

**Selectmen's Meeting
Senior Center**

August 29, 2016

Present: Chairman Lisa J. O'Donnell, Selectman David Doane, Town Administrator Brendhan Zubricki, Acting Administrative Assistant Dawn Burnham.

Also present: Jodi Harris, Helen Brown, Librarian Debbie French, Library Trustee Diane Kotch, Library Trustee Jen Mayer, Tina Lane, Library Trustee Beth Cairns, Earnest Nieberle, Bob Jerin, Kristen Walker, and Chris LaPointe.

7:00 p.m. The chairman called the meeting to order at 7:00pm in the Senior Center meeting room on the second floor and announced the Board would hear Public Comment. Jodi Harris discussed The Riversbend Restaurant and the impact it has had on the neighborhood. Neighbors Ernie Nieberle, Kristen Walker and Bob Guerin also commented on the restaurant's impact on traffic, trucks begin coming at 5:45 am into the night; increased traffic, cars speeding on Spring & Dodge Streets. They discussed the need to protect the children who are going to be walking to and from school down these streets. Bob Jerin discussed the fact the Speed limit goes up when entering Essex. He feels this should be looked into. The Chairman thanked the various commenters for their input.

Riversbend Liquor License: The ABCC approved the Alteration of Premise Application previously approved by the Board. Selectmen signed the amended license.

Seating at Riversbend as it relates to the liquor license: The owner has asked if he closes the deck due to inclement weather or for the season; can he put the seating back in the restaurant. The Board discussed the need to be consistent with the other restaurants in Town who have decks. Mr. Zubricki will check with the other restaurants. Chairman O'Donnell will check into this with Town Counsel. The question of how many people can be inside according to the Fire Code was brought up. Essex Fire Department will have this information.

All left the meeting except, Tina Lane, the Board, the Administrator, Selectman's Assistant, Chris LaPointe, the Library trustees, and Deb French.

Chris LaPointe, Essex County Greenbelt Association: Selectmen signed a previously-approved corrected Conservation Restriction for over 59.3 acres of land located off Choate Street, as part of the larger Sagamore Hill Conservation Project. Mr. LaPointe explained that the previous document had a problem with the language in the notary block.

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Mr. Zubricki began the presentation of his Town Administer Report for the period August 13th through August 26th.

Structural Wood Repair/Replacement Change Order, Town Hall

Mr. Zubricki reported that during the course of the ongoing Town Hall/Library renovation project, the Town's architect's subcontracted structural engineer has been inspecting various building members as items have been exposed and worked on. The engineer has determined that some of the members were damaged and/or displayed rot, requiring shoring or replacement to occur. A motion was made, seconded and voted unanimously to approve the change order in the amount of \$7,126.87. The paperwork also included a previously-approved electrical change order for Library electrical items, in the amount of approximately \$11,000.

Change Order for Cosmetic Work on Existing Town Hall Baseboard Heat

The base bid for the Town Hall/Library renovation project carries new baseboard heat in all areas where baseboard heat did not exist previously, the bid does not replace the baseboard registers in the four main offices on the second floor. The existing registers are functional and existing covers can be painted at a relatively low cost. The Board discussed 3 options. Option to just paint the covers –estimated cost about \$1,000.00. Replacement of The covers would cost about \$2,300.00. Replacement of units would cost about \$3,700.00. A motion was made, seconded and unanimously voted to allow the chairman to look at condition of second floor registers and decide which option to approve. The Chairman will meet with Brendhan tomorrow as decision should be made this week.

Potential Change Order for Renovation of Town Hall Exterior Post Lamps

Our contractor has confirmed the Post Lamps are wired. It would be possible to paint the posts, Clean the lamps and connect them to the photocell that controls the portico lights. A motion was made, seconded and unanimously voted to have contractor to price refurbishing the Post Lamps.

Town Hall/Library Project Clerk of the Works Services End Date Planning

Mr. Zubricki has begun to discuss the timing of the end of Clerk of the Works coverage with The Project Manager, NETCO. The present understanding is that these services should continue through the end of the calendar year. As the year end approaches it will be determined if whether any additional Clerk of the Works coverage will benefit the Town. The Town will retain NETCO's administrative oversite services throughout the project, as required by the General Laws. Dropping the Clerk of the Works will save the Town approximately \$9,000.00 per month. A motion was made, seconded and unanimously voted to authorize the Town Administrator to work with NETCO to determine when to pull the Clerk of the Works.

Selectman Susan Coviello joined the meeting.

Replacement of Former Memory Tree with Balsam Fir

Mr. Zubricki reminded the Board that the evergreen tree formerly known as the "Memory Tree" was taken down as part of the renovation project. As requested by the Board, with Funding that has been approved by the Town Meeting a 10-12' balsam fir has been reserved.

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Our landscaping contractor has indicated October would be a suitable time to plant the new tree. However our general contractor is concerned about damaging the tree and recommends that it not be planted until the spring, after the project is completed. Given the site will be off limits this December anyway due to the ongoing construction, there is no need to rush the tree onto the site. Mr. Zubricki will speak to Heidi at First Ipswich Bank who is involved in the celebration to see where they might hold the event this year. A motion was made, Seconded and voted unanimously to purchase a cut tree this year's for the celebration.

Wendall Kalsow of McGinley, Kalsow & Associates

Mr. Kalsow presented 4 plans for the finishing of the Town Hall Memorial Auditorium. He stated the overall plan had to be chosen within the next week, preferably at tonight's meeting.

Plan 1 was an open room with meeting table at west end of the room. Seating capacity of 122.
Plan 2 was a meeting room at west end of the room. A wall would separate this room and a larger room on east side. There would be an "open" kitchenette. Seating capacity of 84
Plan 3 was a larger room on the west side, smaller meeting room and closed Kitchenette. Seating Capacity of 74. Plan 4 had the arch remaining in the room, this left much smaller space lower headroom.

All plans include space for 6-8 wheelchairs. Seating capacity is close to requiring an additional bathroom. Mr. Kalsow stated meeting room numbers should be for seating only, not standing events. The Board discussed all plans. Mr. Kalsow discussed the affixed display cases, stating they would be of clear glass and will help prevent people from walking into the numerous structural tie rods that were part of the original building. They will not be custom made. The chandelier will be refurbished with other lighting being more functional. Mr. Kalsow also discussed having wiring put in place for broadcasting from this room. It was suggested he speak with Barry O'Brien who is the Town's CATV representative. Mr. Kalsow reported the project is on schedule.

The design change order for the third floor was taken from project contingency at the last meeting but the actual construction work may, for the near-term, be taken from the Ryder Trust Fund. The Fund can support any third-floor work that is necessary between now and the Fall Town Meeting, at which time the Board may need to seek additional project funds to complete that space, among other needs. Given that the items above have not yet been formally priced, and given that timing is tight, it is necessary for the Board to authorize the Chairman to sign change orders for the items after recommendations from our architect and Project Manager. In order to avoid any delay claims associated with the base bid work, it will be necessary to issue incremental change orders to work toward the third-floor completion goal.

A motion was made, seconded and unanimously voted to have the contractor proceed with a cost proposal for Plan 1, with a modification to include a closed-in Kitchenette. This estimate can be developed in pieces, as various aspects of the design are finished by the Town's architect and Chairman O'Donnell was authorized by the Board to enter into any portion of the work (such as rough-in items that are going on presently) that is necessary to authorize in between meetings.

Deb French, Jen Meyer, Diane Kotch, Beth Cairns and Wendall Kalsow left the meeting.

Mr. Zubricki resumed his report.

Strategic Planning Committee Update and New Survey

Mr. Zubricki reported he and Chairman O'Donnell attended the subject meeting on August 16, 2016. A quorum was not achieved and parties present had an informal round table discussion relative to issues that will be of importance to the Strategic Planning Committee. Next meeting will be in October. Chairman David Gabor suggested Mr. Zubricki assist in working toward the Committee's goal of increased participation in Town government by developing a short survey that would help understand areas of highest interest, potentially field new appointees and determine why residents who are not serving choose not to get involved. The Board agreed to pursue this. Mr. Zubricki's draft of the survey was discussed all agreed it looked fine. The Board suggested survey be handed out at town offices; Town Clerk, DPW, Tax Collector, library. They would be turned into the Town Clerk. The survey will be made available after the Strategic Planning Committee has reviewed and commented on it.

Cyber Security Analysis Proposal

As the Board is aware, cyber security consultant INS had reviewed our most recent Information/Technology portion of our financial audit to get a sense of what our auditor had recommended for system and protocol improvements. INS has now developed a specific proposal to begin working on those recommendations. The proposal includes an array of services but it is clear that we do not have ample funding to tackle all aspects of the proposal at once. INS has agreed that we should start with some basic, external penetration testing, since our auditor is very interested in that type of analysis. INS came back with a cost range of around \$5,400.00 to \$8,100. Mr. Zubricki questioned if we would have to have this done annually and if we need this extensive a plan. Edgewater will review this plan and will provide further guidance. The chairman asked if we could find out what other towns are doing and what company they deal with. Mr. Zubricki will report back to the board.

Change Order for Northern Conomo Point Improvement Project Permitting

At the last meeting, Mr. Zubricki asked the Board if the subject of northern Conomo Point permitting could be discussed at the present meeting, given that it may be appropriate to ramp up our consultant's efforts in that area. While the base contract for northern Conomo Point public access improvement design does carry a substantial permitting component, not all factors were known when that contract was signed. Now that our consultant has completed site survey and other investigative work at 153 Conomo Point Road, desired design elements must be compared to all necessary permitting processes.

As such, it would be beneficial for the engineering sub-consultant to develop a matrix that clearly defines the entire scope of necessary permitting. The sub-consultant could also make contact with every permit-granting agency on a preliminary basis to understand both the likelihood and the timeframe for each permit. If certain permits are not likely or will be very time-consuming, the Board could potentially tailor the project scope to either alter or eliminate certain design elements. Mill River Consulting has developed a scope of services for this exercise, which carries a change order cost through Copley Wolff of \$4,660. About \$4,000 of the necessary funding is available in unused project design funds and the remainder can come

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from the Conomo Point Property Management fund. Motion was made, seconded and voted unanimously to approve the design change order proposal.

Preliminary List of Potential Article Topics for Fall Town Meeting

Mr. Zubricki presented a preliminary list of Fall Town Meeting article topics for the Board's initial review. The Fall Town Meeting will be held on November 14, 2016. Expected additions to Fall meeting. The Selectmen briefly reviewed the list and made some minor suggestions for a revised list to be discussed in more depth at the next meeting.

In other business, a motion was made, seconded and unanimously voted to approve the weekly warrant in the amount of \$808,786.58.

➤ 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 08-18-2016 and 09-01-16 warrants pursuant to subsection (d) of said Section.

<u>NAME</u>	<u>VENDOR</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>DEPT'S BILL</u>
Ernie Nieberle	Nieberle's	7/24/16	464.70	Police
Ernie Nieberle	Nieberle's	7/24/16	431.25	Fire
Ramie Reader	Reader Electric	8/04/16	921.00	Fire
Ernie Nieberle	Nieberle's	7/24/16	806.30	Highway
Ernie Nieberle	Nieberle's	7/24/16	500.00	Cemetery
David Pereen	Pereen Plumbing	7/27/16	150.00	Water
Ramie Reader	Reader Electric	7/29/16	952.00	Wastewater
Ramie Reader	Reader Electric	8/4/16	714.00	Melrose IT Hosting
James McNeilly	McNeilly EMC	8/12/16	145.00	Fire

A motion was made, seconded and unanimously voted to approve a Line Item Transfer in the amount of \$1,700 from Selectmen's Sick Leave Buy Back to Selectmen's Temporary Clerical.

A motion was made, seconded and unanimously voted to approve the minutes for the Selectmen's August 15, 2016 Open Meeting.

Chairman discussed her preference not to allow the stage show picture to be in the 2017 Bicentennial calendar. The Chairman gave a letter of explanation to the Bicentennial Committee Chairman and all agreed that a snowstorm photo will be included for that month.

A motion was made, seconded and voted to ratify the Chairman's signature of the Council on Aging's fiscal year 2017 Formula Grant application.

The following motion was made, seconded and voted unanimously: We hereby vote on this 29th day of August, 2016 to authorize the use of the Ryder Trust to fund revitalization work associated with any aspect of the Town Hall Memorial Auditorium as part of the ongoing Town Hall/Library renovation project and as part of any separate project that may be required to complete the ongoing work.

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Mr. Zubricki presented a list of potential new exceptions to the rules on nontransferable mooring permits that Chairman O'Donnell had suggested to him. The Chairman stated the intent is to allow families to keep their moorings in the family. The Board was in agreement. Mr. Zubricki will work on rewording certain elements and will present list at the next meeting. These suggestions will then be brought to the Harbormaster.

Motion made, seconded and voted unanimously to appoint Chad Lipinski to the position of Harbormaster's Assistant for a partial 3 year term ending 6/30/2019.

After a brief discussion a motion was made, seconded and voted unanimously to allow the Chief of Police to hold the Essex Car Show on Sunday, September 25, 2016, from 1:00 p.m. until 5:00 p.m., including the closure of Martin Street from the Village Market to Winthrop Street and a one-lane closure in front of Town Hall.

"Paint Essex" will be the weekend of October 15th & 16th. The Board discussed the issue of parking availability. Brendhan will check the sign in the Municipal Lot to see if the center spaces will still be for trailers only. The Cape Ann Chamber of Commerce would like to be able to issue parking placards allowing program participants to park in "residents-only" areas. The Board was clear that this privilege will not extend to Town Landing, the center of the municipal lot, private property, or any area where all parking is prohibited.

Conomo Point Matters:

A motion made seconded and voted unanimously to sign 2 deeds for the following Conomo Point sales on Robbins Island road:

Romano, 29 Robbins Island Road, Map 108, Lot 17

Rettberg, 30 Robbins Island Road, Map 108, Lot 4

Selectman Gould-Coviello moved to approve a written request for the transfer of all interests in the leasehold for property at 109 Conomo Point Road, Map 108, Lot 77 from **the True Family Irrevocable Trust, Kristian J. True, Trustee** to **the Basswood Irrevocable Trust, Kristian J. True, Trustee**; and further, that nothing in this approval is intended to convey or imply any right, title or interest in the subject property, or any portion thereof that was not already held by **the True Family Irrevocable Trust Kristian J. True, Trustee**.

Motion was voted unanimously

Motion made, seconded and voted unanimously to approve application by Woodman's, Inc. for One-Day Entertainment License on September 13, 2016 from 11:00 a.m. until 11:00 p.m. within the confines of the tent area at 125 Main Street.

Mr. Zubricki mentioned the two meetings of the Conomo Point Planning Committee next month. The meeting on September 8th will be concerning the initial design for northern Conomo Point improvements. The meeting on September 22 will be a hearing for public input. Ed Neal is looking for approval to present some pictures at the hearing using a thumb drive to present them on the Town's screen. The Board agreed this would be allowed with a time limit.

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Mr. Zubricki brought up the house being moved from Beach Circle. He asked the Board if they wanted to have the DPW oversee the permit necessary to go over the Town's roads, as required by statute. The Board agreed the DPW should handle this.

The Board was reminded that the next regular Board of Selectmen's meeting will take place on Monday, September 12th, 2016, at 7:00 p.m. in the second floor meeting room at the Senior Center on Pickering Street. The Board will also meet on Thursday, September 8, 2016, at 7:00 p.m. at the Essex Elementary School, along with other boards, to discuss the status of the Northern Conomo Point Improvement Project with the Town's consultant.

Prepared By Dawn Burnham

Date

Attested By Susan Gould-Coviello

Date