

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

Also Present: Town Administrator Brendhan Zubricki, Town Treasurer/Collector Virginia Boutchie, Shellfish Advisory Commission Member Michael Matheson

Chairman Jones called the meeting to order at 6:30 p.m. in the Staff Room at the Essex Elementary School on Story Street and announced that the Board would hear Public Comment. No one offered any comment.

Michael Matheson announced that his Commission, the Shellfish Advisory Commission, had met on March 8th and voted to ask the Selectmen to close the winter flats. Based on their recommendation, Chairman Jones entertained a motion to close the winter clam flats at midnight, on March 18th, 2007. The motion was moved, seconded, and unanimously Voted.

Brendhan Zubricki presented his Town Administrator's Report for the period covering February 24th through March 9th regarding the following items:

Essex Enhancement Committee Projects: Mr. Zubricki reported that he had received a letter from the Enhancement Committee suggesting a list of projects that they would like to work on this year and asking for the Selectmen's preferences. The Selectmen felt that new picnic tables at Centennial Grove, repairing and replacing the old Centennial Grove sign, and restoring the Honor Roll were all items that would be greatly appreciated by the Town. Mr. Zubricki said that he would ask Sue Lufkin to contact Kurt Wilhelm to request guidance and permission concerning the anticipated restorations from the Historical Commission and the Historical Society. Also on the list was repair to the tennis courts at Memorial Park, but the Selectmen agreed that that item should be coordinated with the group that is already working on the tennis courts. Other items on the Committee's list included landscaping or useful items for the new Senior Center and a scoreboard for Memorial Park.

Consideration of FY08 Health Insurance Plans and Rates: Mr. Zubricki said that he had been informed by Town Counsel that Medex insurance, even though for retired persons, was a mandatory topic for union bargaining and an issue for consideration by the Insurance Advisory Committee. Town Treasurer/Collector Virginia Boutchie reported that she had been learning and working on The Medicare Modernization Act (Medicare Part D). After two years of preparation and reporting, the Town has received two Federal subsidies in the approximate total amount of \$6,700. Going forward, Medicare and MIIA will begin charging administration fees on a monthly basis to keep track of the paperwork for this program. Mr. Zubricki and Ms. Boutchie have also been talking with MIIA (the Town's insurance carrier) to review and research a new option called Medex 2. They believe that this new option is superior to the Medex 3 plan the Town currently has. However, based on the recent opinion of Town Counsel that health insurance is a bargaining item, and is subject to review by the Insurance Advisory Committee and the

fact that a decision on insurance is due by April 1st, the Selectmen agreed that the change could not be made at this time.

Mr. Zubricki presented the new health insurance rates that he had received from our insurance company for the Selectmen's review. A motion was made, seconded, and unanimously Voted to accept the rates for FY08 and to sign the acceptance form.

Annual Town Meeting Warrant Update: Mr. Zubricki told the Selectmen that there are still some open items on the Warrant for the Annual Town Meeting:

Town Counsel has not gotten back to him yet regarding the content and format of the proposed amendment to the School Regional Agreement.

The Planning Board has decided not to include the article about Open Space Residential Development, but would like to proceed with the rest of the articles they submitted.

The Conomo Point Planning Committee has not yet finished drafting their article.

The Selectmen decided to remove the article regarding appointments to the Conomo Point Planning Committee.

Mr. Zubricki reported that he had just received three petition articles regarding the Symmes Easement, the request to create a position for a part-time Public Health Nurse, and a possible Conomo Point solution from Ed Neal.

The Selectmen discussed the Emergency Center operating budget shortfall and agreed it should be funded from the Reserve Fund, not a Warrant article.

The Selectmen decided against including an article for an elderly tax work-off program.

Selectman Lynch said he would try to draft a dog control article for review at the next Board of Selectmen's meeting.

Mr. Zubricki reported that the Water Department had found a way to fund their deficits with Water Department surplus funds and the Selectmen agreed to place the necessary article on the Warrant..

Enforcement of Water Department Fine: Mr. Zubricki reported that an individual had opened a hydrant illegally and had been asked by the Water Department to explain his actions. The person has refused to discuss the matter. The Water Department has fined the person, based on the Water Department regulations, \$1090.00, which the person has refused to pay. The DPW does not want to spend a lot of money in legal enforcement, but the regulations have been violated. The Selectmen authorized Mr. Zubricki to contact

Town Counsel and inquire about filing something in District Court to allow the Water Department to collect the fine.

In other Business, a motion was made, seconded, and unanimously Voted to sign the weekly warrant in the amount of \$77,312.32.

Mr. Zubricki presented a preliminary report of the proposed budget for the Selectmen's review. He said that if it looks like there will be a need to ask for an override it has to be added to the Warrant by March 26th when the Warrant will be finalized and signed. The Finance Committee is still working on the budget and will likely cut the bulk of capital items to avoid an override.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes of the February 26th, 2007 Selectmen's meeting, the February 26th Executive Session, and the March 8th Selectmen's meeting.

The Selectmen reviewed a note from the Town Clerk regarding a Board of Health vacancy created by the resignation of Sandra Pelkie-MacIntyre when she moved to Gloucester.

A motion was made, seconded, and unanimously Voted to sign a letter of commendation to David Thompson for his contribution to the rescue of Michael Dyer.

A motion was also made, seconded, and unanimously Voted to sign a letter of appreciation to Carl Brown for his more than 30 years of service to the Department of Public Works.

A motion was made, seconded, and unanimously Voted to approve the request from the Essex Police Benevolent Association to rent Centennial Grove for Sergeant Cal Grimes' retirement party on Saturday, August 4, 2007 from noon until 8:00 p.m.

A motion was made, seconded, and unanimously Voted to approve and sign the following licenses:

One-Day Entertainment License:

- Robert Gilardi, Essex Police Benevolent Association for use on Saturday, August 4th, 2007 between the hours of noon and 8:00 p.m. within the confines of Centennial Grove.

One-Day Wine and Malt License:

- Robert Gilardi, Essex Police Benevolent Association for use on Saturday, August 4th, 2007 between the hours of noon and 8:00 p.m. within the confines of Centennial Grove.

Selectman Lynch raised the question of whether or not the Selectmen should require applicants for a One-Day Wine and Malt License to have TIPS training. It was agreed to discuss the idea at a later meeting.

Mr. Zubricki presented a maintenance proposal and estimate that had been solicited by the Department of Public Works for the Field of Dreams at Centennial Grove. He reported that currently there is enough money in the Grove Revolving Fund to pay for the work. Subsequently, a motion was made, seconded, and unanimously Voted to approve and fund the proposal.

Mr. Zubricki reported that the twenty days have elapsed since the Board's recognition of the Teamsters as the official representative of the Town's 911 dispatchers. The next step will be to choose a delegate from the Selectmen and schedule the first meeting. Chairman Jones volunteered to be the Selectmen's representative during negotiations. Mr. Zubricki agreed to try to schedule the meeting for either April 9th or 10th. Mark Osburn from the Personnel Board and Police Chief Peter Silva will also be part of the negotiating team in addition to Mr. Zubricki.

Mr. Zubricki said he had tentatively scheduled a hearing to discuss the recent attack of two pit bulls belonging to Ian Burgess of 16 Harlow Street on a leashed dog being walked by Catherine Xavier on Lufkin Street for March 26th at 7:15 p.m. The Selectmen reviewed a draft of two letters, one to Ian Burgess and one to Catherine Xavier. A motion was made, seconded, and unanimously Voted to schedule the hearing and send the letters.

The Selectmen were reminded of the following items:

The Cape Ann Chamber Irish Sweepstakes raffle drawing on Wednesday, March 14 @ 5:00 – 8:00 p.m. at Cameron's Restaurant (\$100 per ticket).

The Cape Ann Chamber Health Insurance Breakfast Club on Friday, March 16 @ 7:30 a.m. at The Elks (\$20.00/person). Please R.S.V.P.

The Evening Business Exchange on Tuesday March 27th, 5:00 to 7:00 p.m. at the Sawyer Free Library, 2 Dale Avenue, Gloucester. Please R.S.V.P.

Sally Soucy, the Town Clerk, appeared before the Board to discuss the residency requirements for commercial clamming licenses. The Selectmen agreed that starting next year, tangible proof of residency would be required from every applicant for a clamming license. Letters were presented from Justin Cahoun and Kyle Woodman requesting the Selectmen to waive the deadline for clamming permit applications. After a discussion, a motion was made, seconded, and unanimously Voted to waive the deadline for the receipt of commercial clamming applications from Justin Cahoun, Kyle Woodman, and Peter Marshall. Mr. Marshall's request for a waiver had been verbally communicated by the Town Clerk. A motion was then made, seconded, and unanimously Voted to approve the following applications for commercial clamming permits:

Stephen Aiello
Kenneth Amero
Robert A. Amero
William Appellofft
Anne Babson
Brian Ball
Craig C. Carter
Kevin A. Carter
Kelly Corrao
Daniel Doane
James Dunn
Scott Dunsmore
Benn Ferriero
Cody Ferriero
Nathan Ferriero
Peter A. Ferriero
James Fitzgerald
James Fitzgerald, Jr.
Mike Fitzgerald
Robert Fitzgerald
Matthew Fraser
Shane Fraser
Michael T. French

James H. Genest
Scott G. Hamlen
Timothy Hartford
Carey Heath
Russell Hemeon
Steve Hemeon
Dennis Henderson
Christopher Jordan
Mark Jordan
Timothy Jordan
Christopher Lane
Daniel A. Lane
Daniel A. Lane
Elizabeth H. Lane
Michael T. Lane
Randall C. Lane
Wayne Leveille
John R. MacDonald
Shane Matthews
Charles A. McNeil
Keith A. Nieberle
Herbert S. Nunes

Michael D. Pascucci
Robert Perrigo
Thomas W. Prentiss
Andrew R. Randall
Bryan Reed
Scott E. Reed
Barry Richards
Cooper Riehl
Nate Riehl
Mark Ross
David Savoie
Wayne Savoie
Charles M. Storey
George L. Thompson
Kevin R. Tofuri
Richard C. Tofuri, Jr.
Glen A. Vickery
Erik Walder
Chad Whittemore
Jonathan Woodman
Keith R. Woodman
Leonard A. Woodman

Mr. Zubricki presented a draft letter by the Building Inspector, Bill Sanborn, to Robert Coviello of 44 Main Street. The Selectmen discussed the content of the letter and agreed that it should state that Mr. Coviello is not allowed to store furniture in his parking lot and that it should be removed.

At 7:30 p.m. a motion was made, seconded, and unanimously Voted to adjourn the meeting and proceed to the Special Town Meeting commencing in the cafeteria.

Prepared By: _____

Attested By: _____