

## Selectmen's Minutes

May 7, 2007

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

Also Present: Town Administrator Brendhan Zubricki

The Chairman called the meeting to order at 6:00 p.m. in the Staff Room of the Essex Elementary School on Story Street and announced that the Board would hear Public Comment. There was no one present from the public to offer any comment.

The Chairman entertained a motion to approve the payment of \$72.55 from the Luther Burnham Fund to J.M. Harvey Mobile Glass for repair of a Library window. The motion was moved, seconded, and unanimously Voted.

A motion was made, seconded, and unanimously Voted to approve the payment of \$81.51 from the Luther Burnham Fund to Staples for long-life replacement light bulbs for the Town Hall basement and offices.

A motion was made, seconded, and unanimously Voted to sign the weekly warrant in the amount of \$100,733.26.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes of the April 23<sup>rd</sup>, 2007 Selectmen's meeting.

The Selectmen reviewed a letter from Jerome French of 41 Forest Avenue regarding Conomo Point.

The Selectmen reviewed a letter written at the request of Selectman Randall from the President of the Conomo Point Association discussing use regulation of the Association's ramps and floats at Conomo Point.

The Selectmen reviewed a certification required by Executive Order 481 which prohibits state contractors from using undocumented workers. A motion was made, seconded, and unanimously Voted to approve and sign the certification.

A draft of the Board of Selectmen's Meeting Schedule from May through January 7<sup>th</sup>, 2008 was presented for the Selectmen's consideration.

The Selectmen reviewed a letter from the First Congregational Church of Essex requesting that the fee for rental of Centennial Grove be waived as it had in other years for their annual picnic. A motion was made, seconded, and unanimously Voted to waive the fee. A motion was made, seconded, and unanimously Voted to approve the rental application of the First Congregational Church of Essex to rent the Grove on Sunday, June 10<sup>th</sup>, 2007 from noon to 3:00 p.m.

A motion was made, seconded, and unanimously Voted to approve the rental application of the First Presbyterian Church of Ipswich to rent Centennial Grove on Sunday, July 29<sup>th</sup>, 2007 from 2:00 p.m. to 8:00 p.m.

The Selectmen were informed of an invitation from the Memorial Day Committee to join in the Veterans Memorial Day Services on Monday, May 28<sup>th</sup>, 2007, beginning at 9:00 a.m.

A motion was made, seconded, and unanimously Voted to waive the commercial clamming permit application deadline for Robert Brophy of Western Avenue.

A motion was made, seconded, and unanimously Voted to approve a request received prior to expiration by Stanley E. Collinson, Wheelworks, Inc., d/b/a Gaybrook Garage to renew a permit for Underground Storage of 16,000 gallons of gasoline at 152 Western Avenue.

The Chairman entertained a motion to approve the following requests for one-day auction permits:

- Michael March, d/b/a Blackwood March Antiques for use on Tuesday, May 29<sup>th</sup>, 2007 between the hours of 4:00 p.m. and 11:00 p.m. within the confines of 125 Main Street.
- Robert Landry for use on Tuesday, June 12<sup>th</sup>, 2007 between the hours of 3:00 p.m. and 8:00 p.m. within the confines of 125 Main Street.

A motion was made, seconded, and unanimously Voted to approve a Commercial Clamming Permit for Robert Brophy.

The Selectmen signed an Alcohol License for Greenbow Corporation, d/b/a Tom Shea's at 122 Main Street that was previously approved.

Brendhan Zubricki presented his Town Administrator's Report for the period covering April 21<sup>st</sup> through May 4<sup>th</sup> regarding the following items:

Chief of Police General Meetings: Mr. Zubricki reported that the Chief has completed a preliminary map of the harbor moorings and asked if the Selectmen would like the Chief to give a laptop computer presentation at one of their future meetings. The Selectmen asked Mr. Zubricki to set a date for the presentation. Selectman Lynch said he has received some feedback regarding the Chief's new harbor regulations from Town residents and that a transition period is needed between the phasing out of the old regulations and the implementation of the new ones.

Mr. Zubricki also reported that he has completed the initial draft of the new tracking program for the Police Department and the Emergency Center. He indicated that the Chief of Police is presently reviewing and testing the program. The Selectmen are not interested in a demonstration at this time.

Senior Center Committee: Mr. Zubricki has been in contact with Warren Grant, the Chairman of the old Scout House Committee. Mr. Grant had shared his notes concerning the functions of the Scout House Committee and it is anticipated that a new Senior Center Committee will be formed to take the place of the Scout House Committee and assume the scheduling responsibilities for the new center. Mr. Grant has told Mr. Zubricki that the Scout House Committee has never had a formal charge and suggested that one be

formulated for the new committee. Mr. Grant has offered to supply the Selectmen with a list of interested candidates for the new committee. Mr. Zubricki will receive that list from Mr. Grant and will bring the issue back to the Selectmen at a future meeting.

Dog Complaint, Conomo Point Road: Mr. Zubricki informed the Selectmen that the Police have received a dog complaint regarding a resident of Conomo Point being bitten by a dog. The Police have discovered that the dog appears to belong to a woman from out of town who visits an acquaintance at the Point regularly. At present, it is not known whether the dog is licensed or not. The Selectmen expressed concern about possible health issues, such as rabies, etc. The Selectmen asked Mr. Zubricki to send certified letters to the parties involved requesting their presence at a formal hearing regarding the dog and the incident at the next Board of Selectmen's meeting on May 21<sup>st</sup>.

Transfer of Tom Shea's Land Lease: Mr. Zubricki reported that he has been working with Town Counsel to draft a document transferring the lease of Town-owned land held by Mr. Ed Culverwell, the current owner of Tom Shea's restaurant, to the proposed new owner, Greenbow Corporation. Mr. Zubricki confirmed with the Selectmen that they would be in favor of the transfer. The transfer of the all alcohol liquor license has been approved by the State Alcoholic Beverage Control Commission. It is anticipated that once the property sale is closed, the parties will be able to complete the transfer of lease transaction and forward the signed document to the Selectmen for signature.

Nomination of Essex Town Hall to National Historic Register: Mr. Zubricki reported that the Town has received notification from the Massachusetts Historical Commission that the Essex Town Hall/Library is being considered for nomination to the National Register of Historic Places. The Commission invited the Selectmen to attend their meeting at 1:00 p.m. on Wednesday, June 13, 2007 at the Massachusetts State Archives in Dorchester when the nomination will be considered. Since the Selectmen will be unable to attend, they asked Mr. Zubricki to forward the invitation to the Essex Historical Commission in the hopes that one of their members would represent the Town at the meeting.

Placement of Stored Items in Senior Center Basement: Mr. Zubricki told the Selectmen that the Youth Commission is getting ready for their summer program at Centennial Grove. Clean-Up Day has been scheduled for Saturday, May 19<sup>th</sup> from 8:00 a.m. to 1:00 p.m. The Youth Director has asked that the items being stored by the Council on Aging be removed from the Grove Cottage as part of the clean-up. Mr. Zubricki has been in touch with the contractor of the new Senior Center and the contractor has informed him that construction is not yet complete and that he is not ready to allow the Seniors to begin moving items into the center. The Selectmen asked Mr. Zubricki to inform the Youth Director that the items would need to be stored in the Cottage for approximately another month until construction was completed on the Senior Center.

It was reported that the automatic sprinklers at the Field of Dreams had started during a game last weekend and as a result, the game was cancelled. Before Jay Ramsey could be called to adjust the timers on the system, the Department of Public Works reported that they had taken care of the problem. The Selectmen asked Mr. Zubricki to consult with

Paul Goodwin, the DPW Superintendent, to set a schedule for the sprinklers that would not conflict with scheduled events.

Chapter 90 Contract Package: Mr. Zubricki presented the Chapter 90 funding contract package from MassHighway for the Chairman's signature. Town Clerk Sally Soucy witnessed the signature and so certified.

The Selectmen were reminded of the following dates:

- Tuesday, May 8<sup>th</sup>, 2007 a School Building Committee meeting at 7:30 p.m. at the Manchester Essex Regional Middle/High School.
- Wednesday, May 9<sup>th</sup>, 2007 at 6:30 p.m. a School Committee meeting at the Manchester Essex Regional Middle/High School.
- Wednesday, May 9<sup>th</sup>, 2007 at 7:00 p.m. the Essex Lions Club is hosting the Annual High School Senior Recognition Night at the Hamilton Legion Hall.
- Friday, May 11<sup>th</sup>, 2007 at 7:30 a.m. the Cape Ann Caucus at Ellen's Harborside in Rockport.
- Monday, May 14<sup>th</sup>, 2007 Town Elections at the Fire Station.
- Tuesday, May 15<sup>th</sup>, 2007 at 7:30 p.m. a School Committee meeting at the Manchester Essex Regional Middle/High School
- Thursday, May 17<sup>th</sup>, 2007 at 8:00 a.m. a Pandemic Training Session at The Elks in Gloucester.
- Thursday, May 17<sup>th</sup>, 2007 at 7:30 a.m. the Breakfast Club at the Gloucester House, "Options for Healthy Living".
- Sunday, May 20, 2007 at 7:00 p.m. a Roast for out-going Essex Shipbuilding Museum President Tom Ellis at the Gloucester House Restaurant. Tickets \$50.00 per person.
- Chief Silva will be on vacation from May 20<sup>th</sup> through May 27<sup>th</sup>, 2007. Emergency number is 978-423-2001.
- Wednesday, May 23<sup>rd</sup>, 2007 at 7:00 p.m. the Long-Term Planning Committee will meet in Room 11 at the Essex Elementary School on Story Street.
- Thursday, May 24<sup>th</sup>, 2007 at 7:45 a.m. the Annual corporate meeting of SeniorCare, Inc. at the Elks in Gloucester. \$10.00 per person.

Town Counsel Greg Corbo from Kopelman and Paige, P.C. arrived and the Chairman entertained a motion to hold a Roll Call Vote to move to Executive Session to discuss litigation issues associated with the Venti case. The motion was moved, seconded, and per a Roll Call Vote, the Board moved to Executive Session at 6:30 p.m. Town Administrator Brendhan Zubricki and Town Counsel Greg Corbo were invited by the Chairman to attend the session.

The Board returned to regular session at 6:45 p.m.

Mr. Zubricki reviewed the proposed handouts from the Finance Committee and the Conomo Point Planning Committee with the Selectmen for the Annual Town Meeting this evening. During the discussion, Jim Witham and Rolf Madsen stopped in briefly to participate.

Mr. Zubricki reviewed some of the articles that might receive a lot of debate with Attorney Corbo and the Selectmen. He listed back up information that he will have available at the meeting to help answer questions.

There being no other business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting and proceed to the Annual Town Meeting being held in the gym at the Essex Elementary School.

Prepared by: \_\_\_\_\_

Attested by: \_\_\_\_\_