

Selectmen's Minutes
Town Hall, 2nd Floor Stage Conference Area, 30 Martin Street

June 4, 2018

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

Special Guests: Senator Bruce Tarr and Representative Anne-Margaret Ferrante and Barry Pett.

Also Present: Bradley Atkinson, Jayna Barry, Stacie Capotosto, Ryan Cox, Tina Lane, Dave Rubenstein, Suzanne Slater, Ben Wilcox, and Jessie Yurwitz.

Chairman O'Donnell called the meeting to order at 6:00 p.m. in the second floor Stage Conference area of the Town Hall and announced that the Board would hear Public Comment. Tina Lane suggested that each town (Manchester and Essex) should manage their own elementary school up to grade four. Grades five through high school would continue to be part of the School District. She mentioned that she had heard that Manchester was thinking of adding an addition to the Memorial School building project for some town offices and thought that it might be a good idea for Essex to consider as well.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period May 19th through June 1st, 2018, regarding the following:

Economic Development Committee Meeting Summary: Mr. Zubricki reported that he had attended the recent EDC meeting and the Committee members would like the Board's support in pursuing some of the recommendations contained in the Nelson Nygaard downtown parking study. The Selectmen were in agreement and Mr. Zubricki will contact the State regarding parking on the State Road and parking signage. He will also prepare a list of the recommendations from the study for discussion at the next Selectmen's meeting, and inform our Town Planner that the Board would like to apply for a grant to create an economic development plan for the Town.

Mr. Zubricki said he had received a request to post public restroom signs at Town Hall. The Board was not in favor of the idea.

Criteria and Process for Land Acquisition RFP: The Board agreed that the Land Acquisition RFP criteria should be forwarded to the Town Building Committee for comment. The TBC will be meeting during the second week in June.

Possible Longer-Term Arrangement, Pingree School at Centennial Grove: Mr. Zubricki said that the Pingree School is interested in exploring a long term arrangement with the Town regarding their use of the Grove Cottage and Garage for their rowing program. In return for use of the site, the School may provide services to the Town which may include the use of canoes or kayaks, rowing classes for residents and/or maintenance of the facility. The YMCA is also interested in expanding their use of the Grove. The Board was in favor of exploring these ideas with the School, the YMCA, and the newly formed Essex Youth Commission to find the maximum benefit for everyone.

Status of Traffic Management Plan for Failing Route 133 Bridge: Chairman O'Donnell reported that she had attended a meeting with MassDOT and Senator Tarr last Wednesday. She reviewed the various options offered by MassDOT for maximizing traffic flow and getting the causeway bridge operational.

Development of Language for Fall Town Meeting Articles, School Vote: Mr. Zubricki reminded the Board that this year the Veteran's Day holiday is celebrated on the Monday (11/12/18) that is usually reserved for the Fall Town Meeting. In addition the Town of Manchester will be voting on the proposed Memorial School project on that Monday and the State election is being held on Tuesday (11/13/18). The Board was in favor of scheduling the FTM on October 15. Chairman O'Donnell and Mr. Zubricki will be meeting next week with School District officials and will discuss the timing for voting on the Memorial School project. Both towns will be voting on it.

At 6:45 p.m., Essex Youth Commission Chair Stacie Capotosto, EYC member Jessie Yurwitz, and EYC Director Suzanne Slater joined the Board to review their preliminary plans for programming and proposed use of Centennial Grove. They said that since it is the end of the fiscal year and they had just hired a director, they would like to reallocate the unexpended salary funds towards purchasing equipment and supplies and repair of the Grove Cottage and Garage. If the money is reallocated, they would like to encumber it for use after the end of this fiscal year. They said they would like to use the cottage for a teen hangout, as well as offering programming there. The EYC will be conducting a survey to determine residents' interest in programs that could be offered. Discussion followed. The Board recommended that the EYC should make an itemized list of their proposed purchases and present it to Board at their meeting on June 18, since any reallocation will require both Selectboard and Finance Committee approval. They will also need to discuss what they plan to encumber with the Town Accountant, since certain rules and limitations apply. The Board said that they are interested in working with all three groups (the YMCA, the Pingree School, and the EYC) regarding increased use of the Grove. Mr. Zubricki will obtain detailed proposals for the use of the Grove Cottage area from the EYC and the Pingree School for the Board's comparison at the next meeting. The EYC members and Director thanked the Board and left the meeting.

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

Preliminary Design and Cost Estimation Work, New Public Safety Bldg.: Mr. Zubricki advised the Board that if they intended to present another opportunity for a new public safety building at

a future town meeting, they may wish to define the scope of the project, show a proposed design, prepare a project timeline, have an analysis performed of initial borings from the proposed site, and have an associated cost estimate. Some of these items might be provided on speculation from firms seeking to be awarded the contract for the job, such as a design firm or an owner's project manager. As such, any Request for Qualifications (RFQ) processes will be clear to indicate that future paid services will be subject to appropriation.

Dam and Seawall Repair Grant Program Application: Mr. Zubricki reported that GZA Geoenvironmental is willing to provide a technical engineering report regarding the seawalls at Conomo Point which would be included in a grant application. A motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to prepare an application for the new State Dam and Seawall Repair Grant Program, which will be signed by the Chairman outside of a meeting when it becomes available. The project, if successfully approved, will likely be funded in stages.

Owners of The Farm, Bradley Atkinson and Ryan Cox, joined the Selectmen, along with two of their bartenders, Jayna Barry and David Rubenstein, and their general manager Ben Wilcox. A motion was made, seconded, and unanimously voted to open the Hearing concerning the alleged service of alcohol to a minor on April 28, 2018. Mr. Zubricki reviewed a letter from Police Chief Silva outlining the sequence of events on April 28. Ryan Cox introduced Jayna Barry, the bartender at the time of the incident, who said that a regular daily customer had ordered two drinks from her and then taken both of them, one of which he drank and the other he gave to the underage person. She said that since they knew this customer very well, they had trusted him not to give alcohol to an underage person in their restaurant. Since the incident, the restaurant has increased alcohol training and has had several management meetings to discuss prevention of this in the future. Mr. Zubricki pointed out that the Police report stated that the bartender had served the minor, stating that she was a regular customer. There were no other comments. A motion was made, seconded, and unanimously voted to close the hearing. The Board discussed the matter. This is The Farm's first offense of serving a minor and the Town's Alcohol Regulations provide guidelines suggesting the suspension of the alcohol license for 1 day. The Farm is open seven days every week. After a short discussion, a motion was made, seconded, and unanimously voted to take no action in this matter. Everyone thanked the Board and Bradley Atkinson, Ryan Cox, Ben Wilcox, Jayna Barry, and David Rubenstein left the meeting.

Senator Bruce Tarr, Representative Anne-Margaret Ferrante, and staff member Barry Pett joined the Board.

All those present left the stage conference area and reconvened in the Assessors' office, where Senator Tarr presented retiring head Assessor Richard Cairns with a plaque commemorating his twenty years of service. Barry Pett took photos of Mr. Cairns with the Senator, Representative Ferrante, and the three Selectmen. Mr. Cairns thanked everyone for the plaque.

Senator Tarr, Representative Ferrante, Barry Pett, the Board of Selectmen, their Assistant, the Town Administrator, and Tina Lane returned to the stage conference area.

Senator Tarr prefaced the discussion with congratulating Mr. Zubricki on his exceptional work moving the study of coastal resilience forward seeking to use natural resources as a defense from severe storms and sea level rise. Mr. Zubricki said that the Town has received two MVP Action grants to continue the study.

The group discussed the options put forward by MassDOT for repair of the causeway bridge. Senator Tarr agreed that the current disrepair of the bridge is affecting not only the economy of Essex, but also the entire northeastern seacoast area whose main resource is summer tourism, in addition to hampering emergency personnel's access to emergency vehicles or dispatching aid to persons in distress. Both Senator Tarr and Representative Ferrante said they are committed to providing support to restore two-way traffic as soon as possible and are in agreement with the Board's preference of a repair that will reinforce the bridge from below, as opposed to the more lengthy bypass option. The Board thanked the Senator and the Representative, and, they and Barry Pett left the meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$171,285.37.

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 5/31/18 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> |
|--------------|-----------------|-------------|---------------|--------------------|
| David Pereen | Pereen Plumbing | 05/20/2018 | \$ 95.00 | Board of Selectmen |
| David Pereen | Pereen Plumbing | 05/13/2018 | \$ 210.00 | Board of Selectmen |
| Jim McNeilly | McNeilly EMS | 05/22/2018 | \$ 62.50 | Police |

A motion was made, seconded, and unanimously voted to approve a request from the DPW to transfer from various accounts the sum of \$23,111.00 to their FY2019 budget.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's May 21, 2018, Open Meeting and Executive Session.

After a short discussion regarding use of the shellfish truck, a motion was made, seconded, and unanimously voted to allow the Shellfish Warden to take the shellfish truck to his current residence in Essex and to remind the Warden that he is not allowed to use the truck for any personal business or errands.

The Board reviewed a summary of the SAMHSA Mental Health Awareness Training Grant that the Essex Board of Health would like to participate in and a motion was made, seconded, and unanimously voted to sign the letter of support.

A motion was made, seconded, and unanimously voted to approve the recommendation by the Cape Ann Chamber of Commerce to give the Small Business Person of the Year in Essex Award to David Brown of Shea's Riverside Restaurant and Shea's Riverside Inn & Motel. The Board

signed the certificate. It was agreed that Chairman O'Donnell will make the presentation of the framed award on Thursday night.

The Board discussed the process and timeline for acquiring ownership of the Town's streetlights. While the documents the Town will be asked to sign are not optimal, according to Town Counsel, it is likely that the utility will reject any proposed changes. Other communities that have been through this process have been faced with the same risks. The Board indicated that it may choose to sign the documents at its next meeting even if National Grid has not assented to changes.

A motion was made, seconded, and unanimously voted to approve a request to pay \$400 for a band for Essex River Day from the Town Events Fund, along with the usual River Day expenses.

A motion was made, seconded, and unanimously voted to approve the following requests to use Centennial Grove and sign the one-day parking passes:

- Jim Zaremba, Grade 5 Ceremony Picnic, Wednesday, June 20, 2018, between the hours of 5:45 p.m. and 7:30 p.m. and waiver of the rental fee.
- Carolina Merrow, a Wedding Party, Saturday, June 30, 2018, between the hours of 12:00 noon and 8:00 p.m.
- Crias Corrigan, a College Reunion, Saturday, July 21, 2018, between the hours of 11:00 a.m. and 6:00 p.m.
- Caroline and Nate Boyd, a Birthday Party, Sunday, July 22, 2018, between the hours of 11:00 a.m. and 5:00 p.m.
- The First Presbyterian Church of Ipswich, the Annual Picnic, Sunday, July 29, 2018, between the hours of 3:00 p.m. and 7:30 p.m.

A motion was made, seconded, and unanimously voted to approve a request from the Essex Elementary PTO by Betsy McKeen, to pass over Town roads during their 11th Annual Happy as a Clam Road Race and Fun Dashes event on Friday, September 14, 2018.

The Board postponed consideration of a request from Joan Herrmann to remodel the property at 172 Conomo Point Road, Map 108, Lots 48 A&B, pending receipt of the building application.

The Board agreed that they would discuss a possible postponement of the Police Department's annual classic car show this year in light of the recent traffic issues with the Route 133 bridge to a future date. For now, it is still possible that two-way traffic will be restored well in advance of the event.

The Board reviewed the Harbormaster's proposed change to Essex Harbor Regulations regarding spousal transfer of moorings and agreed with his proposed change.

A motion was made, seconded, and unanimously voted to reduce the Dodge Street speed limit to 15 m.p.h. Mr. Zubricki will inform Chief Silva and Superintendent Goodwin.

The Board acknowledged a letter from Alden Blodget commenting on the proposed new public safety building and the cost to the Town.

Selectman Phippen suggested that the Board should think about discussing, at a future date, ways to help mitigate the impact of rising taxes on the Town's limited and/or fixed income residents, perhaps by lowering fees in certain circumstances.

The Board discussed the expanding the size of the Town Building Committee. Four people had expressed an interest in being appointed to the Committee, and a motion was made, seconded, and unanimously voted to appoint Colleen Enos, Paul Francis, Ramie Reader, and Mark McKenna to the Town Building Committee. The Board signed the appointment cards.

A motion was made, seconded, and unanimously voted to re-appoint Trescott DeWitt to the Board of Public Works. The Board signed his appointment card.

Mr. Zubricki reported that Michael Flynn had expressed interest in being appointed Town Representative to the Eastern Essex Veterans' District, and a motion was made, seconded, and unanimously voted to appoint Michael Flynn as the new Town representative. The Board signed the appointment card.

In addition, the Board voted to approve the following appointments/re-appointments, effective July 1, 2018, and signed the corresponding appointment cards:

ADA Coordinator for 1 year: William Sanborn
Animal Control Officer for 1 year: Amelia Reilly
Animal Control Officer, Assistant for 1 year: Diane Corliss
Board of Registrars for 3 years: Theresa Mansfield
Building Inspector for 1 year: William Sanborn
Building Inspector's Assistant for 1 year: L. William Holton
Burial Agent for 1 year: Blake Story
Conservation Commission for 3 years: Ted Marshall
Council on Aging for 3 years:

- Ralph Hawley
- Kay Joseph

Eastern National Veterans' District Representative: Michael Flynn
Electrical Inspector for 1 year: Ramie Reader
Electrical Inspector's Asst. for 1 year: John Shields
Finance Committee for 3 years: Benjamin Buttrick
Harbormaster's Deputy for 3 years: Daniel C. Fialho
Harbormaster's Assistant for 3 years: Ryan Devaney
Harbormaster's Assistant for 3 years: Ainsley McKenna
Open Space Committee for 1 year:

- Leslie Burns
- Tamson Gardner
- Lysa Leland

- Julie Scofield
Plumbing & Gas Inspector for 1 year: Richard Corriere
Plumbing-Gas Inspector's Assistant for 1 year: David Pereen
Police Officer, Part-Time for 1 year:
 - Ryan Devaney
 - Chad Lipinski
 - Tom Shute
 - David J. Vangelist
 - Robert WhewayPolice Officer, Special for 1 year:
 - Brittney Lazarides
 - Matthew Lipinski
 - Christian Mont
 - Lauren PereenShellfish Commission for 3 years: William Knovak
Town Counsel for 1 year: KP Law
Youth Commission for 3 years: Jessie Yurwitz

A motion was also made and seconded to approve the following re-appointments. Chairman O'Donnell abstained and the motion carried:

Local Emergency Planning Committee for 1 year:

- Dan Doucette
- Lisa J. O'Donnell
- Erin Kirchner
- Peter Silva
- Paul Goodwin

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

One-Day Entertainment License:

- Carolina Mellow, for use on Saturday, June 30, 2018, between the hours of 12:00 noon and 8:00 p.m. within the confines of Centennial Grove.

One-Day Wine and Malt License:

- Joan Houghton, Woodman's, for use on Sunday, June 17, 2018, between the hours of 11:00 a.m. and 9:00 p.m., within the confines of Woodman's Function Hall, 125 R Main Street.
- Carolina Mellow, for use on Saturday, June 30, 2018, between the hours of 12:00 noon and 8:00 p.m. within the confines of Centennial Grove.

Ratification of a One-Day Wine and Malt License:

- Sea Meadow Gifts, Georgeanne Richards, for use on Saturday, May 26, between the hours of 4:00 and 9:00 p.m. within the confines of 7 R Main Street.

The Board was reminded of the following events and meetings:

- Presentation of Essex Small Business of the Year Award by a Selectman, Shea's Riverside, Thursday, June 7, between 5 and 7 p.m.
- Small Business Week Annual Luncheon, Castle Manor Inn, Friday, June 8, 11:30 am to 1:30 pm.
- The next regular Board of Selectmen's meeting will take place on Monday, June 18, 2018, at 6:00 p.m. in the Stage Conference Area on the 2nd floor of the Town Hall.

Mr. Zubricki announced that he had no new information to discuss in Executive Session.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:47 p.m.

Documents used during this meeting include the following: None.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Andrew C. Spinney