

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

Chairman Randall 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.

Brendhan Zubricki presented his Town Administrator's Report for the period covering May 17<sup>th</sup> through May 30<sup>th</sup> regarding the following items:

Signature of Revised Conservation Restriction: The Board of Selectmen and the Conservation Commission had previously approved a conservation restriction on land owned by Peter VanWyck. The restriction had been forwarded to the Secretary of Environmental Affairs for review and approval. The revised document has now been returned by the Secretary and signed by Peter Van Wyck. A motion was made, seconded, and unanimously Voted to approve and sign the document as revised by the Secretary of Environmental Affairs. Town Clerk Sally Soucy was present to witness and notarize the signing of the document which will now be forwarded to the Conservation Commission for their approval. After that, it will be returned to the Secretary for final acceptance.

Long-Term Planning Committee Assistance: Mr. Zubricki reported that the LTPC continues to work on a proposed press release and that there is nothing at present for the Selectmen to review.

Youth Commission Position Descriptions and Evaluation Tools: Mr. Zubricki said that the Youth Commission is still working on drafting a Summer Program Director's job description and evaluation tool. He asked the Selectmen if they had any comments regarding the draft of the Youth Director's job description and evaluation tool. It was agreed that the Youth Director's job description should be a "modernization" of the old job description and should not include additional duties. There should be a careful balance of program related tasks and administrative duties since the position will be primarily funded by program fees. It is not necessary for the job description to include anti-discrimination language, since that area is covered elsewhere. And lastly, the target age group of the Youth Commission should be changed from ages 3 – 18 to ages 3 – 17. It is hoped that there will be a discussion between the members of the Youth Commission and the Youth Director regarding the new job description. It is uncertain as to whether the

Commission will have both job descriptions and evaluation tools ready to be reviewed by the Personnel Board when they meet on June 19<sup>th</sup>.

Review of Proposed Board of Health MOUs: The Board of Health has requested permission to speak to Town Counsel about drafting two proposed memorandums of understanding. The first would be with the School District and would allow the Board of Health to use the Elementary School during an emergency to disseminate vaccines and medicines. The second would be with supply vendors and would establish priority service arrangements to ensure receiving emergency supplies during a disaster. The Board of Health indicated that they might be able to fund the use of legal counsel out of their FY 2008 budget. After some discussion, the Selectmen asked Mr. Zubricki to find out whether the Cape Ann Emergency Planning Coalition is proposing the documents versus some other organization. If so, they asked him to inquire if the Coalition has a school district sub-group that could propose the dispensing site MOU to the School District. If not, they suggested that the Board of Health should contact the Coalition to find out if other towns have entered into similar agreements with the local schools and/or supply vendors. The Selectmen are in favor of using an existing agreement as a template, rather than creating a completely new document and suggested that the Coalition use its own funds to complete an overall legal review that would benefit all member communities.

Clean Energy Choice Grant: Mr. Zubricki reported that the grant funding level is now at \$5,137. If untouched, the grant will continue to accrue and once it reaches \$15,000, it can be used with rebates to fund a photovoltaic installation that could provide a portion of electric power for a town building. The Selectmen agreed that the funding should be allowed to accrue.

Finance Committee Chairman Jeff Soulard appeared before the Board to introduce and to recommend Karen Birch for appointment to the Finance Committee. The Selectmen said that they had reviewed Ms. Birch's impressive resume and welcomed her interest in becoming a member of the Finance Committee. Mr. Soulard said that the Committee has been talking to two other possible new members. With the addition of Ms. Birch and the resignation of David Burbridge, the current Finance Committee membership will be six out of a possible seven. A motion was made, seconded, and unanimously Voted to appoint Karen Birch to the Finance Committee and her appointment card was signed by the Selectmen. Mr. Soulard and Ms. Birch left the meeting.

A motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$130,218.67.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the May 19<sup>th</sup>, 2008 Selectmen's Open Meeting.

A motion was made, seconded, and unanimously Voted to approve a request from the First Presbyterian Church to use Centennial Grove for a church family picnic on Sunday, July 27<sup>th</sup>, 2008, from 2:00 to 8:00 p.m.

A motion was made, seconded, and unanimously Voted to approve the following licenses as they appeared on the June 2<sup>nd</sup> agenda:

One-Day Auction Permit:

- R.A. DiFillipo, d/b/a R.A. DiFillipo Auctions, for use on Tuesday, July 1<sup>st</sup>, 2008, between the hours of 8:00 a.m. and 10:30 p.m. within the confines of 125 Main Street.

One-Day Wine and Malt License:

- Lawrence D. Woodman, Woodman's Inc. for use on Saturday, June 14<sup>th</sup>, 2008, between the hours of 12:00 noon and 9:00 p.m. within the confines of 125 Main Street.
- Lawrence D. Woodman, Woodman's Inc. for use on Saturday, June 28<sup>th</sup>, 2008, between the hours of 12:00 noon and 9:00 p.m. within the confines of 125 Main Street.
- Peter Heitz for use on Saturday, June 7<sup>th</sup>, 2008, between the hours of 1:30 and 6:30 p.m. within the confines of Centennial Grove pending receipt of a certificate of liability insurance made out to the Town of Essex for \$1,000,000.

One-Day Entertainment License:

- Peter Heitz for use on Saturday, June 7<sup>th</sup>, 2008, between the hours of 1:30 and 6:30 p.m. within the confines of Centennial Grove.

The Selectmen were reminded that the Firemen's Memorial Service will be held on Sunday, June 8<sup>th</sup>, starting at 8:45 a.m. from the Fire Station. The Selectmen have been invited by the Fire Department to attend and march in the parade.

At 7:30 p.m., Chairman Randall entertained a motion to open the public hearing concerning the complaint against a Doberman belonging to Mr. and Mrs. Hunt of Forest Avenue. The motion was moved, seconded, and unanimously Voted. In addition to the Selectmen, the Town Administrator, and the Selectmen's Assistant, Mr. & Mrs. Hunt and their daughter, Mr. & Mrs. Ashley, and the Hunt attorney, Mike McMahan were present. The Chairman asked everyone present who intended to speak at the hearing to raise their right hand and solemnly swear or affirm that the testimony to be given in this matter will be the truth, the whole truth, and nothing but the truth. Christina Ashley, Attorney McCann, and Mr. and Mrs. Hunt so swore.

Christina Ashley said that she had been walking with her 5-year old son and her dog on Forest Avenue as she is in the habit of doing when a Doberman charged at them. The dog was barking and she was frightened for herself and her son. Mrs. Ashley is 8 months pregnant. In the past when walking down the street, she had heard barking, but the dog(s) had always been confined behind a fence. As a result of the incident, she and her son are now afraid to walk on the street again.

The Hunt's attorney said that the Hunts are very sorry about what happened and apologized to Ms. Ashley and her son. Mr. Hunt said that they have an electric fence installed on their property to confine their three dogs. Recently, he became aware that the fence had been cut and has since repaired it. The Hunts are in the process of installing a high white fence that, when completed, will surround their entire property, even the driveway entrance. Their fence vendor has been unable to work on the project due to illness. Mr. Hunt said that they want to do the right thing.

No one else had any comments and a motion was made, seconded, and unanimously Voted to close the hearing. After discussion, the Selectmen decided to take the matter under advisement. They asked the Hunts to let them know when the electric fence has been completely repaired and is operational. The Selectmen also asked them to move the controls for the electric fence showing that it is operating from the barn to the house and to inform them when the new fence has been completed. The Selectmen hoped that they would have the information before their next Board of Selectmen's meeting and that the Dog Control Officer could inspect the completed work. Everyone was in agreement with the decision. The Hunts and their attorney and the Ashleys left the meeting.

In other business, a motion was made, seconded and unanimously Voted to approve a line item transfer from Workers' Comp Insurance to General Legal in the amount of \$12,500.00.

The Selectmen reviewed three Massachusetts General Law Chapter 44 § 33B transfer requests from the Board of Public Works. A motion was made, seconded, and unanimously Voted to approve a \$6,000 transfer from Sewer Overtime to Sewer Chemicals. A motion was made, seconded, and unanimously Voted to approve a \$4,000 transfer from Water Labor Part-time to Water Chemicals. And, a motion was made, seconded, and unanimously Voted to approve a \$1,000 transfer from Water Overtime to Water Electric.

The Selectmen reviewed the final draft of the Issuance of Policy Recommendations and requested a change so it would read as follows:

Please be advised that any draft policy recommendation memorandum or document that you develop which will result in a new policy or in a significant change to an existing policy must be first sent to us for review via the Town Administrator. This protocol will give us the opportunity to review the draft recommendation and provide input as necessary. Often, the Board interfaces with a variety of other employees, boards, and commissions and may have reason to modify recommendations based upon specific circumstances or, simply, as the product of the Board's discussion regarding a particular matter. Thank you.

They approved its distribution to the appropriate individuals.

A motion was made, seconded, and unanimously Voted to authorize the Chairman to sign the renewal coverage form for Injured on Duty Insurance for the Police and Fire Department from the Chubb Group of Insurance Companies.

A motion was made, seconded, and unanimously Voted to approve a request from Peter Heitz to use Centennial Grove for a family birthday party on Saturday, June 7<sup>th</sup>, 2008, from 1:30 to 6:30 p.m.

A motion was made, seconded, and unanimously Voted to proclaim June 2<sup>nd</sup> through 6<sup>th</sup> as Small Business Week in Essex. The Selectmen signed a proclamation naming Cliff Amero Small Business Person of the Year in Essex. Chairman Randall and Selectman Lynch will present the award on June 5<sup>th</sup> at Woodman's Top Deck. Chairman Randall will also attend the luncheon on Friday, June 6<sup>th</sup>.

Selectman Lynch said that he would like to discuss the idea of a public Land Use and Planning Forum with members of the Planning Board. He asked Mr. Zubricki to see if the Planning Board would be available to attend either the June 30<sup>th</sup> or the July 14<sup>th</sup> Board of Selectmen's meeting. Mr. Zubricki said he would correct the notice announcing the Forum on the website by indicating the Forum's postponement.

A motion was made, seconded, and unanimously Voted to approve the appointments of Maria Burnham and Leslie Burns to the Open Space Committee as recommended by Committee Chairman Julie Scofield. The Selectmen signed the appointment cards.

Mr. Zubricki reported that the current Dog Control Officer, Rob Steach, does not want to be reappointed at the end of June. He asked whether the Selectmen would like to consider either of the two previous candidates for the position: Amy Reilly from Essex or Mindy Trafton from Rockport. The Selectmen asked Mr. Zubricki to see if Amy Reilly might be interested in discussing the position.

Mr. Zubricki noted that the Symmes property has still not been cleaned-up. The Selectmen decided to table the discussion of the requested easement until the clean-up has been completed.

The Selectmen discussed the possibility of opening the Memorial Park public restrooms earlier in the season. Mr. Zubricki said that the Board of Public Works Superintendent has supplied the coaches with keys to the restrooms for use during the games. The Town Custodian opens the restrooms on the designated days that they are open and the Police close them up at the end of the day. Commencing the first of July, the restrooms will be open seven days a week. In the meantime, the restrooms in the Police/Fire Station are available to use when Memorial Park restrooms are closed. It was decided to keep the restroom schedule presently in use.

The Selectmen were informed that there will be a Semi-Annual Commissioners' Meeting of the Lynn Museum and Historical Society on Tuesday, June 10 at 8:00 a.m. to announce the 2008 Partnership Grant awards from the Essex National Heritage Commission. This year, the Essex Shipbuilding Museum has received one of the grants.

The Long Term Planning Committee will be meeting at 7:00 p.m. at the Senior Center on June 17<sup>th</sup>, 2008.

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 16<sup>th</sup>, 2008.

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.

Selectman Lynch said that Essex River Day is scheduled for June 21<sup>st</sup>. He said he needed to get application forms for food permits from the Board of Health and application forms for one-day licenses from the Selectmen's Assistant for the Chamber of Commerce to fill out. Plans for the day include tours of Hog Island, excursions down River, a cookout, a possible softball game, and a bonfire behind the Town Hall.

There being no other 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: \_\_\_\_\_  
Jeffrey D. Jones