

Selectmen's Minutes

February 26, 2007

Selectmen Present: Chairman Jeffrey D. Jones, Selectman Mark Lynch, and Selectman A. Raymond Randall, Jr.

Also present: Town Administrator Brendhan Zubricki

Chairman Jones called the meeting to order at 7:00 p.m. in the T.O.H.P. Burnham Library and announced that the Board would hear Public Comment. No one present offered any comments.

Police Chief Peter Silva appeared before the Board to introduce the members of his new Ad Hoc Building Committee: Fire Chief Richard Carter, Dan Doucette, Stuart Pratt and Mark Carbry. Walter Rich and John Coughlin, also members, were unable to attend. They reported that they had begun discussing possible solutions to the space problems of the Town Hall Offices, Fire Department and Police Department. After some discussion, it was decided that Town Administrator Zubricki would also participate with the group. The Board expressed approval of the Committee's efforts and asked them to continue their research.

A motion was made, seconded, and unanimously Voted to approve a bill from Ray Maxfield in the amount of \$125.00 for repair of 3 toilets in the Town Hall to be paid from the Luther Burnham Fund.

A motion was made, seconded, and unanimously Voted to sign the weekly warrant.

Brendhan Zubricki presented his Town Administrator's Report for the period covering February 3rd through February 23rd regarding the following items:

Long-Term Planning Committee: Mr. Zubricki reported that 18 letters of interest had been received requesting membership on the proposed Long-Term Planning Committee. The Selectmen are in favor of the Committee focusing on the entire Town rather than just one area of the Town and decided to work on formulating a charge for the Committee before determining the membership of the Committee. Selectman Randall will take the lead on the charge and will report back to the Board.

Deborah Eliason and Greg Corbo from Kopelman and Paige appeared before the Selectmen to review the current status of the Town's pending litigation. Deborah Eliason will be leaving Kopelman and Paige in March and Greg Corbo will be taking over her cases. Attorney Corbo began with an overview of the William Allen/Southern Avenue case. He said that it was really three separate matters. The first was an underlying enforcement matter. The receiver was still in place, but had run out of money to continue the clean-up. As a result, the Southern Avenue property has been put up for sale. The

second matter concerns the barn that needs to be removed. Currently there are no funds available to pay for the removal. The third matter is a torte complaint which may be refused by the Superior Court and returned to the District Court. With respect to other litigation, including sewer connection enforcement, aspects of the Allen case, the Venti case, and the Van Wyck parcel case, it was decided that the discussion should take place in Executive Session. The Chairman invited Mr. Zubricki, Deborah Eliason, and Greg Corbo to attend the Executive Session and said the Board would be returning to regular session later in the evening. The Chairman entertained a motion to move to Executive Session. The motion was moved, seconded, and per a unanimous Roll Call Vote the Board moved to Executive Session.

The Board returned to regular session at 8:10 p.m.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes of the February 5th, 2007 Selectmen's meeting, the February 5th Executive Session, the February 16th, 2007 meeting, and the February 16th Executive Session.

The Board signed letters of recognition for Jim Mulcahy, George Lufkin, George French and Peter Lane acknowledging their many years of service in the Fire Department.

A motion was made, seconded, and unanimously Voted to reappoint Pam Stone to the position of Animal Health Inspector commencing March 1st, 2007 for a period of one year.

Mr. Zubricki resumed his Town Administrator's Report.

Replacement for Deputy Moderator: Mr. Zubricki reported that Town Moderator, David Lane had informed him that the Deputy Moderator was going to be moving out of Town. Mr. Lane had drafted an announcement for a replacement to run in the newspaper. The Selectmen approved the announcement and asked Mr. Zubricki to request it be run by the local press.

FY08 Health Insurance Rates: Mr. Zubricki said that the health insurance for the coming year had increased 4.6%. He announced that he would be meeting with a MIIA representative to discuss a new health insurance option for retirees that could replace MedEx3.

School Grease Trap Installation: Mr. Zubricki reported that Albanese Bros. had started work on the installation of the grease trap at the elementary school today instead of last week during school vacation. He presented two change orders in the amounts of \$3,200.00 and \$25,120.00 to close out the project using the recently approved funds. A motion was made, seconded, and unanimously Voted to approve and sign the orders.

FY08 Town Operating Budget: The Selectmen agreed to Mr. Zubricki's suggestion to set an appointment with the Finance Committee on March 26th to discuss and finalize the Town's operating budget for the coming year.

MassRides Program: Mr. Zubricki said that he had met with a representative from MassRides to discuss which program options might be of interest to Town residents. In order to take advantage of program options, it is necessary to sign a partnership agreement with MassRides. Subsequently, a motion was made, seconded, and unanimously Voted to approve and sign the MassRides Partner Agreement at the bronze level.

Joint Meeting of Local Town Administrators: Mr. Zubricki said he had attended a joint meeting of town administrators from Hamilton, Manchester, and Wenham and the town manager from Ipswich. The group is in the process of exploring the concepts of self-insurance and potential access to the Group Insurance Commission. It was agreed that a Selectman would attend a proposed self-insurance session when the session is set up by Town Administrator Wayne Melville.

The Selectmen reviewed a request by the Finance Committee to have the Selectmen write a letter of support for the Community Preservation Act and also reviewed recent information received concerning the Act from Town Counsel. A motion was made, seconded, and unanimously Voted to send a letter to the Finance Committee in support of the Community Preservation Act.

Special Town Meeting Motions: Mr. Zubricki reviewed each of the motions scheduled to be made at the Special Town Meeting on March 12th, 2007 and with the Selectmen's guidance made the final changes and assigned persons to present the motions.

Draft Annual Town Meeting Warrant: Mr. Zubricki presented an up-dated draft of the Annual Town Meeting Warrant for the Selectmen's review.

Cable Franchise Renewal License: Mr. Zubricki said that the cable franchise contract had been finalized and presented four original copies for the Selectmen's review and approval. A motion was made, seconded, and unanimously Voted to approve and sign the Cable Franchise Renewal Contact and the Access Agreement.

The Selectmen reviewed a letter from the Conservation Commission recommending the appointment of James Rynkowski. A motion was made, seconded, and unanimously Voted to appoint James Rynkowski to the Conservation Commission.

The Selectmen considered a suggestion from Dick Carter that the Town purchase the Kamon property down behind the Fire/Police Station and the municipal parking lot as a potential addition to Memorial Park. Since the property is not on the market and Town funds are in short supply, the Selectmen felt it wasn't feasible to explore the idea at this time.

The Selectmen agreed to the continued use of Marilyn Klypka-Simpson to manage the set-up and closure for rentals at Centennial Grove at \$75 per event.

The Selectmen signed letters of commendation to members of the Fire Department and Police Department for their contribution to the careful and speedy rescue of Michael Dyer, who had broken his leg while ice skating, from Elias Pond to an ambulance.

The Selectmen reviewed a request from SeniorCare for an increase in funding for FY08, but decided to continue level funding the program.

A motion was made, seconded, and unanimously Voted to approve a One-Day Auction Permit to Michael March d/b/a Blackwood March Antiques for use on March 20, 2007, between the hours of 4:00 and 10:00 p.m., within the confines of 125 Main Street.

A motion was made, seconded, and unanimously Voted to approve and sign the following applications for commercial clamming permits:

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| Julian Balili | Russell Jordan | George E. Mullin |
| Roger M. Ball | Glenn D. Koper | R.J. O'Leary |
| Albert J. Beaulier | Edward G. Lane | Kevin Oyer |
| Norman A. Burnham | George E. Lane | William M. Pascucci |
| Robert E. Doane | Matthew E. Lane | Cory Pierro |
| David Earl | Dale Scott Lowry | Richard Pierro |
| Sefton D. Earl | Dan Marshall | Glenn R. Pike |
| Jeff Fraser, Jr. | Michael J. Matheson | Everett E. Reed |
| Stephen Hartley | Shepherd D. Means | Dean D. Rossi |
| Jason L. Heath | Bruce Mello | Bryan Shields |

The Board agreed to take no action on a letter from Tim Gates, a Manchester resident, concerning new tennis courts for the Manchester Essex Regional Middle/High School.

Mr. Zubricki announced that Senator Tarr and Representative Verga have scheduled an appointment at the Selectmen's meeting on April 9th at 7:30 p.m. with the Chebacco Lake Association to discuss the condition of the Alewife Brook and its impact on the Lake. The Selectmen asked Mr. Zubricki to contact Bob Brophy and enquire about his progress trapping beavers.

A motion was made, seconded, and unanimously Voted to waive the Centennial Grove rental fee for Town employees and to only charge Town employees for the expenses incurred by the Town for the rentals (such as trash removal and set-up and closure).

Mr. Zubricki announced that the Personnel Board will be scheduling a meeting for late March.

Citing the need to discuss collective bargaining strategy with the Essex Police Benevolent Association (EPBA), the Chairman entertained a motion to move to Executive Session. He invited Mr. Zubricki to attend. The motion was moved, seconded, and per a unanimous Roll Call Vote the Board moved to Executive Session at 9:30 p.m.

The Board returned to regular session at 9:35 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: _____