, the Moderator shall first clearly state the question to the meeting.

Summary:

This article would amend the bylaws to add the option of counting Town Meeting votes electronically, with handheld wireless devices. The Moderator is planning to allow a no-cost vendor-demonstration of such devices at this Annual Town Meeting. While state law gives the Moderator exclusive authority to decide all questions of order in the meeting, as currently written the Ipswich bylaws do not specifically sanction the use of electronic voting. Should town officials and voters decide to support the acquisition of such devices and the related software, which would be voted on separately, this amendment would explicitly sanction the use of electronic voting at any future town meeting.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I mover to amend the Ipswich General Bylaws as set forth in Article 11 of this Town Meeting Warrant.

ARTICLE 12 – Stabilization Funding

Requested By: Select Board

To see if the Town will vote to transfer the sum of \$ 50,000 from Free Cash to the Stabilization Fund, or take any other action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to transfer the sum of \$50,000 from Free Cash to the Stabilization Fund.

ARTICLE 13 - Other Post-Employment Benefits Funding

Requested By: Select Board

To see if the town will vote to raise and appropriate the sum of \$71,910 and to transfer the sum of \$110,807 from Free Cash and to transfer said sums to the OPEB Trust Fund, or take any action relative thereto.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to raise and appropriate the sum of \$71,910 and to transfer the sum of \$110,807 from Free Cash and to transfer said sums to the OPEB Trust Fund.

ARTICLE 14 – Nuisance & Dangerous Dog amendment

Requested By: Animal Control Officer & Police Chief

[Note: ~~strikethrough~~ indicates deletions; **bold italics** indicates additions.]

To see if the Town will vote to amend the General Bylaws of the Town of Ipswich by amending Chapter 109-12 (“Nuisance & dangerous dogs”) by adding the following language (new language in **bold**):

S 109-12. Nuisance and Dangerous Dogs.

- A. No person owning, keeping, or otherwise responsible for a dog or dogs shall allow said dog or dogs to annoy another person by making loud or continuous noise, where such noise would be found by a reasonable person to be disruptive to one’s quiet and peaceful enjoyment. Continuous and clearly audible barking, whining, crying or howling by a dog or dogs is prima facie evidence of a violation, if:**

- (1) It occurs between the hours of 10:00 p.m. and 7 a.m. of the next day; or**
- (2) It is in excess of 45 minutes between 7:00 a.m. and 10:00 p.m.**

If observed by the Animal Control Officer, or any other officer authorized to enforce this section, or an investigation substantiates an excessive noise complaint under this bylaw, said officer will issue a written warning for the first offense and a fine of \$25.00 for each subsequent offense. Nothing in this subsection shall interfere with a person's right to file for a Nuisance Dog Hearing under section 109-13 of these bylaws.

- B. Any person owning, possessing or controlling a dog in the Town of Ipswich shall not allow or permit said dog to be a nuisance dog or a dangerous dog, as defined by MFL c. 140 s 136A. The Animal Control Officer or any other officer authorized to enforce this Section may capture and hold any dog running at large in order to protect public safety, pending a hearing and decision by the Board of Selectmen upon such complaint. The Animal Control Officer or any other officer authorized to enforce this Section may also issue an order to remove or temporarily ban any dog that is the subject of a complaint as a dangerous dog from any street, sidewalk, park or any other public area in order to protect public safety, pending a hearing and decision by the Board of Selectmen.

Summary:

Presently, no specific language is written in our bylaws to address a continuously barking or howling dog. This added language will give the Animal Control Officer (ACO) and other authorized officers clear language and enforcement options to address a continuously barking dog(s) that is disrupting a neighbor or the neighborhood. It will also provide the ACO the right to enter onto private property to determine if the dog is in some form of distress and in need of assistance. This is now common practice in area communities. This requires a simple majority vote.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to amend the Ipswich General Bylaws as set forth in Article 14 of this Town Meeting Warrant.

ARTICLE 15 – Amendments to Chapter 109, Article II Dogs, Cats, Ferrets: Section §109-4 Definitions; Section §109-12 Nuisance and dangerous dogs; Section §109-13 Complaint, investigation, notification, and appeal.

Requested by: Robin Hogan
80 Essex Road
Ipswich, MA

[Note: ~~strikethrough~~ indicates deletions; ***bold italics*** indicates additions.]

Chapter 109 Animals

§ 109-4 Definitions.

Hearing Authority ~~The Selectmen of the Town~~ ***The Chief of Police, interim Chief of Police, or his or her designee(s).***

§ 109-12 Nuisance and dangerous dogs.

Any person owning, possessing or controlling a dog in the Town of Ipswich shall not allow or permit said dog be a nuisance dog or a dangerous dog, as defined by MGL c. 140, § 136A. The Animal Control Officer or any other officer authorized to enforce this Section may capture and hold any dog running at large in order to protect public safety, pending a hearing and decision by the ~~Board of Selectmen~~ ***Chief of Police, interim Chief of Police, or his or her designee(s)*** upon such complaint. The Animal Control Officer or any other officer authorized to enforce this Section may also issue an order to remove or temporarily ban any dog that is the subject of a complaint as a dangerous dog from any street, sidewalk, park or any other public area in order to protect public safety, pending a hearing and decision by the ~~Board of Selectmen~~ ***Chief of Police, interim Chief of Police, or his or her designee(s).***

§ 109-13 Complaint, investigation, notification and appeal.

- A. Any person, including the Animal Control Officer or any other officer authorized to enforce this Section, may make a complaint about a nuisance or dangerous dog in the Town of Ipswich in writing, signed under penalties of perjury and filed with the Town Clerk. Such complaint shall set forth the nature and date of the act complained of, the name and address, if known, of the owner, possessor or controller of the dog, and a description of the dog.
- B. Upon the filing of any complaint under this Section, the ~~Board of Selectmen~~ ***Chief of Police, interim Chief of Police, or his or her designee(s)*** shall cause the investigation of such complaint and conduct a hearing to determine whether the dog is a nuisance or dangerous dog, and to determine the disposition of the complaint. Such hearings shall be held in accordance with MGL c.

140, § 157.

C. If the owner of the dog that is the subject of any such complaint and hearing is dissatisfied with the disposition of the complaint, he/she may bring a petition in the district court within 10 days requesting review of the complaint and disposition pursuant to MGL c. 140, § 157.

D. Violations and Penalties. Any owner or keeper of a dog found to be in violation of an order issued by the ~~Board of Selectmen~~ **Chief of Police, interim Chief of Police, or his or her designee(s)** under this section shall result in seizure and impoundment of the dog and fines as described in MGL c. 140, § 157 and § 157A.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to amend the Ipswich General Bylaws as set forth in Article 15 of this Town Meeting Warrant.

ARTICLE 16 – Open Space Committee: Appointment Terms

Requested By: Select Board & Town Manager

[Note: ~~strike through~~ indicates deletions; **bold italics** indicates additions.]

To see if the Town will amend the action taken under Article 17 of the Warrant for the October 17, 1992 Special Town Meeting establishing an Open Space Committee (as later amended by the April 3, 2000 Annual Town Meeting under Article 15 of the Warrant for that meeting) as follows: (~~Strike through~~ = language to be deleted; **bold italics** = language to be added)

“To see if the Town will vote ~~(1) to approve the Open Space Recreation Plan published by the Conservation Commission in October, 1992; and (2) to maintain~~ **establish** an Open Space Committee as a Standing Committee of the Town, consisting of seven (7) members to be appointed by the ~~Moderator~~ **Town Manager** with the advice of the Conservation Commission. **The terms of Open Space Committee members shall be three years, except as of this vote, when three of the members shall be re-appointed for three-year terms, two of the members for two-year terms, and two for one-year terms.** The responsibilities of this Committee shall be to:

~~*to~~ **(1)** prepare ~~and submit~~, with public input, the Town's Open Space and Recreation Plan ~~every five (5) years, and submit to the state~~ in accordance with ~~then current~~ state guidelines;

~~*to~~ **(2)** work closely with the Conservation Commission ~~in that Board's historic role as the agency responsible for submitting the five-year~~ **on submitting the** plan;

~~*and to~~ **(3)** report to the Town annually on its accomplishments via the town meeting and the annual town report-;

~~*to~~ **(4)** ~~perform an advocacy role~~ **advocate** for the protection of ~~fragile~~ **ecologically valuable** resources, preservation of the Town's landscape character, and improved management of open space, by actively encouraging and working with other governmental agencies **and Town representatives**, private institutions and individuals to fulfill the objectives of the Open Space and Recreation Plan;

(5) work with the Open Space Program staff to prepare all materials necessary for the conservation of properties on the Athletic Fields and Open Space Bond List, and forward advice and recommendations to the Select Board as they act under Article 18 of the Annual Town Meeting held on April 3, 2000 as later amended under Article 19 of the Annual Town Meeting held on May 10, 2011.

Summary:

The Open Space Committee was formed in 1992 by Article 17 of Special Town Meeting. At the time, it was suggested that the terms of appointments be one year, although that was not codified with the motion. Since 1992, Committee members have been appointed every year after Annual Town meeting. The Town Moderator approached the Open Space Committee this year about changing the length of appointment to improve continuity on the Open Space Committee, and to reduce the number of appointments taking place on a yearly basis. The Open Space Committee decided that three year terms better reflected the length of service of Committee members.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to amend Article 17 of the October 17, 1992 Special Town Meeting that established the Open Space Committee, which was also amended under Article 15 of the April 3, 2000 Annual Town Meeting, as set forth in Article 16 of this Town Meeting Warrant.

ARTICLE 17 – Updating Town Charter

Requested By: Government Study Committee

[Note: ~~strickthrough~~ indicates deletions; ***bold italics*** indicates additions.]

To see if the Town will vote to petition the General Court to amend the Town Charter, Chapter 620 of the Acts of 1966, as amended, by inserting, at the end of Section 2 (Select Board) the three sentences underlined in the full section reproduced below, and to authorize the General Court to make clerical or editorial changes of form only to the bill, except that the Select Board may approve amendments which shall be within the scope of the general public objectives of this petition.

SECTION 2 – Select Board

The Select Board shall consist of five members, each to be elected by official ballot by the qualified voters of the Town at the annual town election, and each to hold a three-year term of office. Such term shall be staggered as they were prior to the acceptance of this act, and Select Board members holding office at the time of the acceptance of this act shall serve out their elected terms. ***The Select Board shall work with the Finance Committee, Town Manager and officials to ensure that there are policies and best practices that produce municipal operating budgets presented at Annual Town Meetings. The Select Board shall take the leadership role in a collaborative process among public bodies and officials, that include the School Committee, Finance Committee, Planning Board and Town Manager, in the development, recommendation and implementation of long-term plans, priorities, capital expenditures and environmental protection for the Town of Ipswich. The Select Board develops Town policies and regulations not under the lawful or designated jurisdiction or the duty of other public bodies or officials.***

Summary:

October 2018 Town Meeting approved a motion to refer these Select Board responsibilities to the Government Study Committee for further study.

- 1) Clarification of these responsibilities belong in the Town Charter, defined by Mass Municipal Law and Practice as a written instrument “which establishes and defines the structure of city and town government for a particular community and which may create local offices, and distribute powers, duties, and responsibilities among local offices, and which may establish and define certain procedures to be followed by the city or town government.” Plymouth and Harvard are examples of Massachusetts towns with similar charter language.*
- 2) Ipswich Town Bylaws provide very basic components of the annual budget process. Policies and best practice should be clarified, agreed to, published and fulfilled by Town Boards, Committees and officials.*
- 3) Ipswich long-term planning tends to be on an ad-hoc or project-oriented basis, leading to conflicts across the town, schools and utilities. Looking to the future, tens of millions of dollars will be needed to fund elementary schools, the public safety facility building, utility infrastructure and more. What is the plan for addressing environmental threats? How will a long-range planning process affect annual budgeting and what policies and regulations does Ipswich require to address future needs?*
- 4) The proposed Charter Section 2 amendment is intended to clarify Select Board accountability to lead a comprehensive, all-inclusive long-term planning process and help establish priorities for all Town services that impact debt, annual budgets, taxes and fees for utility services.*
- 5) The proposed Charter Section 2 amendment complies with recommendations from the Mass Department of Revenue, Mass Municipal Association, Mass Selectman’s Association, Association of Town Finance Committees, and the Government Finance Officers Association. Like other Town Charters, this language clarifies Select Board executive responsibilities regarding the most important Town functions.*
- 6) The Select Board appoints many committees and is responsible for broad policy and regulation approval which this proposed amendment to Charter Section 2 makes clear, without interfering with the responsibilities of other public bodies and officials.*

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to authorize the Select Board to petition the Massachusetts General Court to amend the Ipswich Charter Section 2 as set forth in Article 17 of this Town Meeting Warrant.

ARTICLE 18 – Updating Town Bylaws

Requested by: Government Study Committee

To see if the Town will vote to amend the Town Bylaws, as amended, by substituting for the term “board of selectmen,” and for the word “selectmen,” in each and every place either one appears, the term “select board” or “member of the select board”, by substituting the term “member of the select board” for the word “selectman” in each and every place where it appears, and by making all

references to the Town Manager, the Town Clerk and other town officers gender neutral, substantially as set forth in the document entitled "Gender Neutral Redraft of Town Bylaws" appended as Addendum A to this warrant, or take any other action relative thereto.

Summary:

The Ipswich Bylaws need to be updated with current gender-neutral language. This article requires a simple majority vote. A red-lined version of the changes to the Town Bylaws (Addendum A) will be available for review in the Town Managers office located on the 2nd floor of Town Hall.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to amend the Town Bylaws as set forth in Article 18 of the Town Meeting Warrant.

ARTICLE 19 - Report of the Government Study Committee

Requested By: Government Study Committee

To see if the Town will vote hear the report of the Government Study Committee along with a short presentation of their findings by the Chairperson of the Committee:

At the May 2018 Annual Town Meeting, Citizen Petition Article 18, Election of Planning Board Members was voted down with anticipation of research and recommendation by the Government Study Committee. After due consideration, the Government Study Committee finds the current practice of Town Manager appointment of Planning Board members is in the best interest of the Town of Ipswich.

Summary:

The Government Study Committee has spent time during the last year researching this issue and will present their findings, which are summarized above, at the Ipswich Annual Town Meeting to be held on May 14, 2019.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to allow the Government Study Committee representative make the presentation of their findings about the May 2018 Annual Town Meeting Citizen Petition Article 18, Election of Planning Board Members.

ARTICLE 20 – Reduction in density allowance for mixed use IR/RRA lots

Requested by: Alvin Boynton
41 High Street
Ipswich, MA

[Note: ~~strike through~~ indicates deletions; ***bold italics*** indicates additions.]

Change section VI. DIMENSIONAL AND DENSITY REGUALTIONS, Footnote 8 of the VI. Protective Zoning Bylaw to read:

“8. If a lot is divided by the boundary line between two underlying Zoning Districts, and an active use is proposed for that portion of the lot which is located in the less restrictive underlying Zoning District, ***and neither portion of the lot is zoned as RRA***, the area of the lot within the more restrictive District may be included in fulfilling dimensional and density regulations for the proposed active use, provided that the actual use of the portion of the lot which is located in the more restrictive District proposed to be passive in nature. (Amended by 10/18/93 Special Town Meeting; approved by Attorney General 2/3/94)”

Also add the following footnote to section VI. DIMENSIONAL AND DENSITY REGULATIONS, of the VI. Protective Zoning Bylaw to read:

“If a lot is divided by the boundary line between two underlying Zoning Districts, with any portion of the lot being in the RRA Zoning District, and an active use is proposed for any portion of the lot, only the area of the lot within the least restrictive District may be included in fulfilling dimensional and density regulations for the proposed active use of the entire lot.”

Summary:

These changes to the zoning bylaws will prevent density changes in the limited areas that have mixed zoning that includes the RRA area, which are primarily lots in the IR zoning area that historically had barns in the back area and were not intended to be used for high density housing. The goal is to help protect the historic rural portions bordering IR zoning that can be used to increase density beyond the normal footprint of the IR portion of the lot.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to amend the Ipswich Zoning Bylaw as set forth in Article 20 of the warrant for this Town Meeting.

ARTICLE 21 – Increase in parking requirement for residences to 2 spaces from 1 ½

Requested by: Alvin Boynton
41 High Street
Ipswich, MA

[Note: ~~strike through~~ indicates deletions; ***bold italics*** indicates additions.]

Change section VII. OFF-STREET PARKING AND LOADING REGULATIONS, under B. Parking, TABLE OF MINIMUM PARKING REQUIREMENTS, Residential Uses, Required Parking spaces: 1. Resident of the VI. Protective Zoning Bylaw to, to read “***Two (2)*** spaces per dwelling unit.*”

The Table currently reads “One and a half (1½) spaces per dwelling unit.*”

Summary:

These changes to the zoning bylaws will set the standard for two spaces per unit for residential units, as opposed to the current 1 ½ spaces. The current space allowance does not allow adequate parking for most residents or allow adequate parking for guests, especially on lots with high density units. This risks increases in on street parking, which is limited in most parts of town, particularly in the winter. There can still be reduced by the Planning Board by 50% for uses requiring a special permit, as already noted in the Bylaws.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move to amend the Ipswich Zoning Bylaw as set forth in Article 21 of the warrant for this Town Meeting.

ARTICLE 22 – Disposition of Land, Rear Old Right Road

Requested by: Planning Board

To see if the Town will vote to authorize the Select Board to dispose of the following parcels of land:

A 69,696 square foot lot at Rear Old Right Road further identified as parcel Map 49 Lot 002, subject to certain terms and conditions, which will include, but not necessarily be limited to, the following:

A requirement that the legal costs associated with its transfer be paid by the transferee;

and to take any other action relative thereto.

Summary:

On January 25 of this year the Massachusetts Department of Conservation and Recreation (DCR) submitted a request to acquire from the Town, through a gift, a 1.6-acre parcel located at Assessor’s Map 49, Lot 2, also known as “Rear Old Right Road”. This parcel was taken by the Town Treasurer in 2012 through the tax title taking process. The former owner ceased paying taxes after the property was mistakenly omitted from a deed transferring several properties owned by the same owner to the State. The Land Disposition Committee reviewed the DCR’s request and recommends the Town gift the land to the State. The lot is unbuildable, inaccessible, and would benefit the public were it joined with other Willowdale State Forest land, as the former owner intended.

Select Board Recommend:
Finance Committee Recommend:

MOTION:

I move to authorize the Select Board to dispose of a 69,696 square foot parcel identified as Assessors Map 49, Lot 002 as set forth in Article 22 of this Town Meeting Warrant.

ARTICLE 23 – Question regarding adoption of Term Limits for Elected Town Officials

Requested by: Philip Goguen
4 Kingfisher Rd
Ipswich, MA

Do you favor the adoption by the Town of Ipswich of an amendment to the Town’s charter and by laws which would require that Town Officials shall be limited in the number of consecutive terms they may serve in elective office?

Summary:

This warrant article seeks approval by the Town Meeting for voters to express their opinion on whether or not Ipswich should amend its charter and by laws to establish term limits a person can consecutively (that is without a break) serve in an elective Town office. The adoption of such a proposal would open an elective Town government seat to others after incumbent served a number of three (3) consecutive terms. After being termed out for elected office during two (2) election cycles the person could again serve in the Town office with the process continuing over multiple elections.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move that it be resolved by this Town Meeting that it favors the adoption an amendment to the Town’s Charter and Bylaws which would require that Town Officials shall be limited in the number of consecutive terms they may serve in elective office.

ARTICLE 24 – Question regarding Town conducting Quarterly Internal Audits

Requested by: Philip Goguen
4 Kingfisher Rd
Ipswich, MA

Do you favor the adoption by the Town of Ipswich to require that a quarterly internal audit of the Town’s accounts and accounting practices?

Summary:

This warrant article seeks approval by the Town Meeting to allow voters to express their opinion on whether or not Ipswich Town government should be required to conduct quarterly internal audits of the Town’s account and books as a means of ascertaining whether or not the Town’s accounts are correct and in balance and whether or not it is maintaining generally accepted accounting practices in its operations.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move that it be resolved by this Town Meeting that it favors the adoption by the Town of Ipswich to require that a quarterly internal audit of the Town’s account and accounting practices.

ARTICLE 25 – Question regarding us by the Town of Ipswich of inventory control

Requested by: Philip Goguen
4 Kingfisher Rd
Ipswich, MA

Do you favor the adoption by the Town of Ipswich of inventory control software to be added to and used as part of the Town’s electronic data system to control and manage the acquisition and disposal of all inventory procured or disposed of by the Town?

Summary:

Ipswich citizens can express their opinion on whether or not Town government should obtain and employ inventory control software as a means of controlling and accounting for all inventory the Town owns.

Select Board Recommend:
Finance Committee Recommend:
School Committee Recommend:

MOTION:

I move that it be resolved by this Town Meeting that it favors the adoption by the Town of Ipswich an inventory control software to be added to and used as part of the Town's electronic data system to control and manage the acquisition and disposal of all inventory procured or disposed of by the Town of Ipswich

Election of Officers

And you are also directed to notify said inhabitants, qualified to vote in the election of Town Officers, to meet at the YMCA Hall, County Road, on Tuesday, May 21, 2019, when the polls will be open from 7:00 a.m. to 8:00 p.m. to vote on one ballot for the following offices and questions:


Moderator, 1 seat, 1-year term; Board of Selectmen, 2 seats, 3-year term; School Committee, 2 seats, 3-year term; Housing Authority, 1 seat, 5-year term.


And you are directed to serve this Warrant by posting at least one attested copy in each precinct in the Town at least seven days prior to the time for holding said meeting in a newspaper published in, or having a general circulation in, the Town of Ipswich.


Given unto our hands this 1st day of April in the year of our Lord, Two Thousand Nineteen.

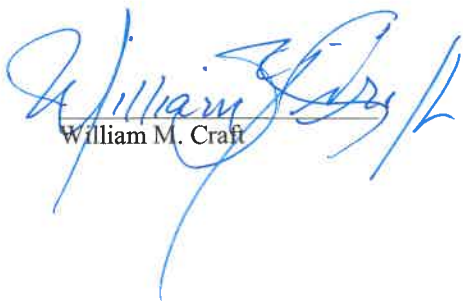
TOWN OF IPSWICH
BOARD OF SELECTMEN


Nishan D. Mootafiah, Chair


William D. Whitmore, Vice Chair


Linda D. Alexson


Edward B. Rauscher


William M. Craft