

**Selectmen's Meeting Minutes
Senior Center**

October 3, 2016

Present: Chairman Lisa O'Donnell, Selectman Susan Gould-Coviello, Selectman David Doane, Town Administrator Brendhan Zubricki and acting Administrative Assistant Dawn Burnham.

Also present; Joan Woodward, Amy Robinson, Tina Lane, Library Trustees Diane Kotch, Jennifer Mayer, Beth Cairns and Librarian Debbie French.

Chairman O'Donnell called the meeting to order at 7:02. There was no Public Comment.

A motion was made, seconded and unanimously voted to approve the weekly warrant in the amount of \$545,570.48.

Motion made, seconded and voted unanimously to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 10-03-16 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>
Ernie Nieberle	Nieberle's	09/24/16	73.30	Shellfish
Ernie Nieberle	Nieberle's	09/24/16	1,163.87	Fire

Motion made, seconded and unanimously voted to approve the minutes for the Selectmen's September 26, 2016 open meeting.

Motion made, seconded and voted unanimously to ratify Letter of Support written by Chairman O'Donnell for Town Planner Matthew Coogan's nomination for a Leading by Example Award from the Massachusetts Office of Energy and Environmental Affairs.

A motion was made seconded and unanimously voted to approve camping on Town property to Manchester/Essex Boy Scout Troop 3 contingent upon receiving permission from any other Town authority.

A motion was made, seconded and unanimously voted to sign a Letter of Support for Regional Economic Development Organization (REDO) Grant Program Application to be submitted by the North Shore Alliance for Economic Development.

A motion was made, seconded and voted unanimously to sign deeds for Conomo Point sales on Robbins Island:

- Clark, 38 Robbins Island Road, Map 108, Lot 9
- Gomes, 25 Robbins Island Road, Map 108, Lot 18
- MacDougall, 36 Robbins Island Road, Map 108, Lot 7

The Board of Library Trustees has begun to research the cost of potentially separately installing new lighting fixtures after the General Contractor completes the present renovation project. Mr. Zubricki will work with Ramie Reader to obtain an industry estimate, which includes prevailing

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wage. Mr. Zubricki will also verify the requirements of Chapter 149 of the General Laws with respect to a procurement of this scope and cost.

Chief Silva, Matt Coogan, Bob Coviello and Nelson Nygaard joined the meeting. The Library Trustees and the Librarian left the meeting.

Chief Silva joined the Board to discuss the Board's suggestions for revising certain provisions of the Essex Harbor Regulations concerning mooring transfers. Selectman Coviello commented that the proposed changes seemed to be aimed at transfers just for Essex residents and asked if those from other communities would also benefit. Mr. Zubricki stated that the suggestions under discussion were introduced by the Chairman and that it is correct that the changes are aimed only at Essex residents. He commented that the language had been reviewed by Counsel. Chief Silva pointed out that the broader the transfer provisions are made, the higher the risk that parties on the waiting list never get a mooring. Mr. Zubricki pointed out that overly broadening the provisions may convert moorings into a type of commodity.

The Chief agreed there needs to be some changes made in other areas of the regulations as well. Chairman O'Donnell asked Chief Silva to review the regulations and report back to the Board what changes he feels could be made, including the provisions under discussion this evening. Mr. Zubricki presented a discussion that first occurred back in 2006 regarding the potential creation of Harbor Use Fees. Boats in the Marinas, on moorings and any permanent storage areas on the marsh would be assessed some type of fee, per foot of vessel. Chief Silva stated that this money would go toward maintaining the river and possibly the future dredging project. Harbor Use Fees would need approval by the Town Meeting and the Board asked the Chief to develop a proposal as we approach the Annual Town Meeting in the spring. The Board asked that the proposal also include potential fees for the keeping of dinghies on Town property.

Joan Woodward and Amy Robinson joined the Board to discuss Mr. John Goldsberry's request for a long-term lease at 168 Conomo Point Road, Map 108, Lot 46. The ladies are Mr. Goldsberry's daughters and he also leases an occupied property at Lot 57 and a vacant property at Lot 47. Mr. Zubricki presented the Board with an aerial view of the lots in question. The septic system for Lot 57 is located on Lot 46. The metal tank for this system must be replaced by the end of 2018. Ms. Woodward stated they would like to have a 20 year lease on this lot before they invest money into a new septic system. After much discussion, the Board acknowledged this would be setting a precedent and was not inclined to act on the request this evening. They asked Mr. Zubricki to review the leases on Conomo Point to verify that this is a unique situation. The Board will discuss the matter further at the next meeting.

Joan Woodward and Amy Robinson left the meeting.

Mr. Jason Schrieber of Nelson/Nygaard joined the Board to discuss results of the downtown parking assessment project. This study was done through a Massachusetts Downtown Initiative Grant. The field work portion of the study was done on a Saturday in July from 12pm to 8pm. Counts were done every 2 hours. There are over 800 parking spaces in downtown Essex.

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The recommendations are:

- Clearly marked regulations for on street parking
- Time limits for parking
- Mark areas of parking for optimal use
- Designate the gravel area beyond the tennis courts for overnight parking
- Better signage is needed

Other suggestions:

- Publicly sponsored Valet parking
- Agreements with larger private parking lots for municipal use
- Developing a map for businesses to give customers showing parking

Online survey results revealed people want to feel safer when walking downtown. It was suggested a wide area be brightly painted along South side of Martin St. along the parking areas. Sidewalks should be painted wider and brighter.

Chief Silva expressed the need for more trailer parking. The removal or relocation of the tennis courts behind the Fire Station was discussed as an option. The study report will be posted on the Town's web site as soon as Nelson/Nygaard sends it to Mr. Zubricki. Going forward, the Strategic Planning Committee will discuss this at their next meeting the end of October, possibly tasking an Economic Development Subcommittee to begin working with the recommendations.

Chief Silva, Bob Coviello, Matt Coogan and Nelson Nygaard left the meeting.

Mr. Zubricki received a document just before the meeting from Riversbend Restaurant purporting to be a maximum occupancy certification. The Board agreed that the document needs to be reviewed by the Building Inspector before additional discussion regarding that establishment's liquor license requirements should be undertaken.

Mr. Zubricki presented a potential revision of the Town of Essex Alcoholic Beverage Licensing Regulations to include a requirement that a current certification of maximum occupancy (broken down by each separate eating area) under the State building code and, as applicable, the State fire code, is obtained from Town officials for any on-premises consumption license and maintained on file with the Licensing Board, effective with the 2017 renewal process. Chairman O'Donnell had asked him to put the topic on the agenda for discussion. Selectman Gould-Coviello stated she was uncomfortable with this if it was going to cost the restaurants to meet this requirement. Chairman O'Donnell stated the Board needs to be consistent. The Board will continue to review and discuss this issue, especially when an establishment voluntarily desires to come forward and make changes to its existing license.

Mr. Zubricki presented a request for a Long-term Lease at 173 Conomo Point Road, Map 108,

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Lot 31 by David Mears. The septic system has failed. The house is on Lot 30 and the leaching field components of the septic system are on Lot 31. A motion was made, seconded and voted unanimously to maintain the Board's present offer of a one-year successor lease for Lot 31.

A motion was made, seconded and voted unanimously to grant a One-day Wine and Malt license to Chebacco Market to serve wine and malt beverages between the hours of 6:00 p.m. and 10:00 p.m. within the confines of the Essex Shipbuilding Museum at 66 Main Street on October 7, 2016.

Brendhan Zubricki began his Town Administrator's Report for the period September 24th, through September 30th, 2016, regarding the following:

Northern Conomo Point Project Mr. Zubricki presented designer Jim Heroux's most updated edition of the project's conceptual plans. The Board agreed with the updated plans, which include a reduction in the concrete walkway by the accessible parking and which eliminate the need for a railing in that area. Mr. Zubricki has discussed the permitting process with the Chairman of the Planning Board. This project needs to go through the Special Permit process. The reasons for this are that recreational use is not allowed in the Town's General Zone by right and the project abuts the Wetlands Overlay Protection District. Town Counsel is inclined to apply for both of the necessary permits with the caveat that the Wetlands Overlay District Special Permit is likely not necessary, since no permanent features are being proposed in the resource area. That way, the topic gets the benefit of the public hearing process but the Town has qualified its position from the start. Kwesell will get back to Mr. Zubricki as to the scope of abutters who need to be notified in regards to this project. Mr. Zubricki will continue to work on the necessary Special Permit application with Town Counsel and, through Mr. Heroux, will ask Mill River Consulting to begin the Notice of Intent process regarding the Wetlands and Rivers Protection Acts. All applications will utilize the conceptual plans approved by the Board this evening.

Proposal for Public Safety Site Engineering Review Mr. Zubricki briefly discussed the project - moving the road/building/using same site. He hopes to have the proposal from Reinhardt Associates and present it at the Board's next meeting.

Cost Estimates for the Folsom Pavilion Mr. Zubricki is hopeful he will have the cost estimates for Renovation/Replacement of the Pavilion from McGinley Kalsow & Associates by the Board's October 18th meeting. The Board asked to bring the Historical Commission for that discussion.

Potential Demolition of Structures at 4 and 8 Conomo Lane. A motion was made, seconded and voted unanimously to have Mr. Zubricki proceed with any and all preparatory work necessary to permit the demolition of all structures at 4 & 8 Conomo Lane.

Continued Review of Draft Town Meeting Warrant Mr. Zubricki presented the draft of articles for the November Fall Town Meeting Warrant. The Planning Board has 6 articles being

reviewed by Town Counsel. CPA has not submitted any articles for the warrant. Finalized warrant will be signed at the October 18th meeting.

Municipal Small Bridge Grant This grant program does not require any matching payment by the Town. Mr. Zubricki and Paul Goodwin met with Joseph Gill, structural engineer to discuss replacing the bridge on Landing Road which leads to the Town Transfer Station and DPW. Mr. Gill felt the bridge would last another 20-25 years. Mr. Goodwin brought Mr. Gill to examine the bridge at the beginning of Pond Street as well. Mr. Zubricki is waiting to hear if the Pond Street Bridge is in poor enough condition to apply for this grant.

Mr. Zubricki will be attending a meeting of the State Dredge Team next week. Members of the DEP, CZM, Army Corp of Engineers and others will be present. The Town's proposal for a Beneficial Use Program will be discussed at the meeting.

Chairman closed the meeting at 9:30 and reminded the Board that the next regular Board of Selectmen's meeting will take place on Tuesday, October 18, 2016 at 7p.m. in the second floor meeting room at the Senior Center on Pickering Street.

Prepared by Dawn Burnham

October 4, 2016

Attested by Susan Gould-Coviello

date