

## Selectmen's Minutes

June 30, 2008

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

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.

Francis Burnham, a former Essex resident, came before the Selectmen to ask if they had read the copy of M.G.L. Chapter 111 §150A that he had given them at their last Board meeting defining the term refuse. He asked them if they were aware of any refuse in the Town and said that the Town should be refunded the \$87,000 paid to Kopelman and Paige. Mr. Burnham stated that Kopelman and Paige should not receive any more money until the matter has been settled. He then left the meeting.

David Alger of Story Street appeared before the Selectmen to request a waiver of the deadline for a clamming license application. His wife has recently been laid off. He would like to apply for a license for his eleven-year-old son, Ben, and himself. He is a school teacher and will not be teaching this summer. A motion was made, seconded, and unanimously Voted to approve the waiver for both applications. The Selectmen signed the applications. Mr. Alger and his son thanked the Selectmen and said that they would be going to Boston to get their state bed certificate tomorrow. Once they have the bed certificate, they will stop by the Town Clerk's office to pick up their Essex clamming licenses. They left the meeting.

Mr. Zubricki presented his Town Administrator's Report for the period covering June 14<sup>th</sup> through June 27<sup>th</sup> regarding the following item:

Building Study Group: Mr. Zubricki reported that the ad hoc building study group had met earlier in the day. Library Representatives had been present at the meeting. The representatives said that they would like to meet with the Library Trustees to discuss the ideas being talked about by the study group. They would like to meet with the ad hoc group again after they have had some time to formulate their opinions regarding the Library's participation in the project.

In other business, a motion was made, seconded, and unanimously Voted to approve the expenditure of \$902.50 from the Luther Burnham Fund to All American Window & Gutter Cleaning in payment for cleaning the first and second floor windows, inside and out, of the Town Hall.

A motion was made, seconded, and unanimously Voted to approve the expenditure of \$350.00 from the Luther Burnham Fund to Foxhill Heating Service in payment for replacing the defunct water heater in the Ladies second floor bathroom at the Town Hall.

A motion was made, seconded and unanimously Voted to approve and sign the weekly warrant in the amount of \$115,148.74.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the June 16<sup>th</sup>, 2008 Selectmen's Open Meeting.

Jeff Soulard, the Chairman of the Town's Finance Committee, appeared with Richard Ross, a resident of Main Street, to recommend Mr. Ross as a candidate for the last vacancy on the Finance Committee. The Selectmen reviewed Mr. Ross's resume and welcomed his interest. A motion was made, seconded, and unanimously Voted to appoint Mr. Ross to the Finance Committee. The Selectmen signed the appointment card. Mr. Soulard updated the Selectmen on the progress of the Finance Committee and their plans for the coming year. Now that the Committee has a full membership of seven, he feels that the Committee will be able to provide more assistance to Town departments, boards, and committees. The Finance Committee intends to work more closely with these groups commencing early on to help them formulate and maintain their budgets. Mr. Ross and Mr. Soulard left the meeting.

Linda Burke of Harry Homans Drive came before the Selectmen. She had taken out an application for a student clamming license for her son back in March. Her son had never provided the Town with a school transcript and now has no interest in having a clamming license. Ms. Burke asked the Selectmen if she could have a refund of the application fee. The Selectmen were sympathetic, but agreed that once the fees are collected at the start of the application process, they cannot be refunded. Ms. Burke left the meeting.

Sylvester Freitas, Jr., the owner of JR's Route 22 restaurant on Western Avenue, appeared before the Selectmen to discuss his application for a Flea Market License for use on Saturdays. Chairman Randall recused himself from the discussion. Mr. Freitas said that Saturdays are extremely slow at the restaurant and he would like to rent space for tables to flea market vendors behind his restaurant in an attempt to attract customers for his ice cream window and restaurant. He has spoken to his neighbor, Essex Pizza, and the neighbor has agreed to allow JR's staff and vendors to use some of their land for parking. Mr. Freitas is prepared to hire a private duty policeman to help with traffic if that becomes a problem. Subsequently, a motion was made, seconded, and unanimously Voted to approve Mr. Freitas's application for a Flea Market License for use on Saturdays. Mr. Freitas left the meeting.

Susan Beckman, the Chairperson of the School Committee, and some fellow School Committee members: Sarah Creighton, Annie Cameron, and Susan Coviello, appeared before the Selectmen to discuss the status of the school construction in Manchester. The project continues to be on track and it is hoped that the building will be ready for occupancy next April or May. The State has decided that it will be OK to construct the tennis courts as planned. However, a group has appealed that decision, so that part of the project has been delayed. The Committee has found several ways to cut back on costs, save money, and receive energy credits, resulting in low per square foot costs. Sarah Creighton said that the project has become a model project for others in the State. The Selectmen and the School Committee agreed that they should get together again in five months for another update. The School Committee members left the meeting.

A motion was made, seconded, and unanimously Voted to approve the Mutual Aid Agreement for Joint Fire, Rescue and Ambulance Service. Chairman Randall signed the agreement. The agreement is making its way to several towns and cities in Massachusetts. Chief Carter has already signed the agreement and it was agreed to forward the agreement to Ipswich for the next signature.

The Selectmen had a brief discussion regarding safety rules and regulations pertaining to Centennial Grove rentals. It was agreed that the policies currently in effect would be reviewed in connection with rentals on a case by case basis.

A motion was made, seconded, and unanimously Voted to proclaim Saturday, July 26, 2008, as the Spirit of the 18<sup>th</sup> Anniversary of the Americans with Disability Act. Chairman Randall signed the proclamation.

Mr. Zubricki said that the air conditioning system at the Emergency Center was inadequate and had to be replaced. The Police Department has paid for the new air conditioner, but there is still a bill outstanding in the amount of \$850 for the construction needed to install the air conditioner. The Fire Department has used up most of their budget to outfit the new fire truck earlier this year. Subsequently, a motion was made, seconded, and unanimously Voted to approve a line item transfer request to move \$850 from the Selectmen's Telephone budget to the Town Property Expense budget to pay for installation of the air conditioner at the Fire Station.

Upon consideration of the recommendation from Town Moderator David Lane, a motion was made, seconded, and unanimously Voted to reappoint Paul Rullo to the Board of Public Works.

A motion was made, seconded, and unanimously Voted to accept the recommendation from Chief Carter and to appoint Damon Boutchie to the position of Hazardous Waste Advisor for FY 2009.

The Selectmen accepted the recommendation from Julie Scofield, Chairperson of the Open Space Committee, and a motion was made, seconded, and unanimously Voted to appoint Karen Gertsch to the Open Space Committee. In her recommendation letter, Ms. Scofield also informed the Selectmen that Rebecca Dawson and Martha Hoar have resigned from the Committee.

The Selectmen accepted the recommendation from Chief Silva, and a motion was made, seconded, and unanimously Voted to appoint Barry du Moulin to the position of Assistant Harbormaster for a term of three years contingent upon his clearing a drug and medical screen.

The Selectmen signed the appointment card for Amy Reilly, Dog Control Officer, which will become effective September 1, 2008, and which was previously approved.

Selectman Lynch reported that he had spent last Friday removing nails from the perimeter of the bonfire site. He is hoping to borrow a larger magnet that will allow him to remove the rest of the nails. The DPW Superintendent will be able to clean up the remaining bonfire debris without puncturing any tires on his equipment once the nails are removed.

The Selectmen tentatively scheduled the removal of the Little League fence for this coming weekend.

A motion was made, seconded, and unanimously Voted to approve a temporary parking sticker for the nanny of Julie Doane of Story Street for the summer.

A motion was made, seconded, and unanimously Voted to approve a One-Day Wine and Malt License for Michael Fallon of the Essex Bay Sailing Club for use on Saturday, July 26<sup>th</sup>, 2008, between the hours of 6:00 and 10:30 p.m. within the confines of the Conomo Point Association Boat House.

Mr. Zubricki reported that the Special Act for the Sewer Bylaw is now on the Governor's desk.

Mr. Zubricki gave the Selectmen a copy of the final draft of the Long Term Planning Committee's press release which will be released after the survey is completed.

Mr. Zubricki said that the DPW Superintendent has informed him that the DPW has decided not to pursue the idea of a privatized sewer department since it does not appear that it would be economically feasible. The Selectmen asked Mr. Zubricki to obtain verification of the numbers.

The Selectmen decided to take no action on a request from Chief Silva to carry over 8 days of vacation from FY2008 to FY2009, since the request is already within the scope allowed in the Chief's contract.

Selectman Lynch reported that George Marsh, a member of the Conomo Point Planning Committee, and Mr. Zubricki have made great progress towards creating a Request For Proposals for a professional planner to help the Conomo Point Planning Committee. The Selectmen were reminded that the Planning Board will be meeting with them at 7:30 on July 14<sup>th</sup> to discuss the zoning bylaws. Chairman Randall hoped that Mr. Bobrowski could be included by way of a speaker phone for that discussion.

Mr. Zubricki said that the subject of relocating the power and utility wires on the causeway was mentioned at a recent Chamber of Commerce meeting. He said that this issue had been addressed in the past. National Grid had agreed to put the wires underground, but only if the Essex residents would pay for the work through surcharges on their monthly energy bills.

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: \_\_\_\_\_  
Jeffrey D. Jones