

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

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 Manchester Essex
Elementary School cafeteria on Story Street and announced that the Board would hear
Public Comment. No one offered any comment.

Proceeding to other business, a motion was made, seconded, and unanimously Voted to
approve and sign the weekly warrant in the amount of \$308,687.22.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes
for the November 26th, 2007 Selectmen's Open Meeting. A motion was also made,
seconded, and unanimously Voted to approve and sign the minutes for the November
26th, 2007 Selectmen's Executive Session.

The Chairman entertained a motion to approve and sign Attachment A: Council on Aging
Formula Grant Revised Application. The motion was moved, seconded, and unanimously
Voted.

The Chairman read a letter from the manager of Cape Ann Golf Course requesting
permission to close for cleaning and general maintenance. A motion was made, seconded,
and unanimously Voted to approve the request from Cape Ann Golf Course to close the
Fairway Pub from December 15, 2007 to March 15, 2008 for cleaning and general
maintenance.

A motion was made, seconded, and unanimously Voted to approve the request from
Corey Matthews to close the Blue Marlin Grille for a period of two to four weeks in early
2008 for remodeling key areas of the restaurant.

The Selectmen discussed a letter from Senator Bruce Tarr announcing a Toy Drive at
Woodman's on Thursday, December 13th. Senator Bruce Tarr requested that all or one of
the Selectmen join him in the fundraiser on the radio from 12:30 to 1:30 p.m.
Unfortunately, none of the Selectmen will be able to participate.

Brendhan Zubricki presented his Town Administrator's Report for the period covering
November 24th through November 30th, regarding the following items:

License for Environmental Sampling Drilling: Mr. Zubricki reported that the company
that is overseeing the cleanup of a contaminated site off of Essex Park Road has
requested permission to drill in several places at the edge of Town Roads. Town Counsel
has recommended that the Town enter into a license with the contractor. The license

would protect the Town from any liability for mishaps resulting from the drilling. Both the Selectmen and the Board of Public Works would have to sign the license as well as the contractor. A motion was made, seconded, and unanimously Voted to authorize such a license to be signed once it has been drafted by Counsel.

A motion was made, seconded, and unanimously Voted to approve the following license renewals as they appear on the agenda:

Annual All Alcohol Restaurant License Renewals:

- Blue Marlin Grille, Inc. @ 63 Eastern Avenue, Allen W. Matthews, Manager
- Cape Ann Golf Course Corp. d/b/a Fairway Pub @ 99 John Wise Avenue, George Stavros, Sr., Manager
- Driftwood of Essex Inc. d/b/a Lewis Oyster House of Essex @ 234 John Wise Avenue
- Essex Fortune Palace, Inc. @ 99 Main Street, Fang Liaw, Manager
- Greenbow Corporation d/b/a Tom Shea's Restaurant @ 122 Main Street, David R. Brown, Manager
- The Red Barrel, Inc. @ 171 Eastern Avenue, Joyce I. Wood, Manager
- S&F Restaurant, Inc. d/b/a JR's Route 22 @ 233 Western Avenue, Sylvester Freitas, Jr., Manager
- Towne Landing Inc. d/b/a Periwinkles @ 74 Main Street, Thomas L. Guertner, Manager
- Village Restaurant of Essex, Inc. d/b/a The Village Restaurant @ 55 Main Street, Kevin Ricci, Manager
- Windward Grill LLC d/b/a Windward Grille @ 109 Eastern Avenue, Timothy Kennefick, Manager
- Woodman's Inc. d/b/a Woodman's Function Hall & Lobster Trap Pub @ 125 Main Street, Lawrence D. Woodman, Manager
- Woodman's Inc. d/b/a Lobster Pool @ 119 Main Street, Stephen B. Woodman, Manager

Annual All Alcohol Package Goods Store License Renewals:

- Chebacco Liquor Mart Inc. @ 201 Western Avenue, John D. Chisholm, Manager
- P&B Associates LLC d/b/a Essex Package Store @ 91 Main Street, Robert Ciampi, Manager

Annual Automatic Amusement Devices License Renewal:

- Cape Ann Golf Course Corp. d/b/a Fairway Pub @ 99 John Wise Avenue, George Stavros, Sr., Manager for two devices

Annual Wine and Malt Restaurant License Renewal:

- Eben Creek Corporation d/b/a J.T. Farnham's @ 88 Eastern Avenue, Joseph K. Cellucci, Manager

Annual Common Victualler's License Renewals:

- Blue Marlin Grille, Inc. @ 63 Eastern Avenue, Allen W. Matthews, Manager
- Cape Ann Golf Course Corp. d/b/a Fairway Pub @ 99 John Wise Avenue, George Stavros, Sr., Manager
- Chanty, Inc. d/b/a Richdale @ 156 Main Street, Peter A. Panagoplos, Manager
- Chebacco Liquor Mart Inc. @ 201 Western Avenue, John D. Chisholm, Manager
- Joseph & Sally A. DiGennaro d/b/a Schooner's Market @ 121 Eastern Avenue, Joseph DiGennaro, Manager
- Driftwood of Essex Inc. d/b/a Lewis Oyster House of Essex @ 234 John Wise Avenue
- Eben Creek Corporation d/b/a J.T. Farnham's @ 88 Eastern Avenue, Joseph K. Cellucci, Manager
- Essex Conference & Recreation Center @ Conomo Point Road, Stephen Gersh, Manager
- Essex Fortune Palace, Inc. @ 99 Main Street, Fang Liaw, Manager
- Woodman's Inc. d/b/a Woodman's Function Hall & Lobster Trap Pub @ 125 Main Street, Lawrence D. Woodman, Manager
- The Essex Lobster Company @ 241 John Wise Avenue, Arthur M. Harrington, Jr., Manager
- Greenbow Corporation d/b/a Tom Shea's Restaurant @ 122 Main Street, David R. Brown, Manager
- P&B, Associates LLC d/b/a Essex Package Store @ 91 Main Street, Robert Ciampi, Manager
- The Red Barrel, Inc. @ 171 Eastern Avenue, Joyce I. Wood, Manager
- S&F Restaurant, Inc. d/b/a JR's Route 22 @ 233 Western Avenue, Sylvester Freitas, Jr., Manager
- Towne Landing Inc. d/b/a Periwinkles @ 74 Main Street, Thomas L. Guertner, Manager
- Village Restaurant of Essex, Inc. d/b/a The Village Restaurant @ 55 Main Street, Kevin Ricci, Manager
- Windward Grill LLC d/b/a Windward Grille @ 109 Eastern Avenue, Timothy Kennefick, Manager
- Woodman's Inc. d/b/a Lobster Pool @ 119 Main Street, Stephen B. Woodman, Manager

Annual Innholder's License Renewal:

- Essex Conference & Recreation Center @ Conomo Point Road, Stephen Gersh, Manager

Annual Wine and Malt Package Store License Renewals:

- Chanty, Inc. d/b/a Richdale @ 156 Main Street, Peter A. Panagoplos, Manager
- Joseph & Sally A. DiGennaro d/b/a Schooner's Market @ 121 Eastern Avenue, Joseph DiGennaro, Manager

Annual Weekday Entertainment License Renewals:

- Blue Marlin Grille, Inc. @ 63 Eastern Avenue, Allen W. Matthews, Manager
- S&F Restaurant, Inc. d/b/a JR's Route 22 @ 233 Western Avenue, Sylvester Freitas, Jr., Manager
- Towne Landing Inc. d/b/a Periwinkles @ 74 Main Street, Thomas L. Guertner, Manager
- Windward Grill LLC d/b/a Windward Grille @ 109 Eastern Avenue, Timothy Kennefick, Manager
- Woodman's Inc. d/b/a Woodman's Function Hall & Lobster Trap Pub @ 125 Main Street, Lawrence D. Woodman, Manager
- Woodman's Inc. d/b/a Lobster Pool @ 119 Main Street, Stephen B. Woodman, Manager

Annual Sunday Entertainment License Renewals:

- S&F Restaurant, Inc. d/b/a JR's Route 22 @ 233 Western Avenue, Sylvester Freitas, Jr., Manager
- Woodman's Inc. d/b/a Woodman's Function Hall & Lobster Trap Pub @ 125 Main Street, Lawrence D. Woodman, Manager

The Selectmen were reminded of the following meeting dates:

- Essex Division Cape Ann Chamber of Commerce Christmas Party from 5:00 – 7:00 p.m. on Tuesday, December 4th, 2007 at the Windward Grille on Eastern Avenue.
- 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 the Gloucester House Restaurant at 7:30 a.m.
- The next Board of Selectmen's meeting will be held on Monday, December 17th @ 7:00 p.m. in the T.O.H.P. Burnham Library.

- The Personnel Board will meet on Thursday, December 20th at 7:30 a.m. in the T.O.H.P. Burnham Library.
- The Conomo Point Planning Committee will meet on Thursday, December 20th at 7:30 p.m. in the Senior Center on Pickering Street.

At 7:15 p.m. Chairman Lynch introduced Navy Captain Brent Canady who will be assuming command of the USS ESSEX (LHD 2) in February 2008. He served as the Executive Officer in the ESSEX from August 2006 to October 2007. The ESSEX is a Multi-Purpose Amphibious Assault Ship that is currently forward deployed to Sasebo, Japan. She is the second ship of the WASP class LHD and is the fifth ship in the Navy to proudly be named ESSEX. Walter Rich, a Water Street resident, had organized a color honor guard combining members of several Town veterans' groups to escort Captain Canady to the cafeteria. Chairman Lynch introduced Representative Verga in the audience. He then presented the Captain with a framed photograph of the weathervane that is atop the Town Hall in the shape of one of Columbus's ships. He also informed the Captain that the Selectmen are collecting money through the end of this week to purchase USO packages. Kurt Wilhelm from the Essex Historical Society and Shipbuilding Museum and the Town's Historical Commission presented the Captain with a copy of a book written by local resident Dana Story about shipbuilding in Essex and a photograph of an earlier Essex. Mr. Wilhelm had also prepared a display of artifacts and photos from earlier vessels with the name of "Essex". Next, Jim Albani from the color guard presented the Captain with an engraved wooden plaque with the Essex Town Seal and with the USS Essex Seal. Captain Canady said he was greatly appreciative of his warm reception and the many gifts. He presented the Selectmen and participants in the ceremony with baseball caps embroidered with the USS Essex name and emblem. The Chairman then announced that he was going to continue the Selectmen's meeting in the teachers' lounge, while those that wished could continue to visit with the Captain in the cafeteria.

In the teachers' lounge, Mr. Zubricki reported that a resident of Conomo Point, Peter Wilson, had inquired about whether he needed permission from the Selectmen to hunt deer or coyotes on Town-owned land at Conomo Point. The Selectmen asked Mr. Zubricki to check the Town Bylaws to determine if hunting was permissible on Town-owned land. If so, the Selectmen agreed to allow hunting on a limited person-by-person basis for this season only on a trial basis.

Long-Term Planning Committee Suggested Initiatives: Selectman Randall said that his committee has decided that the Town's core business area should be the first item addressed by the committee. One of the committee's members, Eamon McGilligan, has identified a grant in the amount of \$7,000 that the Town might qualify for that would provide technical assistance with downtown planning. Mr. McGilligan will be drafting an application for the grant and expects to meet the December 6th filing deadline. A motion was made, seconded, and unanimously Voted to authorize the Chairman to sign the grant application once it is completed.

Mr. McGilligan will also be attending a seminar in the near future to determine if the Town might benefit from Chapter 43D of the General Laws that provides technical assistance concerning target development areas within qualified towns.

Selectmen Randall said that the committee is working to develop a "brand" or a unique identity for the Town that can be used to promote business and tourism within the Town.

FY09 Capital Project Request: Mr. Zubricki presented and reviewed a draft of suggested items to be included in the Selectmen's Office 5-10 Year Capital/Personnel Plan for FY09. The Selectmen agreed to consider the draft and make comments at the next Board of Selectmen's meeting on December 17th.

FY09 Budget and 2008 Annual Town Meeting Discussion: Mr. Zubricki also presented for review a preliminary draft of the FY09 Board of Selectmen's Operating Budget Request to the Finance Committee. The Selectmen said that they would take the draft under advisement and comment at a future meeting.

Mr. Zubricki said the Treasurer has recommended that the land located on Map 10, Lot 10 is a non-buildable lot and should be put into conservation at the next Annual Town Meeting.

Mr. Zubricki reported that he has continued to remind the town officials of Tewksbury for their comments regarding their approval of a reciprocal agreement to provide working space and computer hook-ups in the case of a local emergency. Mr. Zubricki suggested that the Selectmen may want to consider setting aside \$10,000 in the FY09 budget to fund back-up computer equipment to be stored at Tewksbury.

Mr. Zubricki updated the Selectmen on the issue of the +/- \$400,000 of uncollectible taxes on unknown land and/or unknown owners. He has spoken to Town Counsel who will contact the Commissioner of Revenue at the Department of Revenue concerning a statute that may allow the Town to write off the uncollected taxes from prior years with the permission of the Commissioner.

Mr. Zubricki said that Town Counsel has verified that the Building Inspector does have an enforceable document with regard to the site plan review decision for the Pallazola property on John Wise Avenue. The Building Inspector has issued a 6-month certificate of occupancy pending the correction of certain items.

Mr. Zubricki reported that he has been in contact with the Executive Director of the Essex Housing Authority, Al Utenis, concerning the vacancy left by Jeff Butler. Mr. Utenis said that he is meeting with the remaining members (Glenn Boutchie, Gloria Story, Diane Polley, and Beth Cairns) on December 6th to discuss the vacancy and believes that there is another person in addition to Sally Rich who may be interested. The

Selectmen expressed an interest in meeting with the remaining members of the Authority to determine a replacement member within the next few weeks.

Mr. Zubricki said that he has talked to the Board of Public Works Superintendent, Paul Goodwin, concerning the timely plowing of school sidewalks. Mr. Goodwin said that the plowing priorities are as follows: first, the streets; second, the intersections; third, the catch basins; and fourth, the sidewalks. The Selectmen said they are concerned with safety issues arising from children walking in the streets to school due to unplowed sidewalks. They asked Mr. Zubricki to convey their concern to the Superintendent and solicit his ideas regarding a faster way to clear the sidewalks on schooldays.

Mr. Zubricki reported that the gift of a wheelchair van to the Town for use by the Senior Center from Shaughnessy-Kaplan Rehabilitation Hospital has now been completed. He is in the process of completing the insurance and registration paperwork. The drivers of the vehicle are expected to be Council on Aging members Roger Lander and Brian Browning. The vehicle is currently parked behind the Fire Station until Mr. Lander can obtain a registration and license plates from the Registry of Motor Vehicles. It was agreed that Chairman Lynch would send a thank you letter for the gift of the van.

Citing the need to discuss strategy with respect to litigation, Chairman Lynch entertained a motion for the Board to move to Executive Session. He announced that the Board would be returning to Open Session and invited the Town Administrator to attend. The motion was moved, seconded, and per a unanimous Roll Call Vote, the Board moved to Executive Session at 8:30 p.m.

The Board returned to Open Session at 8:40 p.m.

Chairman Lynch reported that the Conomo Point Planning Committee had met recently and discussed primarily two items. The first item concerned the possibility of placing an article on the next Annual Town Meeting warrant that would seek permission to sell everything south of Robbins Island. The second item concerns the formulation of a plan for the remaining land at Conomo Point (Beach Circle, Robbins Island and the Point). Chairman Lynch said that the Committee would be meeting again on December 20 to continue the discussions.

There being no further business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 8:45 p.m.

Prepared by: _____
Pamela J. Witham

Attested by: _____
A. Raymond Randall, Jr.