

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

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

The Chairman called the meeting to order at 7:00 p.m. in the T.O.H.P. Burnham Public Library and announced that the Board would hear Public Comment. There was no one present from the public to offer any comment.

Brendhan Zubricki presented his Town Administrator's Report for the period covering November 14th through November 23rd, regarding the following items:

Community Development Block Grant Financial Amendment: Mr. Zubricki explained that the Department of Housing and Community Development is requiring all communities with open FY06 CDBG projects to execute contract amendment forms extending the contract end date to June 30, 2009, and recommended that the Selectmen approve and sign the amendment. A motion was made, seconded, and unanimously Voted to approve and sign the extension amendment to the CDBG contract.

Final SRF Loan Documents: Mr. Zubricki presented the documents that had been prepared by Edwards Angell Palmer & Dodge for the permanent financing of the Town's final sewer loan. A motion was made, seconded, and unanimously Voted to accept and sign the final SRF Loan Documents. Sally Soucy, the Town Clerk, was present to seal the signing of the documents.

Final Title 5 Loan Program Documents: Mr. Zubricki reported that the Massachusetts Water Pollution Abatement Trust has agreed to permanently finance the Town's Title 5 Loan and has forwarded the documents for the Selectmen's approval and signature. A motion was made, seconded, and unanimously Voted to approve and sign the documents. Sally Soucy sealed the signed documents.

Dave Santomenna, the Director of Land Conservation, and Ed Becker from the Essex County Greenbelt appeared before the Selectmen to request approval for deed restrictions on two separate properties. Mr. Santomenna said that if the Selectmen approve the restrictions, the papers will then be forwarded to the State for approval. The first restriction is for two parcels on Apple Street owned by the Hodges family and would perpetually limit the use of the approximately 8.68 acres to passive recreation. The second restriction is for a 17-acre portion of Bothways Farm owned by David and Catherine Davis off Andrews Street and would also perpetually limit the use of the land to passive recreation and agriculture. Mary Hickey, a resident of Belcher Street, said that

she felt there is too much open space already in Essex and was against land being removed from the tax base and put into conservation. After some discussion of the properties, a motion was made, seconded, and unanimously Voted to approve and sign the restriction for the Hodges property. A motion was also made, seconded, and unanimously Voted to approve the restriction on the Davis property. Mr. Santomenna notarized both documents. Mr. Santomenna and Mr. Becker thanked the Selectmen and left the meeting.

At 7:30 p.m. the Chairman entertained a motion to open the Public Hearing to discuss the Adoption of the Residential Factor. The motion was moved, seconded, and unanimously Voted. Assessors Richard Cairns, Barry Ewing, and Kurt Wilhelm were present for the discussion. Mr. Wilhelm said that the Board of Assessors would like to recommend after completing an analysis that the residential factor be set at one. There was no more discussion, and a motion was made, seconded, and unanimously Voted to close the public hearing. A motion was then made, seconded, and unanimously Voted to approve the recommendation of the Board of Assessors to set the residential factor at one. Barry Ewing, Richard Cairns, and Mary Hickey left the meeting.

In other business, Kurt Wilhelm reported that the Historical Society planned on presenting the future captain of the USS Essex with a book by Dana Story when he meets with the Selectmen on December 3rd. Mr. Wilhelm is also creating a display for the event. Mr. Zubricki said that Walter Rich has been in touch with the veterans' groups in Town and they are planning a color guard for the occasion. Mr. Wilhelm left the meeting.

Certification of Completion of NIMS Training: Mr. Zubricki reported that the Fire Department Chief, the Police Chief, and the DPW Superintendent as well as two of the Selectmen and Mr. Zubricki have all completed the required NIMS training. Chairman Lynch said that he would be completing the training shortly. A motion was made, seconded, and unanimously Voted to sign the Certificate of Completion of NIMS Training for the Town stating that the training will be completed by November 30th, 2007.

Consideration of Deputy Shellfish Constable: Mr. Zubricki said that he had, at the Selectmen's direction, asked the applicants for the Shellfish Constable position if they would be interested in serving as deputy constables. Mr. William Knovak has replied that he would be interested and the Shellfish Constable supports his appointment. Subsequently, a motion was made, seconded, and unanimously Voted to appoint Mr. Knovak to the position of Deputy Shellfish Constable pending the successful completion of a drug and medical screening.

Concrete Apron Replacement Project: Mr. Zubricki reported that two bids have been received to replace the concrete apron at the Fire Station and submitted a contract with the low bidder for the Selectmen's consideration. A motion was made, seconded, and unanimously Voted to award the contract to Northern Essex, Ltd. in the amount of \$18,685 pending receipt of an insurance certificate from Northern Essex, Ltd.

Annual Town Meeting Article and FY09 Budget Ideas: Mr. Zubricki handed out a draft of proposed budget topics and Annual Town Meeting topics. It was agreed that the Selectmen would review the list and discuss it at the next Board of Selectmen's meeting on December 3rd.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$596,900.82.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the November 5th, 2007 Selectmen's Open Meeting.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the November 14th, 2007 Selectmen's Open Meeting.

Mr. Zubricki reported that the Tax Collector has informed him that there is about \$400,000 that has accumulated over the last 30 years in uncollectible property taxes. No one knows the location or ownership of the properties, making it impossible to pursue collection of the taxes or to take and sell the property for non-payment. The Town auditors have said that the money will likely have to be collected. It was agreed that Mr. Zubricki would contact the Department of Revenue through Town Counsel and seek its advice on how to resolve this matter favorably for the Town. Mr. Zubricki said that the Assessors have agreed to discontinue the practice of carrying these unknown tax parcels on the tax rolls in the future.

Mr. Zubricki presented a letter of interest from Sally Rich, a Water Street resident, concerning the recent vacancy on the Essex Housing Authority. It was agreed to ask the remaining members of the Housing Authority to meet with the Selectmen in December, so that a vote could be taken.

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

One-Day Wine and Malt:

- Essex County Greenbelt for use on Friday, November 30th, instead of on Thursday, November 29th as previously approved.

One-Day Auction:

- Richard A. DiFillipo, d/b/a R.A. DiFillipo Auctions for use on Tuesday, January 8th, 2008, between the hours of 8:30 a.m. and 10:30 p.m. within the confines of 125 Main Street.

The Selectmen were reminded of the following items:

- The Long Term Planning Committee will be meeting at 7:30 p.m. on Tuesday, November 27th, 2007 at the Senior Center.

- The Conomo Point Planning Committee will be meeting at 7:30 p.m. in the Library on Wednesday, November 28th, 2007.
- The Holiday Festival will begin on Thursday, November 29th with the Memory Tree and continue on Friday, November 30th with the arrival of Santa, and end on December 1st with Breakfast with Santa. The rain date for Santa's arrival is December 2nd.
- The next Board of Selectmen's meeting will be held on Monday, December 3rd, at 7:00 p.m. in the cafeteria of the Elementary School.
- Joint Budget kickoff meeting with MERSD and Manchester Officials on Tuesday, December 4th, 2007 at 7:30 p.m. in the HS cafeteria.
- The Playing Fields Committee will meet at the Manchester Town Hall, in Room 5, at 7:30 p.m. on Wednesday, December 5th, 2007.
- The Cape Ann Breakfast Club will meet on Friday, December 7th at 7:30 a.m. at the Gloucester House Restaurant. Chairman Lynch will attend.

At 8:00 p.m., Selectman Jones moved that the Board enter executive session to discuss strategy with respect to litigation and to conduct negotiations with non-union personnel. The Chairman announced that the Board would be returning to open session and invited Town Administrator Zubricki to attend the executive session. The motion was seconded and per a unanimous Roll Call Vote, the Board moved to executive session.

The Board returned to open session at 8:22 p.m.

Mr. Zubricki reported that he has met with a representative from Virtual Town Hall to discuss the creation of the Town's new web site. He asked the Selectmen to consider which type of masthead that they would prefer and it was agreed to ask Arlene Taliodoros if she would be interested in providing pictures of Town landscapes for Mr. Zubricki to submit to the site designer.

At 8:30 p.m. members of the Finance Committee (Jeff Soulard, Ed Lafferty, Mike McKenna, Gordon Martin, and Jim Horrocks) and Roxanne Tieri, the Town Accountant, appeared before the Selectmen.

The Finance Committee discussed preliminary school budget targets with the Selectmen along with various scenarios for bonding associated with the High School construction project. There was general agreement that the FY09 increase in the school district's operating budget should be held to 4% or less and that the construction project bonding should be repaid on even principal basis.

Mr. Zubricki explained that Town Counsel had recommended a full title search in conjunction with the investigation of a claim by a developer that the developer has a right to construct a road over the conservation land known as the Coolidge Trust. The Selectmen agreed that the title search should be conducted and asked that Town Counsel request the developer's attorney to discuss with his client the potential for his client to pay for the title search to be conducted by Essex Town Counsel.

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

Prepared by: _____
Pamela J. Witham

Attested by: _____
A. Raymond Randall, Jr.