

Selectmen's Minutes
Town Hall Stage Conference Area

July 31, 2017

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

Also Present: Julian Balili, Curt Bergeron, Alden Blodget, Michael Burke, Annie Cameron, Matt Coogan, Kristin Crockett, Fred & Shirley Descenza, Scott DeWitt, Robert Doane, Michelle Dyer, Debbie French, Michael Galli, Paul Goodwin, Jodi Harris, Steve Hartley, William Knovak, Ed Lane, Tina Lane, Rolf Madsen, Jen Mayer, Therese Melden, Ernie Nieberle, Dominic Olivio, Amy Reilly, Dean Rossi, Julie Scofield, Christina St. Pierre, Peter G. Silva, Roxanne Tieri, Sarah Wolf, Kim Woods, and others.

The Chairman called the meeting to order at 7:00 p.m. in the Town Hall Stage Conference Area at 30 Martin Street and announced that the Board would hear Public Comment a bit later in the evening.

Therese Melden and Kim Woods introduced themselves to the Board. They have formed a non-partisan group, America the Beautiful. The group's goal is to educate citizens about political issues, both local and national, through local seminars and local get-togethers. The Board said that they are hoping that more residents will volunteer and serve on Town committees and Boards. The Board also said that they would like more residents to be informed about and involved in town government. The group thanked the Selectmen for meeting with them and left the meeting.

Curt Bergeron from the Essex Marina and Dominic Olivio from Cape Ann SUP joined the Selectmen at the table to discuss the removal of their business signs from a Town sign pole that was on town-owned land at the corner of Spring Street and Main Street. Mr. Zubricki reviewed the Town's sign bylaw and said that it is the Selectmen's prerogative to grant permission to place commercial signs on Town-owned land. He said that the Selectmen had received a complaint and had removed the signs which had been placed without Board approval. Mr. Bergeron said that his business was not on a main road and he needed to have signage. He asked if the Selectmen would grant permission for the signs and after a short discussion, the Selectmen both agreed that they did not want to grant permission for a number of reasons. Mr. Bergeron has another sign on a utility pole that is on town land. That sign was not removed by the Town, since the pole is owned by National Grid. Mr. Zubricki said that he will contact National Grid regarding their policy for using their poles for local signage and he will contact Town Counsel relative to that pole being on Town property. Mr. Bergeron and Mr. Olivio left the meeting.

Mr. & Mrs. Descenza joined the Board. Their house on Beach Circle is adjacent to 9 Beach Circle. Recently, the house, which was located on Town land at 9 Beach Circle, was moved to a private piece of land in the southern section of Conomo Point. It is the Town's hope to someday enlarge Clammers Beach by adding 11 and 9 Beach Circle which are contiguous and adjacent to the beach. Mr. and Mrs. Descenza said they would like to discuss some sort of buffer zone between their property and 9 Beach Circle, which would afford them a little more privacy. It was

agreed that the three Selectmen would arrange to meet with the Descenzas at the site to walk the property and discuss possible solutions. The Descenzas thanked the Board and left the meeting.

The Chairman announced that the Board would now listen to public comment. Ernie Nieberle said that he was pleased with the Selectmen's decision not to grant permission to place commercial signs on Town property and Jodi Harris agreed with him.

Alden Blodget said that he would like the Selectmen to refrain from granting any outdoor entertainment licenses until the Town could prepare and implement a noise ordinance bylaw. He also asked about the proposed dredging. The Chairman explained that it is a lengthy process. So far, the Town has been successful in obtaining grants to pay for studies and research of the area.

Ed Lane spoke next. He said that a number of commercial shellfishermen and the Essex Clam Enhancement Group would like to recommend three changes to the Town's shellfishing regulations: closing the flats on Sundays; initiating a moratorium on mud moorings and converting the mooring devices on the existing mud moorings; and lastly, delaying the opening of the winter flats from December to January. The Selectmen thanked Mr. Lane for his comments and said they would review the matter and discuss it further at their next meeting on August 14.

Julian Balili, Alden Blodget, Robert Doane, Jodi Harris, Ed Lane, Ernie Nieberle, Dean Rossi, and others left the meeting.

Chief Peter Silva joined the Selectmen. The Police Department is planning their annual car show on September 10, with a rain date of September 17, 2017. The Chief discussed the Department's *plans for the event*, which include some road closures. The Board agreed to take the matter under advisement for further discussion at their August 14th meeting.

At 8:00 p.m., the Chairman convened the Department Head Quarterly Meeting and turned the meeting over to Superintendent Paul Goodwin. Superintendent Goodwin reported that this season, the Highway Department will be paving Pond Street and Andrews Court. He reminded everyone that the transfer station stickers will expire at the end of August and the DPW is preparing to issue new ones, which will cost \$10 more this year. The Cemetery Department has become aware of the need to expand the cemetery, after finding that some of the land they have is not usable for graves. The Sewer Department has been replacing grinder pumps and one of the meters has malfunctioned. He said that the Water Department is staffed with trained professionals with the highest rating obtainable in that category. The Town's water is constantly being tested and must comply with rigid standards. Mr. Goodwin said that the water is safe to drink. He said the Department is working on the recent problem reported in some areas of Town of brown water and/or a chlorine smell. He advised anyone in Town noticing a problem with their water to call the Department so they can assess and fix the problem. The Water Plant has a laundry additive available for residents that will remove any stains from their clothing caused by the off-color water. Board of Public Works member Scott DeWitt and Assistant Superintendent Michael Galli agreed with Mr. Goodwin.

Library Director Debbie French reported that they had been very busy lately, moving back to the Town Hall and organizing Library programs to be held in the new auditorium area on the third floor. She is presently considering ways to safeguard the glass cases on the third floor during the children's programs. She also reported that the final electrical work in the Library area has been completed.

Town Moderator Rolf Madsen said he had nothing to report. The Annual Town Meeting has occurred and it is too early to begin planning for the Fall Town Meeting.

Town Clerk Christina St. Pierre said that, like everyone else, she has been getting settled in the renovated Town Hall. She said they have been very successful this year getting many more people in Town to license their dogs.

Council on Aging Director Kristin Crockett reported that the mold problem in the Senior Center basement has been corrected and the construction work on the second floor has been finally completed. They are currently working on drafting policies for the Senior Center operations.

Finance Committee Chair Michelle Dyer reported that things are going well for the Committee. Recently, Mark McKenna stepped down and his spot has been filled by Michael Flynn. She said that this year the Committee will be seeking to hold budgets flat for next year as they begin to deal with several capital projects facing the Town.

Shellfish Deputy Steve Hartley said he would defer to the Shellfish Constable for their department's update. He did say that he was very happy with the new motor in the Shellfish Constable's boat and the boat is now running very well.

Town Planner Matt Coogan reported that, most recently, he has been successful in securing another grant for the Town, as a green community, in the amount of \$174,000 which will be used to fund three projects at the Elementary School. The next grant project that he is working on is the Town's potential purchase of the street lights from National Grid and their potential eventual conversion to LED. He reported that the Strategic Planning Committee will hold their next quarterly meeting in September, at which time they will address several items, including the possible creation of a downtown "village center" district that will encourage economic growth.

Chief Peter Silva announced that Officer Rob Gilardi has recently retired after many years of service and the Department has decided to move Part-time Officer Juliani into the vacant position, contingent upon his meeting certain requirements. Chief Silva said that one of the Department's vehicles has proven unreliable and unrepairable and will have to be replaced. The Department has restored several damaged navigation buoys. The Chief said that many of the pedestrian signs around town have been demolished and they are very expensive to replace. He reported that the Department is having to deal with more and more violent situations. Due to privacy rights, these incidents are not reported in the paper. And lastly, he has launched a

campaign to alert residents to beware of possible fraud attempts. He said that the Department receives at least one complaint a week and some people have lost thousands of dollars.

Open Space Committee Chair Julie Scofield reported that her Committee is not meeting during the summer and they will start meeting again in September. The Committee has been working with the Conservation Committee to develop a mutually beneficial relationship.

And, Conservation Commission Chair Michael Burke said his Commission is quiet right now. The Commission has processed 6 certificates of completion, 6 orders of condition, 12 requests for determination of applicability, and 6 notices of intent, as well as 1 cease and desist and 1 enforcement order.

School Committee members Annie Cameron and Sarah Wolf were present and Annie reported that they are working on many different matters, including the upcoming school budget and repairs to the elementary schools. Recently, the Manchester Essex schools have been tested, along with other schools worldwide, and Manchester Essex has ranked in the top category in all areas and higher than any other country in science and reading.

Animal Control Officer Amy Reilly reported that posting pictures on Facebook has been a great help in returning lost dogs on a timely basis. She said she has formed a sort of consortium with surrounding towns to pool their information, training, and resources. She also reported that there have been no cases of rabies reported to date this year.

Shellfish Constable Billie Knovak reported that the State had closed the Town's clam flats for eight days due to "red tide". He reported that he has been having trouble with clambers ignoring the boundary between the Ipswich and Essex flats. Stakes driven in to mark the boundary continue to disappear.

Town Accountant Roxanne Tieri has been busy closing out the last fiscal year and she plans to begin working on preparing the visual budget for the website. She said that it is wonderful to have a Finance Committee with a complete set of knowledgeable, active members.

Chairman Lisa O'Donnell said that she would like to conclude the quarterly segment of the meeting by reporting that the waterfront park at the Point is almost completed. She thanked the Department of Public Works for all their help with the project, including most recently, the assembly and installation of benches. She further commented by inviting input on the scope of services for the Centennial Grove Master Plan and updated the group on the public safety building visual renderings project.

Mr. Zubricki said that Strategic Planning Committee Chair David Gabor had sent a note saying that he could not be present for tonight's meeting and wishing everyone well.

Mr. Zubricki also said that Dawn Burnham, the Bicentennial Committee Chair, was unable to be present. She had reported that the Committee has begun selling ads for the calendar and that details would be released soon regarding the 2019 garden tour.

The Chairman thanked everyone for participating in the quarterly meeting and everyone left the meeting except the Board, the Town Administrator, the Selectmen's Assistant, Tina Lane, Debbie French, and Michelle Dyer.

In other business, Mr. Zubricki reported that the Library is the designated recipient of a \$50,000 bequest. Subsequently, a motion was made, seconded, and unanimously voted to sign a receipt written by Town Counsel concerning the gift from the Norma L. Andrews Living Trust in the amount of \$50,000 bequeathed to the TOHP Burnham Public Library. Debbie French left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period July 15th through July 28th, 2017, regarding the following:

Development of Scope of Services for Centennial Grove Master Plan: Those present agreed to review the current draft and continue discussion of this matter at the next meeting on August 14. Mr. Zubricki will send the draft to six boards and committees for comment.

Proposals for Visual Renderings of Future Public Safety Building(s): Those present discussed the draft proposal and a motion was made, seconded, and unanimously voted to approve the draft and distribute it to three companies. The Selectmen asked Mr. Zubricki to send the proposal and to stipulate a response deadline of August 11th. It is hoped that the responses can be reviewed at the next Selectmen's meeting on August 14th and a firm chosen to complete the work in time for the Fall Town Meeting.

Conomo Point Waterfront Park Project Update and Change Order Request: Mr. Zubricki reported that the landscape company for this project had guaranteed the plantings and is required to replace the lawn area which was not watered. The landscaper chose to put down sod at his own expense, but is now asking if the Town would contribute \$1,500 towards this additional cost. After a short discussion, the Board was in agreement and voted not to contribute to the replacement cost.

Development of Policy for Dinghy Tie-up to New Conomo Point Float: The Board discussed the progress of the new waterfront park at Conomo Point. Mr. Zubricki reviewed his suggestions of possible points to consider for the float's tie-up regulations. It was agreed that, for now, no fee would be charged to tie-up and only people having a mooring on that side of the Point that they reach by rowing only (no motor) would be allowed to tie up. Mr. Zubricki said he would compile a list of those using this location for their dinghies. The Board also discussed issuing passes or decals to be placed on the dinghies/boats that would be permitted to tie up at the float. The Board wanted to make sure that additional space would be reserved for off-loading, etc., and discussed placement of the float in relation to the ramp.

Donation of Memorial Benches for Conomo Point Waterfront Park: Mr. Zubricki reported that three families have expressed interest in donating memorial benches to the park and the families all agree that they prefer the design of the benches that Gloucester chose for Stacy Boulevard. Mr. Zubricki has contacted Gloucester and gotten the details on the benches. The Board was in agreement that the benches should be installed on cement pads. Mr. Zubricki will contact two concrete contractors for pricing, some of which may be covered by the donating parties.

Update Concerning Fiber Optic Municipal Area Network: Mr. Zubricki said that, along with Town Counsel, he is continuing to talk to National Grid and Verizon regarding an agreement to place a fiber optic network for Town offices on the utility poles. He said the Town has made progress with respect to reducing potential utility fees, but still has a ways to go regarding a fair written agreement.

Comments Relative to Dredging Needs: Mr. Zubricki reported that there is a meeting on August 10, 2017 in Beverly, hosted by the Executive Office of Housing and Community Development and the Executive Office of Energy and Environmental Affairs to gather information and discuss individual community needs for dredging. Chairman O'Donnell plans to attend the meeting and share the Town's concerns.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$132,180.03.

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 FY2017, July 20, 2017 warrant pursuant to subsection (d) of said Section.

NAME	VENDOR	DATE	AMOUNT	DEPT'S BILL
Ernie Nieberle	Nieberles	06/24/17	\$ 172.50	Fire Dept
Dave Pereen	Pereen Plumbing	06/20/17	\$ 1,389.30	Fire Dept
Ernie Nieberle	Nieberles	06/24/17	\$ 1,026.68	Highway Dept.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's July 17, 2017, Open Meeting.

A motion was made, seconded, and unanimously voted to approve and sign the Public Officials Liability Insurance Renewal Application. The Chairman signed the document.

A motion was also made, seconded, and unanimously voted to approve and sign the Police Professional Liability Insurance Renewal Application, and the Chairman signed the document.

A motion was made, seconded, and unanimously voted to approve a request from Chief Silva to carry over 80 hours of vacation time.

A motion was made, seconded, and unanimously voted to approve a request to rent Centennial Grove by the Gentle Giant Moving Company on Sunday, August 6, 2017, between the hours of noon to 6:00 p.m. The Chairman signed approval of the application form and the parking pass.

Mr. Zubricki reported that a Gloucester resident who is a business owner in town has asked about getting a Town parking sticker. After a short discussion, the Board was in agreement that stickers would continue to be only available to Town residents. Mr. Zubricki will inform the Gloucester resident of the Board's decision.

Chairman O'Donnell said she has obtained plans for the construction of chimney swift boxes/towers and asked Mr. Zubricki to get cost estimates for the construction of concrete pads for one, two, or three towers. The actual towers might be built by volunteers. Chimney swifts are an endangered bird and the towers would replace one of their nesting places in the chimney of the Point's "House at the End" that was recently demolished. It has not been decided where on the Point the towers will be placed if their purchase is approved.

Acting in their capacity as Licensing Board, the Board discussed a recent application from Matthew Corwin for a Commercial Shellfishing Permit. Under consideration was a request to waive the application deadline and to approve a request for deferred payment of the fee. The applicant wanted to obtain the license and pay the fee when he sold the clams he harvested. The Selectmen were in agreement and a motion was made, seconded, and unanimously voted to waive the application deadline and late fee. (Effective 8/1/17, the Shellfishing Regulations have been amended to require a late fee.) A second motion was made, seconded, and unanimously voted to approve the request for the license pending receipt of the licensing fee in the amount of \$300 and confirmation of his State Bed Certificate.

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

Antiques License:

- Rivers & roads, LLC, Christopher Larson, 57 Eastern Avenue

Common Victualler's License:

- East End Café, Katy Mello, Manager, 121 Eastern Avenue

One-Day Wine & Malt License:

- Woodman's Inc., Joan Houghton, Tuesday, August 8, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of 125 Main Street.
- Woodman's Inc., Joan Houghton, Wednesday, August 16, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the tented area at 125 Main Street.
- Woodman's Inc., Joan Houghton, Saturday, August 26, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the Essex Room outside area at 125 Main Street.
- Woodman's Inc., Joan Houghton, Saturday, September 9, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the Essex Room outside area at 125 Main Street.

- Woodman's Inc., Joan Houghton, Saturday, September 16, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the Essex Room outside area at 125 Main Street.
- Woodman's Inc., Joan Houghton, Saturday, September 30, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the Essex Room outside area at 125 Main Street.
- Woodman's Inc., Joan Houghton, Saturday, October 7, 2017, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the Essex Room outside area at 125 Main Street.

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, August 14, 2017, at 7:00 p.m. in the Town Hall Stage Conference Area on Martin Street.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 10:40 p.m.

Documents used during this meeting include the following:
Plans for the Annual Police Department Car Show

Prepared by: _____
Pamela J. Witham

Attested by: _____
Andrew C. Spinney