

**Selectmen's Minutes**  
**Senior Center**

**May 23, 2016**

Present: Chairman Lisa J. O'Donnell, Selectman David A. Doane, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also Present: Lee Bresnahan, Tina Lane, Susan Mears, Carol Wendell, and Harlan Wendell.

The Chairman called the meeting to order at 7:00 p.m. in the second floor meeting room of the Senior Center on Pickering 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 May 7<sup>th</sup> through May 20<sup>th</sup>, 2016, regarding the following:

Community Compact and Strategic Plan Update: Mr. Zubricki reported that the signing of the community compact with the State has been rescheduled to May 31<sup>st</sup> in Middleton. Chairman O'Donnell will attend. The State allows municipalities to participate in up to three focus areas. Mr. Zubricki said that none of the committees or boards had suggested trying for any other additional areas. The Strategic Planning Committee will be meeting again on June 8<sup>th</sup> and Maria DiStefano of the Massachusetts Office of Business Development will be present to offer advice regarding the establishment of a local Economic Development Committee.

Multi-Purpose Public Input Forum: Mr. Zubricki said that the date has not been set yet for the public forum that will seek public input on a number of possible subjects, including design of northern Conomo Point, the elimination/continuation of the Personnel Board, the re-establishment of a Youth Commission, and/or the future of the Centennial Grove Cottage. The forum may be hosted by the Conomo Point Planning Committee and the Strategic Planning Committee once the northern Conomo Point design process begins.

Future of Essex Personnel Board: Mr. Zubricki reported that he had spoken with Town Counsel regarding the usefulness of a Personnel Board. The Personnel Board in Essex has very few duties, covers very few employees, and has limited authority. Town Counsel has suggested changing the Town by-laws at a future Town Meeting to have the Selectmen serve as the Personnel Board. Currently, the Town has been unable to find three individuals willing to serve on the Personnel Board, and as a result, the Selectmen have been discharging those duties.

Harlan and Carol Wendell came before the Selectmen to request their approval of a building permit application for repairs to the existing structure and an electrical permit application to upgrade the service at 1 Middle Road, map 108, lot 43, old map 24, old lot 19. The Selectmen reviewed the applications and a motion was made, seconded, and unanimously voted to approve the applications.

Susan Mears came before the Selectmen to request permission to place a memorial bench at Conomo Point honoring Betsy Gammons. The bench would be granite and is being given by the company where Mrs. Gammons used to work. The Selectmen were in agreement and a motion

was made, seconded, and unanimously voted to accept the donation of the bench and approve the placement of that bench at Conomo Point. Ms. Mears thanked the Selectmen.

Mr. and Mrs. Wendell and Susan Mears left the meeting.

Analysis and Implementation of IT Audit Recommendations: Mr. Zubricki said each year the Town information technology systems and related policies are audited and suggestions are made regarding improved security. The audits are becoming more and more technical and Mr. Zubricki would like to enlist the services of an outside professional firm to assess the appropriateness of the recommendations for Essex. The Board suggested that Mr. Zubricki contact Shirley Singleton and solicit her advice regarding the choice of an outside assessment firm. On a related matter, it was reported that Melrose is working on installing the next generation firewall and is having its own professional review systems on that end.

Analysis of Police Department Video Recording System: Mr. Zubricki reported that the Police Chief has asked a private firm to assess the status of the Town's present system in terms of security and reliability, and the firm may suggest certain upgrades. The Chief will be able to try the upgrades, which consist of both hardware and software, before committing to purchase them.

Town Hall/Library Renovation Weekly Project Meeting/Library Lighting: It was reported that the Library personnel have requested that the lighting in the Library be supplemented to provide more adequate lighting throughout the entire Library. Chairman O'Donnell toured the site with the architect recently and it was agreed that the architect will consider the matter and suggest some possible solutions.

Change Orders for Structural Support Modifications, Town Hall: Mr. Zubricki asked the Selectmen to approve change orders number 5 and number 6 for structural steel which have been recommended by the project architect. Both change orders were in response to conditions not observable until the contractor opened up walls and ceilings. A motion was made, seconded, and unanimously voted to sign and approve the change orders. Mr. Zubricki said that the project continues to be on schedule.

Invitation for Bids for Town Hall/Library Furnishings: Mr. Zubricki said that he has drafted a list of furniture needed for the offices and library. The Annual Town Meeting voted \$65,000 for Town Hall furniture. \$15,000 will be spent on shelving for the Library, leaving \$50,000 to furnish the rest of the Town Hall. A motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to release an Invitation for Bids to provide furnishings for the Town Hall and Library one he is able to complete full specifications.

Proposal for Northern Conomo Point Public Access Design/Permitting: Mr. Zubricki said that Chairman Mark Lynch of the Conomo Point Planning Committee will be convening the Committee to review the draft scope of work for the two sites at northern Conomo Point which will be shared, along with the Selectmen's comments, with Jim Heroux in preparation for finalizing the scope of work, costs, and the design contract.

Invitation for Bids, Realtor Representation of Southern Properties: Mr. Zubricki said that he has worked with Town Counsel to develop an Invitation for Bids to procure a realtor to market the unsold southern Conomo Point properties. The Selectmen were in agreement, and a motion was made, seconded, and unanimously voted to approve the release of the IFB for a realtor.

Issuance of Offers to Purchase Robbins Island Properties: Mr. Zubricki said that the offers of purchase and sale packages for Robbins Island properties are being prepared for the Selectmen's signatures on June 6.

Offers of Lease to Northern Conomo Point and Other Tenants: Mr. Zubricki is currently working with Town Counsel regarding nine different types of leases to be offered for properties on northern Conomo Point. It is anticipated that the leases will be finalized in the coming weeks for the Board's review.

FEMA Pre-Disaster Mitigation Grant for Hazard Mitigation Plan Update: Mr. Zubricki informed the Selectmen that the Town's Hazard Mitigation Plan will be expiring and it is necessary to renew it in order to qualify for various Federal funds. MAPC has offered to help prepare the new plan which will cost \$18,000. The Town would be responsible for paying \$4,500 and FEMA would pay the remainder. Mr. Zubricki recommended that the Selectmen approve and sign a letter of intent to MAPC, contingent upon funding in the amount of \$4,500 at the November Town Meeting. Subsequently, a motion was made, seconded, and unanimously voted to sign a letter of intent to the MAPC regarding compilation of a new Hazard Mitigation Plan. The application deadline is May 25, 2016.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$753,376.41.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's May 9, 2016, Open Meeting and Executive Session.

A motion was made, seconded, and unanimously voted to approve the following requests for Line Item Transfers:

- A Line Item Transfer in the amount of \$3,000 from Town Hall Heating Fuel to Town Hall Electricity.
- A Line Item Transfer in the amount of \$1,066 from Selectmen's Temporary Clerical to Shellfish Deputy.
- A Line Item Transfer in the amount of 15,000 from Conomo Point Legal to General Legal.
- A Line Item Transfer in the amount of \$5,000 from Blanket Insurance to Town Property.

A motion was made, seconded, and unanimously voted to sign the Mutual Aid Agreement among Cities and Towns in Emergency Preparedness Region 3D for Board of Health services of an emergency and a non-emergency nature.

A motion was made, seconded, and unanimously voted to approve and sign a contract for surveyor services with Millennium Engineering, with costs to be defrayed by a resident (Warren). Warren has challenged that a certain parcel is the Town's and is willing to pay for the Town's expert to study the matter with his own surveyor.

A motion was made, seconded, and unanimously voted to approve and sign a contract with Anna Siedzik to provide consulting services not to exceed \$9,999.99 during a one-year period, ending 6/30/17.

Motions were made, seconded, and unanimously voted to approve the following requests to pass over Town roads during Parades and/or Road Events:

- The Memorial Day Committee to hold the annual Memorial Day Parade on Monday, May 30, starting at 9:00 a.m.
- Fire Chief Daniel Doucette and the Board of Engineers to hold the annual Fireman's Memorial Sunday Parade on Sunday, June 12<sup>th</sup>, 2016, starting at 8:45 a.m.
- The Essex Elementary PTO to pass over town roads during their annual Happy as a Clam 5K and Fun Dashes on Friday, September 16, 2016, starting at 5:00 p.m.
- Essex County Greenbelt to pass over Town roads during their 2<sup>nd</sup> annual road cycling event on Saturday, September 17, 2016.

Concerning Conomo Point matters, a motion was made, seconded, and unanimously voted to approve a request to park on Town land near 7 Sumac Drive, temporarily on Saturday, June 4, from 1:00 to 4:00 p.m. to accommodate overflow parking for persons attending a private event on Cross Island.

Mr. Zubricki said that it had been brought to his attention by Patricia Fallon, President of the Conomo Point Association, that the stone pier at Conomo Point is in need of repairs. After a short discussion, the Selectmen authorized Mr. Zubricki to contact Mark Haskell regarding an estimate for the needed work. Mr. Haskell has repaired the pier in the past.

A motion was made, seconded, and unanimously voted to approve the following requests for permits and licenses:

**Auction Permit:**

- Blackwood March Antiques, Michael March, for use on Wednesday, June 15, 2016, between the hours of 4:00 to 10:00 p.m., within the confines of 125 Main Street.

**One-Day Entertainment License:**

- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Thursday, June 9, 2016, between the hours of 5:00 and 9:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.
- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Friday, June 10, 2016, between the hours of 5:00 and 9:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.

One-Day Wine & Malt License:

- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Thursday, June 9, 2016, between the hours of 6:00 and 9:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.
- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Friday, June 10, 2016, between the hours of 5:00 and 9:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.
- Woodman's Inc., Joan Houghton, for use on Saturday, June 11, 2016, between the hours of 12:00 noon and 10:00 p.m., within the confines of 125 R Main Street.

Shellfish Permits:

Non-Resident Recreational and Waiver of Application Deadline:

- Josh Tripp, Hamilton, sponsored by Elaine and Jim Horrocks
- William S. Schneider, Georgetown, sponsored by William Barker

On another matter, Mr. Zubricki said that the Town of Newbury is asking for a letter of support regarding a grant for coastal zone management. The Selectmen were in agreement, and they signed the letter. The signatures will be ratified at the next Selectmen's meeting on June 6.

The Selectmen were reminded that Chairman Lisa J. O'Donnell will present the Essex citizenship award on Thursday, May 26, 2016, 6:00 p.m., in the MERSD auditorium.

The Lt. Governor will be signing community compacts with some municipalities, including Essex, on Tuesday, May 31, 2016, at 8:45 a.m. in the Selectmen's room at the Middleton Town Hall and Chairman O'Donnell will attend.

The Memorial Day Parade will take place on Monday, May 30, starting at 9:00 a.m. at Memorial Park.

The next regular Board of Selectmen's meeting will take place on Monday, June 6<sup>th</sup>, 2016, at 7:00 p.m. in the second floor meeting room at the Senior Center on Pickering Street.

Mr. Zubricki said that the Police Department would like to apply for two grants, one for Underage Alcohol Enforcement and one for Pedestrian's Bicycle Safety, each in the amount of \$5,000. Since the application deadline is very soon, everyone was in agreement, and Chairman O'Donnell signed the paperwork to authorize Chief Silva as signatory on the grant applications. This decision will be ratified at the next Selectmen's meeting on June 6.

Elaine Paglia has contacted Mr. Zubricki to inform him that she will be returning the renewal license for Paglia Park. She asked that the Town remove a broken DEP sign that is on the property. She also asked if a marker, similar to the two historic walking tour markers that are already on the site, be placed there announcing that the park is dedicated in her parents memory. Those present agreed that the request could be approved and executed with the help of the Essex Merchants Group and the Historical Commission. Mr. Zubricki will ask the Paglia's to provide a written draft for the marker inscription.

At 8:20 p.m., the Chairman entertained a motion to move to Executive Session to discuss pending litigation concerning the case of the City of Beverly vs. the Essex County Sheriff, et al., Essex Superior Court C.A. No. ESCV2015-00350A; pending litigation concerning the case of the Town of Essex v. William Allen, Essex Superior Court C.A. Nos. ESCV2002-00352, ESCV2006-00313, and ESCV2007-02096; and, the lease, sale, and value of real property at Conomo Point. She said that discussing these matters in Open Session would be detrimental to the Town's litigating and negotiating strategies and invited the Town Administrator to attend the Executive Session. She stated 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. Lee Bresnahan and Tina Lane left the meeting.

The Board, their Assistant, and the Town Administrator returned to Open Session at 8:45 p.m.

There being no further business before the Board, 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: \_\_\_\_\_  
David A. Doane