

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

Chairman Lynch called the meeting to order at 7:00 p.m. and announced that the Board would hear Public Comment. No one from the public was present to offer any comment.

Selectman Randall was congratulated on his recent re-election to the Board of Selectmen.

Brendhan Zubricki began his Town Administrator's Report for the period covering May 3<sup>rd</sup> through May 16<sup>th</sup> regarding the following items:

Youth Commission Program and Budget Planning: Mr. Zubricki said that the members of the Youth Commission have provided him with a draft of the revised job description and evaluation form for the Youth Director's position. They have requested comments from the Selectmen. They are also currently working on revising the summer program director's job description and creating a corresponding evaluation form. The Commission would like to present all the finalized drafts to the Personnel Board when they meet on June 19<sup>th</sup>. (A power failure occurred and all the lights went out. The Selectmen continued to conduct the meeting since there was still enough daylight to see.) Mr. Zubricki said that the current draft of the Youth Director's job description now includes certain administrative duties, such as preparing grant applications, which he feels may be difficult to pass through to program fees. He said that currently the program is targeting ages three through eighteen and contains anti-discrimination language. The Selectmen felt that age eighteen is not really considered a youth and therefore was outside the parameters of the Youth Commission's venue. Also, there is no need to include anti-discrimination language in any of the documents since that is already covered in the Town's Personnel Rules and Regulations Policies. The Commission continues to work on developing an evaluation tool for the Youth Director's position and is hoping to create a system of checks and balances for the collection of the program fees. The Selectmen agreed to review the documents and discuss them further at their next meeting on June 2<sup>nd</sup>.

Police Chief Peter G. Silva, Sergeant Paul Francis, and Part-time Patrolman Justin Zwicker appeared before the Selectmen. Chief Silva wanted to reintroduce Patrolman Zwicker to the Selectmen and to recommend him to fill the last vacant full-time patrolman's position in the Police Department once he has graduated from the Police Academy. It is anticipated that there will be an opening for Patrolman Zwicker to enter the academy in July. Chief Silva said that Patrolman Zwicker has been doing a fantastic job as a part-time patrolman. A motion was made, seconded, and unanimously Voted to approve the appointment of Mr. Zwicker to Full-time Patrolman upon his successful graduation from the Police Academy. Patrolman Zwicker left the meeting.

Chief Silva reported that he and Sergeant Francis continue to work towards getting the Police Department certified. Sergeant Francis is the Certification Manager for the project. The Chief said that his previous estimate that they would be able to accomplish 50% of

the certification process this year has turned out to be extremely unrealistic. He feels that 25% will be a more accurate expectation. Chairman Lynch and the Chief agreed that the Chief will work with the Finance Committee Chairman and the Town Accountant on a monthly basis to review and manage the Police budget in FY 2009. The Chief is very excited to now be able to take part in TRIAD and has already arranged to take advantage of three programs that TRIAD offers. He said that once the Department is certified, it will enable the Town to save money on insurance premiums and reduce the risk of lawsuits. The Selectmen thanked the Chief and the Sergeant for updating them on their progress. The Chief and the Sergeant left the meeting.

Marilyn Klypka-Simpson, the Town's Youth Director, came before the Selectmen to discuss the impact of the recently revised funding on the Youth Director's job. The Selectmen asked the Youth Director to work with the Youth Commission, the Selectmen and the Finance Committee towards developing and implementing the new policies and procedures. The Selectmen reassured the Youth Director of their continuing support of the program and the position. The Youth Director left the meeting.

(Power was restored to the Library/Town Hall and the lights came back on.)

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$70,746.81.

Ambulance Billing Successor Agreement: Mr. Zubricki presented a new ambulance services billing agreement from Comstar for FY 2009. He said that Comstar's service over the past year has been excellent. A motion was made, seconded, and unanimously Voted to approve and sign the agreement with Comstar for FY 2009.

Town Hall Landscaping: Mr. Zubricki said that thank-you letters had been prepared to Corliss Bros. Landscaping, Robin Pydynkowski of Cape Ann Tree Service, Mike Soucy, and the Enhancement Committee acknowledging their generous donations of talent, time, effort, and plant material to improve the appearance of the Town Hall grounds. A motion was made, seconded, and unanimously Voted to approve and sign the letters.

In a related matter, Mr. Zubricki reminded the Selectmen that the Honor Roll in front of the Town Hall is in extremely poor condition. He said that there is some money in a fund that was established for the restoration of the sign. It was agreed that Mr. Zubricki would approach Mark Richey and solicit any thoughts or suggestions that he might have about proceeding with the restoration or choosing a qualified restorer.

Home Rule Petition, Sewer Service Area Bylaw: Mr. Zubricki presented the Selectmen with a new petition that was authorized at the Annual Town Meeting on May 5<sup>th</sup>. A motion was made, seconded, and unanimously Voted to sign the petition to the Legislature to ask that our Sewer Service Area By-laws be enforced via a Special Act. The Selectmen signed the petition and were witnessed by the Town Clerk, who also provided certified copies of the Annual Town Meeting vote.

Placement of New Sand on Centennial Grove Beach: Mr. Zubricki said that there has been an inquiry about adding new sand to the beach at Centennial Grove above the high water line. Sand had been added a number of years ago, but has since washed away. He

said that the cost could likely be funded through the Grove Revolving Fund. The Selectmen agreed to authorize Mr. Zubricki to work with the Conservation Commission on the project and to look for a contractor to perform the work needed.

TRIAD Memorandum of Understanding Signing Ceremony: Chairman Lynch signed the TRIAD MOU which was previously voted at the March 24<sup>th</sup> Board of Selectmen's meeting.

Trench Permitting Authority: The Selectmen agreed to take no action on designating a trench permitting authority until it is clear as to whether the rules governing that position will be changing.

Mr. Zubricki informed the Selectmen that the Town Clerk is still waiting for the Attorney General to approve four by-law changes that were previously voted at Town Meetings: the formation of the Community Preservation Act Committee by-law, the revision of the Home Occupation by-law, the revision of the Site Plan Review by-law, and the Residential Land Use by-law. In addition, the changes to the by-laws that were voted at the last Town Meeting on May 5<sup>th</sup> are in the process of being submitted to the Attorney General for approval.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the May 5<sup>th</sup>, 2008 Selectmen's Open Meeting and the minutes for the May 5<sup>th</sup>, 2008 Selectmen's Executive Session.

Selectman Randall informed the Selectmen that the Long Term Planning Committee is in the process of preparing a town survey form and a press release. At present, there is only a preliminary draft which still needs to be edited. Various methods of presenting the survey to the public were discussed. Unfortunately, the new town website does not have the capability to conduct a direct survey. However, an e-mail response tool will be developed by Mr. Zubricki. The Selectmen agreed that they would have to see the finalized survey and release before giving their approval of those documents.

Mr. Zubricki reported that the Superintendent of the Board of Public Works has purchased a Handicapped Child sign at the request of a mother on Wood Drive. The Town by-laws require approval of the Board of Selectmen before the sign can be placed. A motion was made, seconded, and unanimously Voted to authorize placement of the handicap sign on Wood Drive.

The Selectmen reviewed the ballot for the Metropolitan Area Planning Council and decided to take no action at this time.

The Selectmen considered the American Diabetes Association's request to use marker paint to mark the route of the Tour de Cure 2008 on May 26 through June 8<sup>th</sup>. They agreed that the Association should be contacted to request that a chalk based paint rather than a permanent paint be used by the Association to mark the course.

The following motions were made regarding the use of Centennial Grove:

- A motion was made, seconded, and unanimously Voted to approve the use of Centennial Grove for the Bitting/Brown wedding on Saturday, June 14<sup>th</sup> between the hours of 12:00 noon and 4:00 p.m.
- A motion was made, seconded, and unanimously Voted to approve the use of Centennial Grove for a group outing from the Italian Community Center in Beverly on Saturday, August 23<sup>rd</sup>, 2008, between the hours of 12:00 noon and 7:00 p.m.
- A motion was made, seconded, and unanimously Voted to approve the use of Centennial Grove by Essex Cub Scout Pack 100 for their end of year campfire between the hours of 5:00 and 8:00 p.m. on Friday, June 13<sup>th</sup>, 2008 contingent upon approval of a camp fire by the Fire Department. The Selectmen voted unanimously to waive the use fee for the Grove.
- A motion was made, seconded, and unanimously Voted to approve the use of Centennial grove by the Mass Mudders for their pig roast fundraiser on Saturday, September 20<sup>th</sup>, 2008 between the hours of 1:00 – 8:00 p.m.

Mr. Zubricki said that Kirk Smith of Conomo Point has been informed that a Town Meeting vote is required to approve Mr. Kirk's application for a Chapter 91 License from the State.

The Selectmen reviewed an invitation from the Memorial Day Committee to take part in the Memorial Day Parade services. All of the Selectmen are planning to attend the ceremonies.

Chairman Lynch said that he would like to schedule another Town Planning Forum to continue the discussion of land use in town. It was tentatively agreed to schedule the forum on Thursday, June 12<sup>th</sup> at the Essex Elementary School from 7:00 to 9:00 p.m. Chairman Lynch agreed to contact the Planning Board Chairman. It was suggested that Mr. Bobrowski, a recognized professional planner, might be willing to share some of his ideas regarding cluster zoning, etc. at the forum.

The Selectmen agreed to table the idea of the appointment of a Selectman to the Essex Youth Commission for the time being.

A motion was made, seconded, and unanimously Voted to appoint Robert Cameron and Marlene Sanders to the Council on Aging, contingent upon a successful CORI check.

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

One Day Wine and Malt License:

- Italian Community Center for use on Saturday, August 23<sup>rd</sup>, 2008, between the hours of 12:00 noon and 7:00 p.m. within the confines of Centennial Grove.
- Essex County Greenbelt Association, for use on Thursday, June 12<sup>th</sup>, 2008, between the hours of 5:00 p.m. and 8:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.

- Essex County Greenbelt Association, for use on Friday, June 13<sup>th</sup>, 2008, between the hours of 5:30 p.m. and 8:30 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.
- Mass Mudders for use on Saturday, September 20<sup>th</sup>, 2008 between the hours of 1:00 and 8:00 p.m. within the confines of Centennial Grove.

One Day Entertainment License:

- Italian Community Center for use on Saturday, August 23<sup>rd</sup>, 2008, between the hours of 12:00 noon and 7:00 p.m. within the confines of Centennial Grove.
- Essex County Greenbelt Association, for use on Friday, June 13<sup>th</sup>, 2008, between the hours of 6:00 p.m. and 8:30 p.m. within the confines of the Studio Barn at the Cox Reservation at 82 Eastern Avenue.
- Bitting/Brown Wedding for use on Saturday, June 14<sup>th</sup> between the hours of 12:00 noon and 4:00 p.m. within the confines of Centennial Grove.
- Mass Mudders for use on Saturday, September 20<sup>th</sup>, 2008 between the hours of 1:00 and 8:00 p.m. within the confines of Centennial Grove.

The Selectmen were reminded that:

- The Long Term Planning Committee will meet at the Senior Center on Tuesday, May 27<sup>th</sup>, 2008 at 7:00 p.m.
- The Cape Ann Museum will host the Tourist Division of the Cape Ann Chamber of Commerce's Tourist Mixer on Wednesday, May 28<sup>th</sup>, from 5:00 to 7:00 p.m.
- The Playing Fields Committee will meet at the Manchester Town Hall at 7:30 p.m. on Wednesday, May 28<sup>th</sup>, 2008.
- The Essex Division Meeting of the Cape Ann Chamber of Commerce will be held at the Cape Ann Golf Course on Friday, May 30, 2008 at 8:00 a.m. Mr. Zubricki will not be able to attend.
- The next Board of Selectmen's meeting will begin at 7:00 p.m. in the T.O.H.P. Burnham Public Library on Monday, June 2<sup>nd</sup>, 2008.
- The Town of Essex Safety Committee will meet at 8:00 a.m. on Tuesday, June 17, 2008 in the T.O.H.P. Burnham Library.
- The Personnel Board will hold a public meeting on Thursday, June 19, 2008 at 7:30 a.m. in the T.O.H.P. Burnham Library.
- The Essex Division of the Cape Ann Chamber of Commerce will meet with the Long Term Planning Committee at Periwinkles at 8:00 a.m. on Tuesday, June 24<sup>th</sup>, 2008. Mr. Zubricki will not be able to attend.
- The Cape Ann Chamber of Commerce will sponsor its Twenty-first Annual Goods and Services Auction on Friday, July 18, at 7:30 p.m. at Cruiseport Gloucester.

Mr. Zubricki reported that the Animal Health Inspector has tracked down the owner of the dog who allegedly bit a jogger at Conomo Point. The owner has denied that his dog is responsible and the jogger does not wish to pursue the matter further. The Selectmen asked Mr. Zubricki to ask the Dog Control Officer to talk to the owner of the dog about the need to get a license for the dog and to update the dog's vaccinations.

Chairman Lynch is organizing an Essex River Day on Saturday, June 21<sup>st</sup>. The day will offer people without boats the opportunity to go down river to see and appreciate the

beauty of the Essex River. Sue Lufkin of Essex Marina is soliciting people who own boats to volunteer. The Lions are planning a cookout behind Town Hall at Memorial Park and approval from the Fire Department and the Department of Public Works is being sought to have a bonfire. Additional events for the day being discussed are a walking tour of Hog Island and a softball game. The Boy Scouts may also participate in a Greenhead Box making clinic. Once all the plans are finalized, advertising flyers will be made for distribution.

The Selectmen agreed to discuss the Symmes Easement at a future Board of Selectmen's meeting.

The Selectmen discussed the opportunity to reorganize their Board. Selectman Randall was nominated to become the new chairman. A motion was made, seconded, and unanimously Voted to elect Mr. Randall Chairman of the Board of Selectmen. Mr. Jones was nominated to become the new Clerk of the Board. A motion was made, seconded, and unanimously Voted to elect Mr. Jones Clerk of the Board of Selectmen.

There being no further business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 8:40 p.m.

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

Attested by: \_\_\_\_\_  
Jeffrey D. Jones