

Present: Chairman Mark W. Lynch, Selectman Jeffrey D. Jones, Selectman A. Raymond Randall, Jr., Town Administrator Brendhan Zubricki, Town Counsel Gregg Corbo, Selectmen's Assistant Pamela J. Witham, DPW Superintendent Paul Goodwin, Assistant DPW Superintendent Michael Galli, Board of Public Works Chairman Paul Rullo, Board of Public Works members Scott DeWitt and Walter Rich, DPW Administrative Clerk Mandy Davis, Finance Committee Chairman Jeff Soulard, Town Accountant Roxanne Tieri, and Town Treasurer/Collector Virginia Boutchie.

Chairman Lynch 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 comment was offered.

Mr. Zubricki presented his Town Administrator's Report for the period covering March 22<sup>nd</sup> through April 4<sup>th</sup>, 2008, regarding the following items:

MAPC Regional Hazard Mitigation Planning Team: Mr. Zubricki reported that he had contacted the Board of Public Works and the Fire Department to request a representative from each department to serve on the Regional Hazard Mitigation Planning Team that is being organized by the Metropolitan Area Planning Council. Fire Engineer Dan Doucette and Superintendent Paul Goodwin have agreed to serve. A motion was made, seconded, and unanimously Voted to appoint Dan Doucette and Paul Goodwin to the Planning Team.

Personnel Board Meeting: Mr. Zubricki said that Personnel Board member Russell Copeland's term is expiring on June 30, 2008 and that Mr. Copeland is interested in being reappointed for another term. A motion was made, seconded, and unanimously Voted to reappoint Mr. Copeland to another 3-year term commencing on July 1, 2008.

Completion of Legion Hall Painting: Mr. Zubricki reviewed a letter that has been received from a member of the Historical Commission inquiring about when the painting will be completed of the old Legion Hall on Main Street. The building is being leased by the Town to the Essex Historical Society and Shipbuilding Museum. Mr. Zubricki said that he has asked Kurt Wilhelm, a member of the Society, who will contact the Society's Facility Manager for an update on the situation. The Selectmen asked Mr. Zubricki to so inform the Historical Commission member.

Town Building Planning Meeting: Mr. Zubricki reported that the study group that is investigating solutions to the Fire Department's, Police Department's, and Town Office's need for adequate space continues to meet. The group members are each exploring different aspects of the project and he hopes to be able to provide a detailed report of their findings in the near future.

Cape Ann Regional Response Team MOU: Mr. Zubricki said that Chief Silva has provided a final draft of the Cape Ann Regional Response Team Memorandum of Understanding. The Police Department and the Selectmen are in agreement regarding

support of the work performed by the Team. A motion was made, seconded, and unanimously Voted to sign the Memorandum.

Complaint from Allen Abutter: Mr. Zubricki presented the Selectmen with a letter for review which he had developed with Town Counsel in response to a letter from one of Mr. Allen's abutters. The abutter has expressed concern about health and safety issues at the Allen property on Southern Avenue. The Selectmen approved the content of Town Counsel's letter and a motion was made, seconded, and unanimously Voted to sign the letter to the abutter. The abutter is scheduled to meet with the Selectmen at their next meeting on April 28, 2008.

Continuity of Operations Plan Development: Mr. Zubricki reported that he has been working to update the Town's Continuity of Operations Plan based on the needs of individual departments and provided the latest draft of the revisions to the Selectmen for their review. The Selectmen will offer to comments on the plan at the next Board of Selectmen's meeting.

Essex River Dredging Research: Mr. Zubricki said that he and the Selectmen's Assistant have helped former Selectman Robert Dawe to research a maintenance dredging provision that may have been authorized in the original River dredging work contract from the 1990's when Mr. Dawe was Selectman. Mr. Dawe has since been in contact with State Representative Tony Verga and the Town has subsequently received a letter from Representative Verga supporting the idea and offering to assist in continuing to research the matter. Mr. Zubricki also reported that Senator Bruce Tarr recently visited with him to discuss various matters, one of which was the need for dredging and Senator Tarr affirmed that he will work with Representative Verga towards moving the project forward.

The Board of Public Works members, the DPW Superintendent and the DPW Assistant Superintendent, the DPW Administrative Clerk, the Finance Committee Chairman, the Town Accountant, and the Town Treasurer/Collector appeared before the Selectmen to discuss the Sewer Enterprise Fund Revenue.

Mr. Zubricki said that the Town was very fortunate in being able to obtain low interest and 0% interest loans during the sewer construction period. The Town also received grants and contributions which reduced the loans needed for construction funding. In addition, the Town started billing for betterments during the construction phase which further reduced the financial burden. The resulting loans will be paid back 72% from betterments and 28% from taxation. Betterment payments towards the loans includes 2% interest which is deposited in the Fund Balance Reserved for Debt Service portion of the Sewer Enterprise Fund and stays with the Town. If this money is not needed for future debt service, it can be used by the Board of Public Works to fund either capital needs or to stabilize the sewer rate after being Voted at Town Meeting. It is anticipated that in about five years it will become necessary to start an annual maintenance/repair schedule. Superintendent Goodwin estimated that about \$75,000 per year would need to be budgeted for the ongoing maintenance. Mr. Zubricki reported that he has been working

with the Treasurer/Collector, the Town Accountant, and an outside professional to formulate an analysis matrix that will enable the Town to know at any given time what the excess or un-needed money might be in this account. Once the amount is known, a determination can be made as to its best use.

Citing the need to discuss certain ongoing litigation and contract negotiations, the Chairman entertained a motion to move to Executive Session. He said that the Board would be returning to Open Session and invited Town Administrator Brendhan Zubricki, Town Counsel Gregg Corbo, Superintendent Goodwin, and Board of Public Works members Rullo, DeWitt, and Rich to attend.

Finance Committee Chairman Jeff Soulard, the Town Accountant, the Treasurer/Collector, the Assistant DPW Superintendent, and the DPW Administrative Clerk left the meeting.

The motion was moved, seconded, and per a unanimous Roll Call Vote by the Board of Selectmen and the Board of Public Works, both Boards moved to Executive Session.

The Board of Selectmen returned to Open Session at 8:35 p.m. Town Counsel and the Board of Public Works were no longer present, having left earlier.

Draft Annual Town Meeting Motions: Mr. Zubricki presented the Selectmen with a draft of motions to be made at the Annual Town Meeting on May 5<sup>th</sup>, 2008. He asked the Selectmen to consider the motions and those who might be chosen to present each of the motions. The Selectmen agreed to take the matter under advisement until their next meeting.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$69,337.70.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the March 24<sup>th</sup>, 2008, the March 26<sup>th</sup>, 2008, and the April 1<sup>st</sup>, 2008 Selectmen's Open Meeting.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the March 24<sup>th</sup>, 2008 and the April 1<sup>st</sup>, 2008 Selectmen's Executive Session.

The Selectmen considered a request to waive the application deadline for a clamming permit for John R. MacDonald and a motion was made, seconded, and unanimously Voted to waive the deadline and approve the application.

The Selectmen reviewed the Public Officials Liability Insurance Annual Renewal Applications for the Town Officials and the Police Department. A motion was made, seconded, and unanimously Voted to sign the renewal applications.

The Selectmen considered the request from the Essex Elementary Parent Teacher Organization to pass over Essex Roads during their 1<sup>st</sup> Annual Happy as a Clam 5K Run/Walk as part of a Wellness Fair on Sunday, May 18, 2008 starting at 10:30 a.m. and ending about 1:30 p.m. A motion was made, seconded, and unanimously Voted to approve the request from the PTO.

The Selectmen reviewed a request for a Reserve Fund Transfer to General Legal Budget in the amount of \$25,000. A motion was made, seconded, and unanimously Voted to approve and sign the request for the transfer of \$25,000. The Selectmen also reviewed a request for a Reserve Fund Transfer to Town Meeting Expenses Budget in the amount of \$500 to pay for an auxiliary sound system to be used on the first night of the Annual Town Meeting in the Essex Elementary School gymnasium. A motion was made, seconded, and unanimously Voted to approve and sign the request for the transfer to Town Meeting Expenses Budget.

The Selectmen considered the request from a Conomo Point tenant to remove his name on the lease, leaving only his wife's name. Since no new names are being added to the lease, the Selectmen did not require an interview. A motion was made, seconded, and unanimously Voted to approve the request of Jerry Simpson to remove his name from the lease for the property at 86 Conomo Point Road, Map 19, Lot 33.

The Selectmen reviewed a request from Denis Hamel of W.C. Cammett Engineering, Inc to approve the granting of a Chapter 91 license to Tom Shea's. Cammett is preparing the state license application that will retroactively authorize the filling of land years ago to construct the restaurant. The license will be good for 30 years and is required by the Massachusetts Department of Environmental Protection. The DEP has required that two of the current parking spaces be blocked off since they lie within 25 feet of the Mean High Water Line. Public Access is also being required by the DEP. A motion was made, seconded, and unanimously Voted to approve the request and sign the letter of approval.

Jack Good and Julie Lafontaine were recently honored for their outstanding contributions to the community at a breakfast meeting sponsored by the American Red Cross. A motion was made, seconded, and unanimously Voted to sign a letter of congratulations to each of them recognizing this special honor.

A motion was made, seconded, and unanimously Voted to approve the request for a Municipal Street License for Scott Pantages, Pantages Transit Co., Inc. to operate a weekday commuter bus from the North Shore into Boston over the approved route.

The Selectmen were reminded of the following scheduled events:

- The Cape Ann Chamber of Commerce Evening Business Exchange will meet on Thursday, April 10<sup>th</sup>, from 5:00 to 7:00 p.m. at Ryan & Wood Inc. Distilleries at 15 Great Republic Drive, Unit 2, in Gloucester. No one will be able to attend.
- The Cape Ann Chamber of Commerce Breakfast Club will meet on Friday, April 18<sup>th</sup> at 7:30 a.m. at the Gloucester House Restaurant.

- Opening Ceremonies for the Walk for HAWC on Sunday, April 27, 2008 at Old Town Hall in Salem will commence at 11:00 a.m. The Selectmen have been invited to take part in the ceremonies.
- The Essex Division of the Cape Ann Chamber of Commerce will meet on Tuesday, April 29<sup>th</sup>, 2008 at 8:00 a.m. at JR's Route 22.
- There will be a ceremonial signing of a Memorandum Of Understanding for the Essex TRIAD Group at the Senior Center on Monday, May 12<sup>th</sup>, 2008 at 10:30 a.m.

Chairman Lynch said that it has been two weeks since their discussion with the Essex Youth Commission regarding the financial restructuring of the EYC. The Selectmen asked Mr. Zubricki to prepare a request to Essex Youth Commission for an update regarding the Commission's plan for program offerings in FY 2009, the projected revenue that is anticipated from the Summer program based on increased fees and whether they expect the Summer program to break even, and lastly, on their progress to create an updated job description for the Youth Director position and a performance evaluation plan for that position. The Selectmen said that they would be happy to offer any assistance or meet at any time with the Commission members.

Chairman Lynch said that he has spoken with Town Moderator David Lane and that there will be no rehearsal of the Annual Town Meeting.

Selectman Jones said that they have erected the Little League Fence at Centennial Grove. He said that one piece of the fence appeared to be missing. He also reported a wire down on the ground by the Grove cottage. It was agreed that that information would be forwarded to Paul Goodwin and Electrical Inspector Ramie Reader, respectively.

Mr. Zubricki mentioned that Kim Drake has informed him of the Kodak Annual Greenways Award, a grant given to towns and cities to help defer the cost of creating parks, etc.

There being no further business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 8:55 p.m.

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
A. Raymond Randall, Jr.