

**Selectmen's Minutes
Senior Center**

April 10, 2017

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

Also Present: Cape Ann TV Executive Director Erich Archer, Interim Director Kristin Crockett, COA Intern Dara Goldberg, Cape Ann TV Representative Barry O'Brien, Police Chief Peter G. Silva, Court Reporter Wendy Thomas, COA member Jessica Webb, and a Gordon College journalism student.

The Chairman called the meeting to order at 7:00 p.m. in the second floor meeting room of the Senior Center at 17 Pickering Street and announced that the Board would hear Public Comment. Chief Silva came forward to inform the Selectmen about a new FEMA grant that has been awarded in our area in the total amount of \$1,000,000 to provide cameras to all coastal Massachusetts towns from the New Hampshire border to Cape Cod. Each town is eligible to receive a total of 4 cameras, consisting of one pan tilt zoom camera and 3 fixed cameras, to be used for coastal surveillance. The Selectmen had many questions regarding the use of the cameras and it was agreed that Mr. Zubricki would work with Chief Silva to invite Lantel, the company that is working with FEMA on the grant, to the next Selectmen's meeting to discuss and answer questions about the program. Mr. Zubricki will also bring some introductory facts to the Board's next meeting. Chief Silva thanked the Selectmen and left the meeting.

Council on Aging member Jessica Webb, COA Interim Director Kristin Crockett, and COA Intern Dara Goldberg joined the Selectmen. Jessica Webb and Dara Goldberg summarized the results of their recent COA community survey. Out of a total of 967 mailed surveys, the COA had received 227 responses. The COA will use the results of the survey to guide their planning of programs and services to meet the needs of the senior town residents. Mr. Zubricki agreed to provide a link to the survey results on the Town website. Everyone was interested in the survey results and the Selectmen thanked the group for doing a great job with the survey. Kristin Crockett, Dara Goldberg, and Jessica Webb left the meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$79,254.71.

A motion was made, seconded, and unanimously voted to ratify the exemption from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the April 6, 2017 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	3/24/17	\$2,199.19	Police
Ernie Nieberle	Nieberle's	3/24/17	\$572.54	Council on Aging
Dave Preen	Preen's Plumbing	3/12/17	\$280.00	Council on Aging

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's March 27, 2017, and the April 3, 2017, Open Meeting.

A motion was made, seconded, and unanimously voted to approve a *request from the Cemetery Department* to transfer from various accounts the sum of \$10,075 to the cemetery budget for fiscal 2018. The Selectmen signed the request.

Mr. Zubricki reported that the Council on Aging had not provided a revised position description for the Council on Aging Van Driver and it was agreed to postpone discussion of this matter to a future meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period March 25th through April 7th, 2017, regarding the following:

Change Order for Town Hall Clock Tower Lighting Solution: Mr. Zubricki reported that he has not received notification of the final pricing for the Town Hall Clock and the Board agreed to defer discussion of this item.

Change Order for Replacement Library Exterior Lighting: Mr. Zubricki also reported that he has not received an estimate for the replacement Library exterior lighting and discussion on this item was also deferred.

Change Orders, Town Hall Light Post Alignment & Paint Vent Pipe: The Board had postponed approval of this item pending availability of funds and the Board agreed to discuss this matter again once the cost for clock lighting has been resolved.

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

Fuel Storage/Sale License Renewal:

- GBG Crowley, Inc., d/b/a Gaybrook Garage, Michael Crowley, 152 Western Avenue, "Underground storage of 16,000 gallons gasoline."
- Energy North, Inc., d/b/a Energy Liquors, Abdessamad Madkour, 156 Main Street, "Above-ground storage of 1440 lbs. (72-20 lb. tanks) of propane and underground storage of 20,000 gallons gasoline."
- Nieberle's Service Station Inc., d/b/a Ernie's Service Station, Ernest T. Nieberle, Jr., 8 Main Street, "Underground storage of 4,000 gallons diesel."

Commercial Shellfish Permit:

- Nathan Ferriero

Senior Shellfish Permit:

- Dale Lowry

Student Commercial Shellfish Permit and Waiver of Application Deadline:

- Aidan J. Burbridge
- McKenzie Woodman

Non-Resident Recreational Shellfish Permit:

- Scott McKenna, Ipswich, MA, sponsored by Tom Prentiss

The Selectmen were reminded that the Town Hall Offices will be closed Patriots' Day, April 17, 2017.

The next regular Board of Selectmen's meeting will take place on Monday, April 24, 2017, at 7:00 p.m. in the Senior Center, 17 Pickering Street.

The Annual Town Meeting will take place in the Essex Elementary School gymnasium on Monday, May 1, 2017, starting at 7:30 p.m.; preceded by a Selectmen's meeting at 6:30 p.m. in the Teachers' Lounge at the Elementary School.

Mr. Zubricki announced that Independent Court Reporter Wendy Thomas was present and that she would be recording the Cable Television Public Hearing. Her services are necessary by law and are paid for by Comcast.

At 7:30 p.m., the Chairman entertained a motion to open the Cable Television Public Hearing concerning the issuance of a successor Cable Television License with Comcast Cable Communications, LLC. The motion was moved, seconded, and unanimously voted. Chairman O'Donnell asked Mr. Zubricki to provide an update regarding the status of the successor cable contract. The previous contract with Comcast expired in March 2017. Mr. Zubricki said that agreement with Comcast has not been finalized, but tentative agreement has been reached on several points. Although the regional committee negotiated as a group of four towns with Comcast, each of the towns will have their own individualized cable contract. Mr. Zubricki reviewed the points of agreement for the contract with Essex as contained in a *memo from Town Counsel William Hewig*. No one else wished to comment and a motion was made, seconded, and unanimously voted to close the hearing. The Court Reporter terminated her recording of the hearing and left the meeting. Following a short discussion, a motion was made, seconded, and unanimously voted to sign the Comcast documents outside of a meeting when they become available, provided they are in agreement with the points as outlined by Mr. Zubricki and in a form acceptable to Town Counsel. Additionally, a motion was made, seconded, and unanimously voted to approve and sign a Memorandum of Understanding, as summarized by Mr. Zubricki, with Cape Ann TV outside of a meeting when it becomes available, also in a form acceptable to Town Counsel. The MOU will require CATV to contribute toward the Town's new Fiber Optic Municipal Network.

On a related matter, replacement of the town's cable I-net with a fiber optic system is being considered and Mr. Zubricki has been researching the history of the town's pole attachment agreements, which go back to the late 1800's. All of the agreements provide for a reserved space on the poles dedicated to municipal use. The new fiber system would be strung on the utility poles, pending notification of Verizon and National Grid.

Barry O'Brien and Erich Archer left the meeting.

A motion was made, seconded, and unanimously voted to approve a request from Fire Chief Daniel Doucette to appoint Timothy S. Grimes to the position of Probationary Firefighter, pending a CORI check and drug/medical screen.

A motion was made, seconded, and unanimously voted to expand the Town Building Committee to eight members. A second motion was made, seconded, and unanimously voted to appoint Historical Commission Chairman Nat Crosby to the Town Building Committee. The Selectmen will sign his appoint card when it becomes available.

Concerning Conomo Point matters, a motion was made, seconded, and unanimously voted to approve an addendum to the Conomo Point lease document for persons installing tight tanks on leased property at Conomo Point in order to comply with requirements found in Title V. The Board of Health Agent will provide the addendum to the Conomo Point tenants who wish to install tight tanks. Following signature by the tenants, each addendum will be approved and countersigned by the Board of Selectmen.

Mr. Zubricki resumed the presentation of his Town Administrator's report:

Grand Opening Celebration for Town Hall/Library Renovation: Mr. Zubricki said that it had been suggested that the opening celebration for the Town Hall/Library project be held on Essex River Day, June 24, 2017. He said that the River Day Committee and other Town groups are in favor of having the opening on the 24th. The Strategic Planning Committee intends to offer refreshments in the third floor auditorium and will be actively recruiting volunteers for Town boards and committees. There will be a ribbon cutting ceremony and tours of the building. The open house will be held from 1 to 3 p.m. The Selectmen asked Mr. Zubricki to invite all town boards, departments, and committees, as well as Senator Bruce Tarr and Representative Ann Margaret Ferrante to the open house.

Regional School District Budget Group Meeting: Mr. Zubricki said that he and Selectman Gould-Coviello had attended the recent school budget meeting. Based on an earlier communication from Superintendent Pam Beaudoin, it had been thought that the repairs to the Manchester school footbridge would be funded from insurance reimbursement and the town of Manchester. However, it now appears that the matter is still unresolved and that the cost of the repairs and possible upgrades to the bridge may be shared by the District, since the District leases the bridge from the town. Also, the Manchester Department of Public Works recently said that they need to remove the bridge to access a defective water main. Selectman Gould-Coviello said that she would keep the Board informed regarding the proposed future of the footbridge.

Mr. Zubricki also reported that there is an ongoing discussion regarding acceleration of the schedule to replace the Memorial School in an effort to save on overall costs of the project.

Draft Annual Town Meeting Motions: Mr. Zubricki reviewed each of the motions for the articles on the Annual Town Meeting Warrant and the Board designated a presenter for each motion.

At 8:30 p.m., citing the need to discuss pending litigation concerning the case of the City of Gloucester vs. the Town of Essex, Superior Court C.A. No. 17-310C, 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 strategies and invited the Town Administrator 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. All others left the meeting.

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

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

Documents used during this meeting include the following:

Request from the Cemetery Department
Memo from Town Counsel William Hewig

Prepared by: _____
Pamela J. Witham

Attested by: _____
Susan Gould-Coviello