

Present: Chairman Mark W. Lynch, Selectman Jeffrey D. Jones, Selectman A. Raymond Randall, Jr., Town Administrator Brendhan Zubricki, Selectmen's Assistant Pamela J. Witham, and Gloucester Daily Times Reporter Patrick Anderson.

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. No one had any comment to make.

Tim Hartford of Orchard Road, Ronald Hemeon of Rocky Road, Keith A. Nieberle of Hobbs Court, and Carrie Rafferty of Conomo Point Road appeared before the Selectmen to request a waiver of the filing deadline for clamming permit applications. A motion was made, seconded, and unanimously Voted to waive the filing deadlines for Mr. Hartford, Mr. Hemeon, Mr. Nieberle, and Ms. Rafferty who then left the meeting to get their licenses from the Town Clerk. The Selectmen reviewed a request from Eugene A. Melanson of Lufkin Street seeking a waiver of the filing deadline for a Senior Clamming Permit. A motion was made, seconded, and unanimously Voted to approve Mr. Melanson's request. The Selectmen also reviewed a letter from William Fitts requesting that the application deadline be waived for a Commercial Clamming Permit. Mr. Fitts will have lived in Essex for one year as of May, 2008. He requested that he be allowed to commence clamming as of June 1, 2008. A motion was made, seconded, and unanimously Voted to grant Mr. Fitts' request.

Mr. Peterson and four other members of the Manchester Essex Rotary Club appeared before the Selectmen, as well as Ms. Sarah Richards, a resident of Martin Street. Ms. Richards said that she and a group of others have started a petition to have the sign that was donated by the Rotary Club moved to a location other than its current position in front of the Town Hall. She said she was at the BOS meeting unofficially and would come back at another time with the rest of her group to discuss the matter with the Selectmen. She objected to the lighted, plastic sign being placed next to the architecturally historic Town Hall and wondered why the opinions of the abutters had not been sought before the erection of the sign. Her group would like to see the sign moved to somewhere on Route 133. Moving the sign to in front of the Police/Fire Station or to the Library-side of the Town Hall was also discussed. Although the sign can be fluorescently lit from inside, it has not yet been connected to a source of electricity. It was noted that as long as the sign remains unlit, it conforms to the Town's Bylaws. Mr. Peterson presented a building permit application for the sign in its present location to the Selectmen. A motion was made, seconded, and unanimously Voted to sign the building permit application. Mr. Peterson will forward the permit to the Building Inspector for his review. The Manchester Essex Rotary group and Ms. Richards left the meeting.

Mr. Zubricki presented his Town Administrator's Report for the period covering March 8th through March 21st, 2008 regarding the following items:

Essex County Triad Program MOU: Mr. Zubricki presented the Selectmen with a proposed draft Memorandum of Understanding for the Triad Program. The Triad

Program is similar to the Shannon Grant Program since they are both authorized under Chapter 40 § 8G. Triad is focused on the needs of elderly and disabled residents from a public safety and security perspective. Chief Silva is highly recommending the Town's participation in this program. If approved, a ceremonial kickoff, which will be attended by the press, is scheduled for May 12th at 10:30 a.m. when the MOU will be signed. Thereafter, the group will meet monthly at the Senior Center. A motion was made, seconded, and unanimously Voted to approve the Chairman's signature when the document becomes finalized. Mr. Zubricki also reviewed another, similar draft MOU with the Board relative to the Cape Ann Regional Response Team. The Chief had provided the Board with the draft document which allows Essex Police Department to participate in crisis situations on Cape Ann. The Chief recommends that the Board sign the MOU. The Board agreed to sign a final version at a future meeting.

Scope of Services for Centennial Grove Worker: Mr. Zubricki showed the Selectmen a proposed scope of duties for a shared DPW summer laborer that had been compiled by Mr. Zubricki and the Selectmen's Assistant. It was hoped that the person could start sometime in late May and work at least one hour per week or more from time to time. The Selectmen had no additions to the work list and asked Mr. Zubricki to continue his conversations regarding the part-time person with the Superintendent of Public Works.

Selectman Jones asked Mr. Zubricki to remind the Superintendent to set out the Little League fencing in preparation for the Selectmen's annual placing of the fence.

Fiscal Year 2009 Health Insurance Meeting and Rates: Mr. Zubricki reported that the FY09 health insurance renewal proposal from MIIA has proposed the same rates as FY08 for all categories except one. Managed Blue for Seniors has increased by \$30 per month. A motion was made, seconded, and unanimously Voted to approve and sign MIIA's proposal.

Shannon Grant Insurance Question: Mr. Zubricki said that the Town had voted to adopt the provisions of Massachusetts General Law Chapter 40 § 8G which allows the Town to participate in the Shannon Grant Program. He reported that the Town's insurance coverage follows the town employees when they are called to assist other communities. A motion was made, seconded, and unanimously Voted to approve and sign the Shannon Grant Memorandum of Understanding.

Proposal to Switch Dental Plan Providers: Mr. Zubricki informed the Selectmen that no one had attended the informational meeting about a new dental insurance plan provider that he had scheduled for Town employees. The three unions had submitted no comments regarding the proposed change. Mr. Zubricki said the new plan continues to be 100% paid by the employees, but has more benefits for less money. A motion was made, seconded, and unanimously Voted to change the provider of the Town's Dental Plan to Altus Dental and to elect Plan Design 2.

Quarterly Report: Mr. Zubricki reported that he has completed the current quarterly report which is substantially smaller now that sampling data is no longer required. A motion was made, seconded, and unanimously Voted to approve the Quarterly Report for April 1, 2008.

Shellfish Regulations: Mr. Zubricki said that the Shellfish Advisory Board is in agreement regarding the proposed changes to the Shellfish Regulations and he has finalized the changes. Once the Selectmen have approved the revised regulations, they will be filed with the State. A motion was made, seconded, and unanimously Voted to formally adopt the revised Clamming, Sea Worms and Eel Regulations. Selectman Randall thanked Mr. Zubricki for the great job he has done to update the regulations.

Annual Town Meeting Warrant: Mr. Zubricki reviewed the articles on the ATM Warrant as amended by Town Counsel. Selectman Jones had recused himself from the discussion concerning the articles on Conomo Point and the Residential-Agricultural District Overlay during the Warrant formation process. Since the FY09 budget is still being finalized, Mr. Zubricki noted that an article could be indefinitely postponed at Town Meeting if there turns out to be no money available to fund that article. A motion was made, seconded, and unanimously Voted to accept the final articles as they appear on the draft of the Warrant, dated 3/24/08, which is attached hereto. A motion was made, seconded, and unanimously Voted to sign the Warrant.

Natural Hazards Mitigation Plan Grant: Mr. Zubricki reminded the Selectmen that the Town has already voted to set aside money to fund the Town's share of the Natural Hazard Mitigation Plan to be written by the Metropolitan Area Planning Council (MAPC). MAPC is asking each of the communities involved to appoint two local people to participate in the planning team meetings to be held over the next 15 months (about 5-6). It was agreed by the Selectmen that Mr. Zubricki would ask the Board of Public Works to suggest a candidate and he would ask Deputy Chief Fire Engineer Dan Doucette to be the second member.

Gloucester Times Correspondent Patrick Anderson left the meeting.

In other business, a motion was made, seconded, and Voted (with Selectman Jones abstaining) to approve and sign the weekly warrant in the amount of \$577,149.94.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the March 10th and March 17th, 2008 Selectmen's Open Meeting.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the March 10th and March 17th, 2008 Selectmen's Executive Session.

The Selectmen reviewed a letter from Manchester Essex Little League requesting permission to have a Little League parade in Essex on Saturday, May 3rd, starting at 9:00 a.m. from Woodman's and proceeding to behind the Town Hall. A motion was made,

seconded, and unanimously Voted to grant permission for the Little League Parade on May 3rd, 2008.

The Selectmen considered granting a request from Special Olympics of Massachusetts to pass over Essex roads during the 2008 Ride with the Champions on Saturday, September 13, 2008. A motion was made, seconded, and unanimously Voted to approve the request to allow participants in the Special Olympics Ride with the Champions fundraiser to pass over Essex roads on September 13th, 2008.

The Selectmen reviewed a request from the First Congregational Church of Essex to waive the fee for the rental of Centennial Grove on Sunday, June 8th from 12:00 noon to 4:00 p.m. Selectman Randall recused himself from the discussion. A motion was made, seconded, and unanimously Voted to waive the rental fee and grant permission to the Congregational Church to use the Grove on June 8th, 2008.

The Selectmen reviewed a letter from the State Lottery Commission regarding the possible addition of a new game called KENO to Go.

Mr. Zubricki said that Michael Ruderman from Mass Highway has asked if the Selectmen want the Town to be listed as a payee on checks that Mass Highway will issue to Town Property owners granting easements for the Mass Highway Route 133 Reconstruction Project. The Selectmen were agreed that they were not interested and a motion was made, seconded, and unanimously Voted to approve and sign a letter to that effect addressed to Thomas Gray of the Right of Way Bureau.

The Selectmen considered a request from the Jr. Hornets to use the Field of Dreams. A motion was made, seconded, and unanimously Voted to approve the use by the Jr. Hornets subject to the conditions that were imposed last year and comment by the Board of Public Works Superintendent Paul Goodwin.

The Selectmen were reminded of the following events:

- The Long Term Planning Committee will be meeting on Tuesday, March 25th at 4:00 p.m. in the Senior Center.
- The Community Heroes Breakfast is scheduled for Thursday, March 27th, 2008 from 7:30 to 9:30 a.m. at the Danversport Yacht Club. Ray Randall will attend.
- The School Committee will be meeting in the Library at the Manchester Essex Regional Middle/High School at 7:30 p.m. on Tuesday, April 1st, 2008.
- The Board of Selectmen is holding a Public Forum on Saturday, April 5th, in the cafetorium in the Essex Elementary School from 10:00 to 11:30 a.m.
- The next Board of Selectmen's meeting will be on Monday, April 7th, 2008 in the T.O.H.P. Burnham Public Library.
- The CACC Evening Business Exchange will meet on Thursday, April 10th, from 5:00 to 7:00 p.m. at Ryan & Wood Inc. Distilleries at 15 Great Republic Drive, Unit 2, in Gloucester. Please R.S.V.P.

- There will be a ceremonial signing of an MOU for the Essex TRIAD Group at the Senior Center on Monday, May 12th, 2008 at 10:30 a.m.

There is an Essex Youth Commission meeting scheduled for Wednesday, March 26, 2008 and the EYC has requested that a Selectman attend at 8:00 p.m. at the Elementary School. The entire BOS has been posted for the meeting. After discussion, it was agreed that all the Selectmen would try to attend. Some members of the Finance Committee will also attend. Among the topics for joint discussion will be exploring ways to completely fund the Youth Director's position through the Youth Enterprise Fund. It was also mentioned as being advantageous for the membership of the Youth Commission to include a representative from the Finance Committee.

Selectman Randall informed the Selectmen that Mark Carbrey has been doing a great deal of research on wind power in anticipation of the article on wind power that the Planning Board has asked to be included in the Annual Town Meeting Warrant. It has been suggested that a committee be formed to investigate any related advantages to the Town from the use of wind power. The Selectmen were in favor of Mr. Carbrey creating his own discussion group rather than the creation of a formal Town committee.

Mr. Zubricki informed the Selectmen that Rob Fitzgibbon has asked to be considered for appointment to the Zoning Board of Appeals.

Mr. Zubricki reminded the Selectmen that as he had anticipated, the legal bills are going to exceed the funds budgeted. The Selectmen agreed that paperwork should be prepared to request a transfer of \$25,000 from the Reserve Fund to the Legal Budget.

Mr. Zubricki reminded the Selectmen that Kopelman & Paige had cancelled their appointment with the Selectmen last February to present a legal update of all outstanding cases. The Selectmen agreed that they would postpone rescheduling for the time being.

Mr. Zubricki said that he has been contacted by an employee of Lobsta Land about a Chamber of Commerce fundraiser for Muscular Dystrophy regarding the Selectmen's availability to take part in a Lock-Up on May 7th. A Selectman would be "locked-up" until his friends and associates bailed him out by pledging money to the cause. Selectman Randall thought that he might be interested.

At 8:17 p.m., citing the need to discuss matters relative to litigation and contract negotiations, Chairman Lynch entertained a motion for the Board to move to Executive Session. He said that the Board would not be returning to Open Session and asked Town Administrator Brendhan Zubricki to attend. The motion was moved, seconded, and per a unanimous Roll Call Vote, the Board moved to Executive Session.

The Board returned to Open Session at 8:36 p.m.

There being no other 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.