

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

Also Present: Town Administrator Brendhan Zubricki, Selectmen's Assistant Pamela J. Witham, Essex Representative to the School Committee Susan Coviello, and Conomo Point lessees Edward Vaitones and Stephen Vaitones.

Chairman Lynch called the meeting to order at 7:00 p.m. in the T.O.H.P. Burnham Public Library on Martin Street and announced that the Board would hear Public Comment. No one offered any public comment.

Stephen G. Vaitones and Edward D. Vaitones introduced themselves to the Selectmen. Their mother, Mrs. Agnes Vaitones, had passed away on 3/18/06 and they requested the Selectmen to approve the transfer of her lease for 8 Town Farm Road (Map 19, Lot 37) from Agnes C. Vaitones to Stephen and Edward Vaitones. Chairman Lynch reminded both of the sons that all of the Conomo Point leases will be expiring on December 31, 2011 and that the Town has voted not to renew them. A motion was made, seconded, and unanimously Voted to approve the transfer of the lease to Mr. Stephen G. and Edward D. Vaitones. They thanked the Selectmen and left the meeting.

Brendhan Zubricki presented his Town Administrator's Report for the period covering December 1st through December 14th, regarding the following items:

School District FY09 Budget Kickoff Meeting: Mr. Zubricki reported that he and the Selectmen had attended the budget kickoff meeting for the school district on December 4th. Susan Coviello, a member of the School Committee, asked if the Selectmen had any questions or concerns that she could relay to the School Committee. Chairman Lynch said that he would like to see the Committee reduce the projected 6% increase for the FY09 budget. Some of the ways suggested included streamlining and reducing the cost of health care with higher deductibles and co-pays for those covered. It was agreed that the Essex Finance Committee and the Essex Representatives on the School Committee would meet with the Selectmen at 7:30 p.m. at the Selectmen's meeting scheduled for January 28th, 2008. Selectman Randall suggested that the Committee furnish the Selectmen and the Finance Committee with the material to be discussed beforehand. Rather than being just an informational meeting, it is hoped that all attending the meeting will participate in the exchange and formation of ideas. Ms. Coviello said she would inform the School Committee about the Selectmen's concerns and the January joint meeting and left the meeting.

In other business, Mr. Zubricki presented a standard contract form for the Governor's Highway Safety Bureau Grant application to be signed by the Chairman. The grant money would benefit the Police Department by providing funds for activities related to highway safety traffic enforcement and equipment. A motion was made, seconded, and unanimously Voted to approve signature of the document. Sally Soucy, the Town Clerk, was present to notarize the signing.

Draft FY09 Operating and Capital Budget Requests: Mr. Zubricki reviewed a revised draft of the proposed FY09 Board of Selectmen's Operating Budget. Some of the items discussed included money for greenhead traps, money for a regional lockup, and a Department of Public Works subsidy for FY08. The Selectmen were not in favor of a subsidy and asked Mr. Zubricki to work with Paul Goodwin, the DPW Superintendent, to prepare an analysis showing the amount of increase in the sewer/water rates that would be needed, if there was no subsidy. Chairman Lynch will investigate the maintenance cycle needed if greenhead traps were placed on the marsh. Mr. Zubricki will discuss future budget needs for a regional lockup and/or a regional dispatch with Police Chief Silva. Mr. Zubricki completed his review with a budget summary showing suggested monetary amounts needed to fund the items discussed.

Mr. Zubricki said that he expects to have drawings for the repairs needed to the Town Hall by the end of January from McGinley Kalsow and Associates. The budget for that work will be sent by the firm prior to the January 7th BOS meeting. He anticipates an update on the progress of the ad hoc Town building committee soon. The Selectmen felt that any proposed solution to provide new adequate space for the Town offices and the Police Department should also include a plan for the disposition of the current Town Hall.

Draft Annual Town Meeting Article Ideas: Mr. Zubricki presented a draft of potential issues for the FY09 Budget and the May 2008 Annual Town Meeting for the Selectmen's consideration.

Excavation and Trench Safety Regulations: Mr. Zubricki said that based on a new State law, a Board or Official needs to be designated at Town meeting to oversee permitting for trench safety. Based on guidelines for the position requirements provided by the State, the best choice for Essex would be the Board or Superintendent of Public Works. The Selectmen asked Mr. Zubricki to talk to Paul Goodwin about the position.

Shellfish Constable Alternative Recommendation: Mr. Zubricki reported that the Division of Marine Fisheries is presently reviewing the proposal before the Town to increase the digging limitations to allow clambers to dig 240 pounds at each of 2 tides per day. The Shellfish Warden has made an alternative proposal that would allow clambers unlimited digging, but only one tide per day. The flats would also be closed one day per week (most likely on Mondays). Mr. Thistlewood said that this proposal has been in effect in Newbury for many years and seems to work well and does not appear to deplete the flats. The Selectmen asked Mr. Zubricki to check on the progress of the Division of Marine Fisheries and suggested that once their opinion is received that it be discussed with the Town's Shellfish Advisory Board.

Sullivan & Rogers Audit Proposal: Mr. Zubricki presented a contract proposal from Sullivan & Rogers to perform the audit of the Town for FY09, FY10, and FY11. The Town Accountant had previously reviewed the proposal and has found it to be acceptable

and reasonably priced. A motion was made, seconded, and unanimously Voted to approve the Chairman's signature on the contract.

Quarterly Report: Mr. Zubricki informed the Selectmen that the next Quarterly Report to the Department of Environmental Protection is due January 1st. Since the Selectmen are not meeting again until January 7th, he asked permission to submit the report on behalf of the Selectmen once he has the sampling data. This is the last report that will require sampling data. A motion was made, seconded, and unanimously Voted to authorize Mr. Zubricki to assemble the report and submit it to the DEP.

Additional 911 Training Grant: Mr. Zubricki asked that the Board vote to ratify the Chairman's signature on a grant application to the Statewide Emergency Telecommunications Board to benefit the Town's Emergency Center. The Chairman had previously signed the application so that the application deadline could be met. A motion was made, seconded, and unanimously Voted to retroactively approve the Chairman's signature on the application.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$51,456.56.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the December 3rd, 2007 Selectmen's Open Meeting and the minutes for the December 3rd, 2007 Selectmen's Executive Session.

The Selectmen discussed the proposed Board of Selectmen's meeting schedule for 2008. One change was made and the Selectmen agreed to the new schedule.

The Selectmen reviewed a request for a line item transfer of \$50 from Selectmen's Temp Clerical to Town Administrator Sick Leave Buyback. A motion was made, seconded, and unanimously Voted to approve the line item transfer and to forward it to the Finance Committee for their approval.

Due to the fact that the Chairman will be unable to attend the MMA Annual Business meeting, a motion was made, seconded, and unanimously Voted to approve the designation of Selectman Randall as an eligible voting member at the MA Municipal Association Annual Business Meeting on Saturday, January 12, 2008.

A motion was also made, seconded, and unanimously Voted to approve the designation of Selectman Randall as a voting delegate to the MA Interlocal Insurance Association.

A motion was made, seconded, and unanimously Voted to hold the Annual Town Meeting on May 5th, 2008 at 7:30 p.m. in the Manchester Essex Elementary School on Story Street in Essex.

A motion was made, seconded, and unanimously Voted to open the warrant for the May 5th, 2008, Annual Town Meeting and accept articles for inclusion in the Warrant until 3:00 p.m. on Monday, March 10th, 2008.

A motion was made, seconded, and unanimously Voted to accept reports for the Annual Town Report until noon on Wednesday, February 13th, 2008.

The Selectmen reviewed the customary annual memo to all Town Departments and Committees regarding the opening and closing dates for the Annual Town Meeting Warrant and the due date for the Annual Town Reports. A motion was made, seconded, and unanimously Voted to approve the memo for distribution.

The Selectmen considered a request from David Brown, owner and manager of Tom Shea's, to remain open an extra half hour on New Year's Eve. A motion was made, seconded, and unanimously Voted to approve the request.

The Selectmen were reminded that the Cape Ann Breakfast Club will meet on Friday, January 11th, at 7:30 a.m. at The Elks at Bass Rocks in Gloucester. John Bitner is the scheduled speaker and all of the Selectmen plan to attend.

The Selectmen considered the request from Fire Chief Richard Carter to promote Ronald Gallant from the Auxiliary Fire Department to the Fire Department. A motion was made, seconded, and unanimously Voted to approve the appointment and the Selectmen signed the appointment card.

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

One-Day Entertainment License:

- Greenbow Corporation d/b/a Tom Shea's, David Brown, manager, for use on December 31, 2007 between the hours of 7:00 p.m. and 12:00 midnight within the confines of 122 Main Street.

Annual Antiques License Renewal:

- Richard Bevilacqua d/b/a Essex Antiquarians at 165 Main Street.
- Debbie & Alfred Brosch d/b/a Brosch Antiques at 143 Main Street.
- Vincent W. Caravella at 34 Main Street.
- Patricia Carter at 2 Rear Martin Street.
- Robert C. Coviello d/b/a Main Street Antiques at 44 Main Street.
- Robert C. Coviello d/b/a Robert C. Coviello Antiques at 155 Main Street.
- Susan Coviello d/b/a Joshua's Corner at 4 Southern Avenue.
- Joseph Danna d/b/a Conomo Point Antiques at 166 R Eastern Avenue.
- Priscilla J. Doucette at 22 Eastern Avenue.
- William S. Friend d/b/a Friendship Antiques at 55 John Wise Avenue.

- Edna I. Goudreault d/b/a Essex Antiques & Interiors at 235 John Wise Avenue.
- Fred Grobe d/b/a White Elephant Shop at 32 Main Street.
- Fred Grobe d/b/a White Elephant Outlet at 101 John Wise Avenue.
- Dana Guarnera d/b/a Ro-Dan Antiques at 69 Main Street.
- Robert W. Hanlon d/b/a Walker Creek Furniture, Inc. at 57 Eastern Avenue.
- Arthur M. Harrington, Jr. d/b/a Towne Line Antiques at 241 John Wise Avenue.
- Edwin and Laura B. Howard d/b/a Howard's Flying Dragon Antiques at 136 Main Street.
- Channing Howard d/b/a Howard's Visual Merchandise at 165 Eastern Avenue.
- Robert Landry d/b/a L.A. Landry Antiques at 164 Main Street.
- James P. Lower d/b/a New England Joinery at 85 Southern Avenue.
- Michael March d/b/a Blackwood March Antiques at 3 Southern Avenue.
- Kenneth P. Monroe d/b/a Americana at 48 Main Street.
- Ellen Neily d/b/a Ellen Neily Antiques at 157 Main Street.
- David Neligan at 38 Main Street.
- Andrew Spindler Roesle d/b/a Andrew Spindler Antiques at 163 Main Street.
- A.P.H. Waller d/b/a Essex Antiques Exchange at 134 Southern Avenue.
- A.P.H. Waller d/b/a A.P.H. Waller & Sons at 140 Main Street.
- Alexander Westerhoff at 144 Main Street.
- Nicholas & Barbara M. Zakas d/b/a Zakas Antiques at 149 Western Avenue.

Annual Class II License Renewal:

- Vito Pascucci d/b/a Cape Ann Auto Body, Inc. at 19 Grove Street.
- Charles F. Coles, Jr. d/b/a Dynamic Auto Brokers at 4 Laurel Lane.
- John Heath d/b/a Essex Falls Auto Body at 1 Moses Lane.
- Stephen Monell d/b/a Foreign Auto Enterprises at 171 Eastern Avenue.
- Stanley E. Collinson, III, Wheelworks, Inc. d/b/a Gaybrook Garage at 152 Western Avenue.
- Gullwing Service Company, Inc. d/b/a Paul Russell and Company at 106 Western Avenue.
- Scott Woodward d/b/a Pike Marine Inc. to buy and sell new and used trailers at 80 Main Street.
- Eric Holdsworth d/b/a Portside Auto at 166 Eastern Avenue.
- Scott Savory d/b/a Scott's Auto Clinic, Inc. to buy and sell second-hand motor vehicles and to have no more than 6 unregistered vehicles to be parked outside the building at one time.

Annual Common Victualler's License Renewal:

- DVR Corp. d/b/a Cape Ann Pizza and Subs at 65 Eastern Avenue, James Roumeliotis, Manager, pending payment of personal property taxes.
- MAIA LLC d/b/a Dunkin Donuts at 127 Main Street, Roy Serpa, Manager.
- Essex Pizza & Restaurant at 235 Western Avenue, Dimitrios Tegos, Manager.
- Essex Seafood at 143 R Eastern Avenue, Howard Lane, Manager.
- Gianna's Goodies at 65 Eastern Avenue, Angela Cunio, Manager.
- Village Market at 1 Martin Street, Nelson H. Emmons, Manager.

Annual Weekday Entertainment License:

- Greenbow Corporation d/b/a Tom Shea's at 122 Main Street, David Brown, manager.

The Selectmen were reminded that the School Committee will be meeting on Tuesday, December 18, 2007 at 7:30 p.m. in MERSD High School Library on the 2nd floor.

The Personnel Board will be meeting on Thursday, December 20th at 7:30 a.m. in the T.O.H.P. Burnham Public Library.

The Conomo Point Planning Committee will be meeting at 7:30 p.m. on Thursday, December 20th, 2007 in the Senior Center on Pickering Street.

The Playing Fields Committee will be meeting at 7:30 p.m. on Thursday, January 10th, 2008 in the Senior Center on Pickering Street.

Mr. Zubricki informed the Selectmen that Joe Walker had met with him to discuss future plans for the Essex River Motel property. The Development Group for the property had recently been denied the variances that they sought by the Appeals Board. They have employed Mr. Walker to canvas different Town Boards and groups in an attempt to discover what sort of development of the site would be acceptable. They are currently envisioning the addition of low impact, modular housing and public access to the river. The big house on the property will remain with some remodeling work to the inside.

Mr. Zubricki presented a proposal from Rob Fitzgibbon that the Town become a "Tree City" which will allow the Town to qualify for certain grants to help fund planning and growth. Selectman Randall accepted the information on behalf of the Long Term Planning Committee and said his committee will investigate the possible benefits to the Town.

Mr. Zubricki presented some documents prepared by the Town Treasurer to the Selectmen to assist them in conducting their annual performance review of the Treasurer. The Selectmen are considering a market-rate adjustment to her salary for FY09.

Mr. Zubricki reported that Town Counsel has formed a preliminary opinion regarding the site plan review decision for the Pallazola property on John Wise Avenue. Town Counsel has some questions for the Planning Board and the Planning Board will be meeting in the near future to discuss them.

Mr. Zubricki reminded the Selectmen that the Police Chief's annual performance review is due to take place in January and that his contract will expire on June 30, 2008. Under the terms of the contract, the Selectmen are required to notify the Chief at least one year before the expiration date if they are considering termination of the contract. The Selectmen asked Mr. Zubricki to make a note to remind them in the future a year before the contract expires. They asked that the Chief be requested to present a report of his goals and achievements over the past year, as well as his plans for the future year, at the next Board of Selectmen's meeting on January 7th, 2008.

Mr. Zubricki said that the Fire Chief provided 1960's documents to him with a suggestion that funds accruing to the ambulance fund cannot be used for ambulance operations. Upon review in conjunction with the Town Accountant and Town Counsel's past comments on the issue, Mr. Zubricki found that the funds could be used by the Town for ambulance operations.

Mr. Zubricki presented the Selectmen with a report of his achievements over the past year, as well as some suggested goals for the future. The Selectmen agreed to review the report in preparation for Mr. Zubricki's Annual Performance Review and Goal Setting.

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

Prepared by: _____
Pamela J. Witham

Attested by: _____
A. Raymond Randall, Jr.