

Present: Jeffrey D. Jones, Chairman; Mark Lynch; A. Raymond Randall, Jr.
Also Present: Brendhan Zubricki, Town Administrator.

Chairman Jones called the meeting to order at 7:30 p.m. in the T.O.H.P. Burnham Library and announced that the Board would hear Public Comment. No public comment was offered.

Brendhan Zubricki presented his Town Administrator's Report for the period covering December 16th through January 8th regarding the following items:

Historic Records Preservation: Mr. Zubricki reported that the graduate student, Ann Bevan, who has been working on evaluating some basic steps towards better preservation of the Town's historical records has presented him with a list of recommendations. The list is divided into immediate needs and needs that may be addressed in the near future and later. The first items on the immediate needs list are the purchase of a new dehumidifier to stabilize the environment and the purchase of some storage boxes to stabilize the records. Other items on the list include a variety of folders, book boxes, oversize boxes, map boxes, a HEPA filter, and a vacuum. Additionally, the vault needs to be cleaned and a mold assessment made by a mold professional which may ultimately involve a mold removal expert. Mr. Zubricki felt that if the project was funded initially for \$5,000, that most of the items on the immediate needs list could be accomplished. This would establish a clean and drier environment and once the environment is stabilized, the documents can be cleaned, identified, and organized in archivally correct storage boxes. He also stated that he felt that this might be an excellent opportunity for other students under the direction of a trained archivist to assist the Town in a cost effective way to preserve and keep these items in good condition. After some discussion, the Selectmen agreed to support the project initially from the FY07 budget for the purchase of a dehumidifier and storage boxes and to seek \$5,000 additional funding for remaining needs in next year's budget.

The Selectmen were joined by Mr. and Mrs. Johnson and their son, Torrey Johnson, to discuss removing their names on the lease for 28 Cogswell Road and leaving only their son's name on the lease. After a discussion, the Johnsons decided they would like to leave the lease unchanged and left the meeting.

Emergency Center Incident Tracking System: Mr. Zubricki said that the present tracking system does not meet the informational needs of Chief Silva. The system is many years old and has no flexibility. Mr. Zubricki said that proprietary software could be purchased to replace the existing system or a professional hired to re-program the old system, but the cost to the Town would be high. He offered to develop a custom database for the Emergency Center using Lotus Approach over the coming calendar year that would meet any existing or future needs. The Selectmen authorized Mr. Zubricki to proceed with a custom database.

In a related issue, Mr. Zubricki said that the Fire Department uses a proprietary software system called FirePro which is not currently accessible from the Emergency Center. He proposed purchasing and implementing a network version of FirePro that would allow perhaps as many as five users to be able to easily enter into the system from their workstations information for which they are responsible. Mr. Zubricki estimated the upgrade would cost around \$2,000 and that there was money left over from last year's computer upgrade budget to fund it. The Selectmen authorized Mr. Zubricki to order the upgrade in the event that the Fire Department is in favor of it.

Personnel Board Meeting: Mr. Zubricki reported that there were several issues that had been discussed at the Personnel Board meeting he had attended on December 20, 2006, all of which he had previously covered with the Selectmen.

- The Personnel Board has agreed to support an increase to the Building Inspector's salary as well as a corresponding increase to the Assistant Building Inspector's salary based on a survey of surrounding and similar towns.
- The Personnel Board is also in agreement with the Selectmen that a new position is needed to deal with dog issues. The new position would have an annual stipend of \$2,500. The Bylaws already provide for a "Dog Officer", but the Personnel Board felt that the position should also include "Animal Control Officer" duties so that a broader spectrum of potential problems could be addressed. Mr. Zubricki said that the Personnel Board would continue to explore the correct combination of duties, based on the existing Bylaws and the needs of the Town.
- The Personnel Board also agreed to support the creation of a salary range for the Assistant Librarian more comparable to surrounding towns.
- The Personnel Board will also support the Selectmen's effort to increase the Treasurer/Collector's salary to make it more commensurate with market rates.
- Mr. Zubricki reported that the Personnel Board is recommending, for a one-year trial period, that the Shellfish Warden also be authorized to perform Assistant Harbormaster duties whenever he is performing his regular shellfish duties. This designation would allow him to deal with other enforcement issues (in addition to shellfish) that he may encounter when he is on the River, rather than having to send for the Harbormaster patrol. Both the Shellfish Warden and the Harbormaster are in favor of this. There will be some cost involved for first aid certification and appropriate boat markings.

Mr. Zubricki said that the Shellfish Warden will be requesting the Town's purchase of a Shellfish Warden truck, since his own truck has suffered a lot of wear and tear over the past years due to his warden activities. The Selectmen discussed the various benefits of purchasing or leasing a new or used truck. Additionally, Mr. Zubricki said that he would

investigate whether there may be any Federal, state or local surplus vehicles or used vehicles available.

Route 133 Reconstruction Project – FY08 – 11 TIP Forms: Mr. Zubricki presented a form designating the TIP contact for the Town that needed to be signed and returned to the Boston Metropolitan Planning Organization. Mr. Zubricki explained that it is necessary to keep current with updating the various TIP forms in order to ensure that our project stays on schedule and doesn't get sidelined. Subsequently, the Chairman entertained a motion to authorize Mr. Zubricki as the official TIP contact. The motion was moved, seconded, and unanimously Voted.

Final FY08 Budget Request Package: Mr. Zubricki presented the final draft of the FY08 Budget Package and briefly reviewed each of the items on the draft.

Part of the Budget Package is the 5-10 Year Capital/Personnel Plan for the Selectmen's Office which includes the exterior repairs needed to the Town Hall. Temporary repairs were recently made to weatherproof the building; however, the building continues to be in dire need of repairs. The Selectmen expressed concern over committing such a large sum of money to the building without having a plan in place that addresses the current and future needs for Town buildings. Mr. Zubricki reported that Assessor Richard Cairns has been working with a real estate advisor to establish a valuation for the Town Hall. This information will be useful in planning for the future of the building. The Selectmen also discussed the establishment of a formal building committee to research the needs for buildings to house the Town offices, the Fire Department and the Police Department and match them with potential solutions. It was hoped that the building committee would be able to present a preliminary report by March 15 of this year. The Fire Department, Chief Silva, and Mr. Zubricki would be included in the committee membership.

Mr. Zubricki reminded the Selectmen that Chief Silva's contract called for an evaluation and a calendar year 2007 goal assessment in January of 2007. The Selectmen asked that an appointment be made for the Chief to go over these items at their next meeting.

The Selectmen discussed the future budget needs for Conomo Point legal advice. Mr. Zubricki suggested the implementation of a mini-stabilization fund in FY09. In a related issue, the Selectmen expressed their concern regarding the Conomo Point Planning Committee's seeming lack of progress concerning the formulation of a directive to the Town at the next Annual Town Meeting in May 2007 regarding the future of Conomo Point. Selectman Lynch said that he would convey their message to the committee members at the next CPPC meeting on January 11, 2007.

Mr. Zubricki reported that he had solicited from the Fire Department and the Police Department a list of their previously uninsured equipment at the request of the Town's insurance carrier. The insurance carrier has reviewed the lists and submitted two

quotations with different deductible amounts. The Selectmen elected to choose the policy with a deductible amount of \$500.00.

Cable Franchise License Renewal: Mr. Zubricki reviewed Town Counsel's summary of the proposed renewal cable television license. The three remaining issues to be settled include adding the Senior Center to the I-Net system, receipt of \$20,000 from Comcast to assist in the cost of the I-Net upgrade, and the granting of an I-Net buyout option. The Selectmen agreed that they are in no hurry to reach agreement on the contract and decided to wait until Manchester had completed their negotiations.

Mr. Zubricki said he had brought the brief for the pending William Allen litigation and asked if anyone wanted to look at it or had any questions regarding it. The case will either be remanded back to Superior Court or it will be upheld by the Appeals Court.

Selectman Lynch said he would like to receive quarterly or semi-annual reports from Town Counsel regarding the status of all pending litigation. Mr. Zubricki said he would talk to Town Counsel and arrange for someone to present an update in the near future.

Mr. Zubricki presented a revised set of plans for the new Senior Center for the Selectmen's review. Mr. Zubricki drew their attention to certain items such as windowed exterior doors and places to accommodate flat panel TV screens. The Selectmen gave their permission to proceed with final production once the final drawings are completed.

The Selectmen agreed to defer the discussion of the Symmes easement until they meet with the Planning Board at their next meeting on January 22.

Mr. Zubricki reported that the Building Inspector had sent a cease and desist letter to Brigid Venti regarding the situation at 63 Main Street and asked the Selectmen if they wanted to record a notice of the letter against the deed. The Selectmen decided to wait for action from Ms. Venti before taking any further steps.

The Chairman entertained a motion to sign the weekly warrant in the amount of \$94,265.34. The motion was moved, seconded, and unanimously Voted.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes of the December 18, 2006 Selectmen's meeting.

The Selectmen reviewed a dog complaint against an unlicensed yellow lab allegedly owned by Linda Burke at 12 Harry Homans that was hit by a car. They directed Mr. Zubricki to advise the owner that the law requires the dog to be licensed.

The Selectmen also reviewed a dog complaint against a shepherd-lab mix allegedly owned by Chris Cushna at 15 Icehouse Lane that appears to be threatening neighbors. Mr. Zubricki agreed to call Mr. Cushna and recommend restraint of the dog either by some sort of fence or run.

The Selectmen acknowledged the resignation of Phillip Lake from the Conservation Commission and asked the Selectmen's Assistant to prepare a letter thanking him for his service to the Town. It was mentioned that Jim Appleyard had expressed an interest in filling the vacant position. The Selectmen decided that they would like to run an announcement in the paper advertising the vacancy.

It was noted that the Essex Housing Authority has been asked to attend the Selectmen's meeting on 1/22/07 @ 7:05 p.m. to discuss and jointly appoint a replacement (perhaps Glenn Boutchie) for the vacancy left by Carolyn Clarke. The Selectmen reviewed and signed a thank you letter to Carolyn Clarke recognizing her past contribution to the Housing Authority.

The Selectmen reviewed a request to trap beavers on Town land from Bob Brophy. Mr. Zubricki reported that there is evidence of beaver activity at three bridges that cross the Alewife Brook: Landing Road, Apple Street and the commercial complex. Beavers are currently in season and Mr. Brophy is a licensed trapper. The law states that the beavers may not be relocated and that they must be destroyed. Mr. Brophy will keep the pelts. The Chairman entertained a motion to allow Mr. Brophy to trap the beavers on town land. The motion was moved, seconded, and unanimously Voted.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the Standard Contract Amendment Form for the State Share of the monies due from the May 2006 Floods.

The Selectmen reviewed the Governor's Highway Safety Bureau Traffic Enforcement Grant program that would allow the Town to become eligible to receive up to \$4,500 by participating in certain traffic safety programs sponsored by the Governor. Subsequently, a motion was made, seconded, and unanimously Voted to sign the application to participate in the grant program.

A motion was made, seconded, and unanimously Voted to approve and sign a request from the Department of Public Works to transfer money to the Cemetery Department Budget. This transfer supersedes the transfer approved and voted at the August 21st meeting of the Board.

Upon consideration of Chief Silva's recommendation, a motion was made, seconded, and unanimously Voted to appoint Mr. Shamshak and Mr. Locke to the position of part-time patrolman.

Mr. Zubricki reported that Chief Silva had found some available money in his other budgets to fund the additional part-time officers and that the Finance Committee would be voting on those line item transfers this evening.

A motion was made, seconded, and unanimously Voted to designate and authorize Selectman A. Raymond Randall, Jr. as delegate to the January 13, 2007, Annual Business Meeting of the MMA.

Mr. Zubricki reported that the Riverside restaurant is out of business and that Colleen Godfrey will be sending a letter to the Selectmen relinquishing the restaurant's liquor license.

It was reported that Woodman's Function Hall and Lobster Trap Pub has been working to correct certain issues and may now be issued a permanent inspection certificate. The Red Barrel will be closed until March of 2007 for repairs and the Selectmen directed Mr. Zubricki to notify the owner that the premises must be in compliance when they reopen in March or they will lose their ability to sell liquor.

There are currently about three antiques licenses that have not been renewed. The Selectmen agreed to send a letter to notify the dealers that they would not be able to sell antiques in 2007 until they have submitted a renewal application and been approved by the Selectmen.

A motion was made, seconded, and unanimously Voted to ratify the following Annual Antiques License Renewals signed by Selectman Lynch and Selectman Randall on 12/26/06 and 12/28/06:

- Channing Howard, d/b/a Howard's Visual Merchandise @ 165 Eastern Avenue.
- Eric Villa, d/b/a Prado Antiques @ 163 Main Street.
- A.P.H. Waller, d/b/a A.P.H. Waller & Son @ 140 Main Street.
- A.P.H. Waller, d/b/a Essex Antiques Exchange @ 134 Southern Avenue.

The Selectmen were reminded of the Cape Ann Chamber of Commerce Evening Business Exchange on Wednesday, January 17, 5:00-7:00 p.m., at the Cape Ann Historical Museum, 27 Pleasant Street, Gloucester. Neither the Selectmen nor the Town Administrator plan to attend.

The Selectmen were also reminded of the Cape Ann Breakfast Club on Friday, January 26, @ 7:30 – 9:00 a.m. at the Elks at Bass Rocks. Selectman Lynch, Selectman Randall and Town Administrator Zubricki said they would attend.

The Selectmen were further reminded that on Monday, February 5, 2007, the Finance Committee will meet jointly with the Selectmen to discuss the draft FY08 operating budget, FY08 capital project requests, and future capital planning.

On Tuesday, February 6, 2007, the MERSD School Committee will hold a Public Hearing regarding "Adoption of the Budget".

At 8:45 p.m., citing the need to discuss collective bargaining strategy regarding the Essex Police Benevolent Association union (EPBA) and regarding the American Federation of State, County and Municipal Employees union (AFSCME), and possible litigation arising from the sewer construction project, the Chairman said he would entertain a motion to hold a Roll Call Vote to move into Executive Session. The Chairman stated that the Selectmen would return to regular session afterwards and invited Mr. Zubricki to participate. The motion was moved, seconded, and per a unanimous Roll Call Vote, the Board moved to Executive Session.

The Board returned to regular session by Roll Call Vote at 9:10 p.m.

There being no other business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting.

Prepared by: _____

Attested by: _____