

**Selectmen's Minutes**  
**Town Hall, 2<sup>nd</sup> Floor Stage Conference Area**

**October 1, 2018**

Present: Chairman Lisa J. O'Donnell, Selectman Andrew C. Spinney, Selectman Peter D. Phippen, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also Present: Mark Audette, Kevin and Mark Ricci.

Chairman O'Donnell called the meeting to order at 6:00 p.m. in the second floor Stage Conference area of the Essex Town Hall at 30 Martin Street and announced that the Board would hear Public Comment. No one offered any comment.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period September 22<sup>nd</sup> through September 28<sup>th</sup>, 2018, regarding the following:

Economic Development Committee Meeting Report: Mr. Zubricki said that he had attended the September EDC meeting along with Town Planner Matt Coogan. The Committee will be studying proposed signage and parking plans to improve the downtown area and hope to have a recommendation for the Board in time for the 2019 Annual Town Meeting in May. Matt Coogan was successful in obtaining a technical assistance affordable housing grant and is still waiting to hear if we will also be awarded a grant to create an economic development plan for the Town. There is currently one vacancy on the Committee due to a recent resignation. The Board asked Mr. Zubricki to ask Dan Mayer if he is interested in filling the vacancy.

Draft Fall Town Meeting Motions: Mr. Zubricki and the Board reviewed and discussed the motions and the designated presenters for the Fall Town Meeting that will be held on Tuesday, October 16.

At 6:30 p.m., Mark Audette, Kevin Ricci, and Mark Ricci joined the Board. A motion was made, seconded, and unanimously voted to open the Public Hearing concerning an application for transfer of an annual all alcoholic restaurant license and change of manager at the Village Restaurant, 55 Main Street, from the Riccis to Aztec, LLC, Mark Audette, Manager. Mr. Zubricki briefly reviewed the request and then Mark Audette commented on his background and plans for the restaurant. Both Kevin and Mark Ricci are very pleased with the transfer and Mark Ricci will be staying to help Mr. Audette with the business after the transfer has been completed and approved. A motion was made, seconded, and unanimously voted to close the hearing. A motion was made, seconded, and unanimously voted to approve the transfer and the Board signed the request which will now be forwarded to the State Alcoholic Beverage Control Commission for final approval. Mr. Audette, Mr. Kevin Ricci, and Mr. Mark Ricci thanked the Board and left the meeting.

Draft Fall Town Meeting Guide: Chairman O'Donnell was reminded that she needed to provide language for Articles 11 and 12 in time for the guide to be placed on the website before the Fall Town Meeting. The Board was in agreement regarding the other items in the draft guide.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$226,449.76.

A motion was made, seconded, and unanimously voted to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 09-27-2018 warrant pursuant to subsection (d) of said Section.

<u>NAME</u>	<u>VENDOR</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>DEPT'S BILL</u>
David Pereen	Pereen Plumbing	09/06/2018	\$ 257.95	Fire
Jim McNeilly	McNeilly EMS	09/18/2018	\$ 145.00	Fire
Ernie Nieberle	Nieberle's	08/24/2018	\$ 177.63	Harbormaster

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's September 24, 2018, Open Meeting.

A motion was made, seconded, and unanimously voted to authorize and sign the renewal of the sewer inspection camera sharing agreement with the Town of Rockport.

Concerning Conomo Point matters, Chairman O'Donnell entertained a motion to approve a written request for the transfer of all interests in the leasehold for the property at 29 Middle Road (Map 108, Lot 28) from Robert and Aude Sisk, to Doug and Maureen Woodman, Vanessa Woodman de Lazo, and Erica Woodman; and stated further, that nothing in the approval was intended to convey or imply any right, title or interest in the subject property, or any portion thereof that was not already held by Robert and Aude Sisk. The motion was moved, seconded, and unanimously voted.

A motion was made, seconded, and unanimously voted to approve and sign a tight tank lease addendum for the following properties:

- 109 Conomo Point Road, Map 108, Lot 77A, Basswood Irrevocable Trust.
- 113 Conomo Point Rd. Map 108, Lot 75, Sisk.

The Board was reminded that the next regular Board of Selectmen's meeting will take place on **Tuesday**, October 16, 2018, at 6:00 p.m. in the Teachers' Conference Room at the Essex Elementary School.

At 6:51 p.m., citing the need to discuss litigation strategy with respect to the legal suit: Drinkwater, as Trustee of the Drinkwater Essex Realty Trust v. Town of Essex, Land Court Civil Action No. 18-MISC-000391, the Chairman entertained a motion to move to Executive Session. She stated that discussing this matter in Open Session would be detrimental to the Town's litigating strategy and invited Town Administrator Zubricki to attend the Executive Session. She said that the Board would only be returning to Open Session to adjourn the meeting. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, and the Town Administrator moved to Executive Session.

The Board, their Assistant, and the Town Administrator returned to Open Session at 6:58 p.m.

A motion was made, seconded, and unanimously voted to adjourn the meeting.

Documents used during this meeting include the following: None.

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
Andrew C. Spinney