

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

Also Present: Town Administrator Brendhan Zubricki and Selectmen's Assistant Pamela J. Witham

The Chairman called the meeting to order at 7:00 p.m. in the Teachers' Lounge at the Manchester Essex Elementary School located on Story Street in Essex and announced that the Board would hear Public Comment. There was no one present from the public to offer any comment.

Mr. Brendhan Zubricki presented his Town Administrator's Report for the period covering October 27th through November 2nd, regarding the following items:

Donation of Events Sign: Mr. Zubricki announced that the Manchester Essex Rotary Club is ready to procure and install a new, lighted sign in front of the Town Hall that would provide the public with updates on upcoming events. A motion was made, seconded, and unanimously Voted to allow the installation on the Town Hall property.

Meeting with Division of Marine Fisheries Staff: Mr. Zubricki reported that he and Shellfish Warden Paul Thistlewood and Deputy Shellfish Warden Steve Hartley had met with David Roach of the Division of Marine Fisheries recently to discuss several issues.

Concerning water quality, Mr. Zubricki found out that the Division performs a review every twelve years and the last one occurred three years ago. The Division is aware of the recent sewer installation in Essex and is currently conducting a special study of the Upper Essex River and Essex Bay. The study of the river will take about 18 months to perform. However, the study of the bay will take longer because more data is required to complete the study.

The Selectmen are considering whether or not it would be a good idea to increase the Town's digging limit for clams from 180 – 200 pounds per tide to 240 pounds per tide and the Division has indicated that it could supply technical assistance to the Town so that a decision could be made on a more informed basis. The Selectmen asked Mr. Zubricki to make a formal request to the Division for this assistance.

Mr. Zubricki said that he had reviewed the idea of using shellfish dealer slips to monitor the clambers and insure that they are not digging more than their legal limit with the Division. The Division replied that the slips are not public records, but would like to consider the matter further to see if something could be worked out to allow the Town to use the information. Mr. Zubricki said that he will continue to keep in touch with the Division regarding this matter in the hopes of eventually reaching a mutually workable solution.

Mr. Zubricki reported that the Division is in the process of creating a new map of rainfall-related closure areas using the global positioning system. Once the new map is created, it can be given to the clambers at the annual license renewal time and posted in several areas in Town.

Mr. Zubricki clarified that it is the Essex clamming rules and regulations, not the State regulations that specify that closed flats have to be physically posted. The signs do not remain long when they are posted due to weather conditions or vandalism and clambers have used this as an excuse to dig on closed flats. Mr. Zubricki advocated amending the regulations to require clambers to check the clamming hotline daily to see which flats are closed to digging, instead of relying on the actual presence of the signs on the closed flats. Combined with the new map and a daily phone call, it will be easy to keep everyone informed as to which flats are closed at any given time.

Regarding enforcement of the Town's shellfishing regulations, the Division advised the Town to consider the use of non-criminal disposition. This statute was adopted by the Town in 1994 and is presently used for enforcement of other violations. Using this method, tickets would be given for shellfishing violations and the money would be collected by the Town Clerk. This is the method employed by the Board of Health to enforce its regulations. Mr. Zubricki suggested that the rules could be amended to incorporate this change at the next annual Town meeting.

Mr. Zubricki reminded the Selectmen that they had agreed at their last meeting to take under advisement the opening of the winter clam flats. The Selectmen were in agreement and a motion was made, seconded, and unanimously Voted to open the winter clam flats commencing January 7, 2008.

Mr. Zubricki asked the Selectmen to consider asking the candidates for the Shellfish Warden position whether they would like to serve on a part-time basis as Deputy Shellfish Wardens. They would still be allowed to dig clams in Essex, but not while on duty as an assistant. The Selectmen agreed and Mr. Zubricki said he would send letters to the candidates.

Final Special Town Meeting Motions: Mr. Zubricki reviewed the final Special Town Meeting motions and the financial hand out sheets with the Selectmen.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$106,204.20.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for October 29th, 2007 Selectmen's Open Meeting. A motion was also made, seconded, and unanimously Voted to approve and sign the minutes of the October 29th, 2007 Selectmen's Executive Session.

A motion was made, seconded, and unanimously Voted to approve the request by the American Diabetes Association to pass over Essex roads during their North Shore Tour de Cure fundraising event scheduled for Sunday, June 8th, 2008.

A motion was made, seconded, and unanimously Voted to approve and sign letters to certain applicants for annual license renewals informing them that they are delinquent in the payment of FY 07 taxes and stating that the renewals will not be processed until the taxes and interest have been paid.

Chairman Lynch was informed that the Conomo Point Planning Committee public meeting currently planned for 7:30 p.m. on Thursday, November 8th, 2007 in the Senior Center on the 2nd floor located on Pickering Street is in the process of being rescheduled due to conflicts with a large number of the committee's members.

The Selectmen were reminded of the following future events:

- The next Board of Selectmen's meeting will be held on Wednesday, November 14th, 2007 at 7:00 p.m. in the Library.
- The next Teamsters Collective Bargaining Session will be at 7:30 a.m. on Friday, November 16th, in the Senior Center.
- A Joint Budget Kickoff meeting with MERSD and Manchester Officials will be held on Tuesday, December 4th, 2007 at 7:30 p.m. in the High School cafeteria in Manchester.
- The Playing Fields Committee will meet at the Manchester Town Hall, in Room 5, at 7:30 p.m. on Wednesday, December 5th, 2007.

Mr. Zubricki reported on the progress of the plans for the reception of the Captain to the USS Essex on December 3rd, 2007. He has contacted the representatives of the Town's veteran groups (Walter Rich, Blake Story, and Roger Lander). The representatives are considering organizing an honor guard for the event. Members of their groups may also attend. Chairman Lynch suggested, and the others agreed, that the meeting be moved from the Senior Center to the Elementary School cafeteria. Mr. Zubricki reported that Kurt Wilhelm, from the Historical Society and Shipbuilding Museum, is creating a photo collage for the event and will bring a copy of one of the books written by Dana Story for presentation to the Captain. He is also trying to locate a model of the ship for display during the ceremony. Also being discussed is a tour of the Shipbuilding Museum and an excursion on the Essex River. Chairman Lynch said that he would like to do something for the soldiers on the ship and had contacted the USO for suggestions. The USO cannot direct contributions to any particular ship. Donations are spread equally. The USO has suggested that the Town collect donations and forward them to the USO. A donation of \$25 will purchase one individual care package. Selectman Randall said he will revise a

donation form secured by Chairman Lynch so that Mr. Zubricki can place it on the Town's website.

Mr. Zubricki reported that a letter had been received from the Assistant District Attorney supporting the Selectmen's move to Executive Session on September 5th. Town Counsel is now preparing a response to the ADA concerning the Selectmen's move to Executive Session on July 16th, 2007.

There being no further business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 7:30 p.m. and proceed to the Special Town Meeting in the cafeteria.

Prepared by: _____
Pamela J. Witham

Attested by: _____
A. Raymond Randall, Jr.