

Present: Chairman A. Raymond Randall, Jr., 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. in the T.O.H.P. Burnham Public Library and announced that the Board would hear Public Comment.

A group of seven clammers, including Herbie Nunes, Ed Lane, Danny Doane, Bob Perrigo and Kelly Corrao, came before the Selectmen to ask about the Department of Public Works' recent placement of posts with a chain to block trailer access to Front Beach at Conomo Point. They said that launching or hauling boats is not always possible at Clammers' Beach on Joe's Creek because of the changing tides. If Clammers' Beach and Front Beach are not accessible, the boats would have to be put in/taken out at one of the remaining 5 launch sites in Essex, all of which are a lot farther away from the clam flats. [Selectman Lynch joined the meeting.] Mr. Zubricki explained that the Selectmen set the Town's policy for parking, etc. at Conomo Point and it has been the Selectmen's policy for many, many years to prohibit vehicle access to Front Beach from June 1<sup>st</sup> to October 1<sup>st</sup> each year to ensure the safety of children and adults using the beach during the summer season. The posts and chain have been installed in an effort to enforce this policy which is being ignored by many. After some discussion, a motion was made, seconded, and unanimously Voted to amend the Front Beach restriction to allow the clammers access to the Front Beach launch area before 8:00 a.m. and after 6:00 p.m. or in the event of an emergency. The clammers agreed to abide by the new restriction and to honor the posted parking restrictions at the Point. They thanked the Selectmen and left the meeting.

Police Chief Peter G. Silva appeared to recommend the appointments of Albert Digregorio, Alexander Edwards, James Smith, and Robert Hoffman to the position of Reserve Police Officer. Joining him were Albert Digregorio, Alexander Edwards, and Robert Hoffman. James Smith was not able to attend due to a previous commitment. Chief Silva introduced the candidates and gave a brief review of each of the four candidates' accomplishments and qualifications. Subsequently, a motion was made, seconded, and unanimously Voted to approve the appointments of Albert Digregorio, Alexander Edwards, and James Smith to Reserve Police Officer. A motion was also made, seconded, and unanimously Voted to appoint Robert Hoffman to Reserve Police Officer pending the successful completion of a drug and medical screen. (The other three candidates have already passed their drug and medical screens.) The Selectmen congratulated Mr. Digregorio, Mr. Edwards, and Mr. Hoffman on their appointments and signed the appointment cards. The Chief and the new appointees left the meeting.

It was announced that Ann White, the Director and Producer/Organizer of the Annual Essex Music Festival would be unable to attend tonight's meeting to update the Selectmen on the plans for the festival this coming Saturday.

Mr. Zubricki presented his Town Administrator's Report for the period covering

July 26<sup>th</sup> through August 8<sup>th</sup>, 2008, regarding the following items:

Emergency Training – Shellfish Department: Mr. Zubricki reported that the Shellfish Warden's boat has been marked "Harbormaster" and emergency flashing lights have been installed on the boat as previously requested by Chief Silva in an effort to give the appearance of additional patrols on the river and slow boaters down. The Shellfish Warden, who also holds an appointment as Assistant Harbormaster, has completed First Responder and CPR training. Chief Silva is now requesting that both Deputy Shellfish Wardens (who may be on duty when Warden Thistlewood is not) also complete the First Responder and CPR training and receive appointments to Assistant Harbormaster once their training has been completed. The Selectmen agreed and a motion was made, seconded and unanimously Voted to appoint Stephen Hartley and William Knovak Assistant Harbormaster upon the completion of First Responder and CPR training.

In a related matter, Mr. Zubricki said that there has been some confusion about where the Senior Center Van may be parked. The Selectmen reviewed a draft memorandum to the Council on Aging and a motion was made, seconded, and unanimously Voted to issue the memorandum stating that the van should be parked behind the Senior Center on a nightly basis and that it can be brought into position for loading and unloading of passengers as necessary at the dedicated loading/unloading area in front of the building. It was agreed that the van drivers should also receive the same First Responder and CPR training as the Shellfish Department.

Mr. Zubricki said that it has come to his attention that a person participating in one of the Senior Center programs had fallen while departing the van. He has notified the Town's insurance carrier of the incident and has explained to Senior Center /Council on Aging people that all accidents must be immediately reported to the Selectmen's Office for forwarding to the insurance company with no exceptions. Additionally, it has been suggested that a "911-only" cell phone be acquired for the Council on Aging to carry in the van for use in the event of an emergency.

Accrual of Clean Choice Program Funds: Mr. Zubricki reminded the Selectmen that the Town is presently accruing funding through the Massachusetts Technology Collaborative Clean Choice Program toward the purchase and installation of a solar power system for a municipal building. It was discovered that the town of Sharon is also in the program, but is accruing funding at an accelerated rate via a separate, private donations component. Mr. Zubricki reported that he has spoken with Sharon Town Officials regarding their participation in the program. However, Sharon has only just joined the program and had no information to offer. The Selectmen decided to monitor Sharon's progress while beginning the process of inquiring about the steps necessary to join the program. It was suggested that the Gloucester Daily Times reporter, Mike Farrell, might be interested in writing an article on Essex pursuing green energy.

General Topic Discussion with Legislators: Mr. Zubricki reported that he and Chairman Randall had met with Representative Verga, representatives from Senator Tarr's office and National Grid officials on July 28<sup>th</sup>. They discussed whether the removal of the utility poles from the causeway and the relocation of the utility wires underground could be part of the Route 133 Reconstruction Project that is scheduled to begin this Fall. National Grid said that it could be done, but either the Town would have to pay for the removal

and relocation outright or a 7.5% surcharge could be added to the ratepayers' utility bills to cover the cost. The State has already sent the reconstruction project out to bid and the present scope of the project does not include the relocation of the wires underground. Mr. Zubricki said that he walked the causeway with National Grid officials after the meeting. The officials did agree that they would be willing to remove and/or replace broken poles. It was also suggested that Verizon be asked to upgrade their equipment. The Selectmen decided that they did not want Essex residents to have a surcharge added to their monthly bills and that they did not want to risk interrupting the Route 133 Project since it would take years to get it back on the Transportation Improvement Program list.

Continuing the discussion of general topics covered at the July 28<sup>th</sup> meeting with State Officials, Mr. Zubricki said that Representative Verga felt that Essex would fare better if the Town banded together with other communities to form a coalition to request sewer rate relief from the State. Representative Verga's office will begin to coordinate that issue.

Also discussed was the difficulty of policing the digging limits set for the clambers. Due to cell phones and the fact that there are seven places in Town to launch and pull out boats, the Shellfish Warden has had difficulty enforcing the daily limits. Mr. Zubricki said that permission to access the shellfish weigh-in slips from local shellfish dealers would greatly facilitate the monitoring of clambers. To date, the Division of Marine Fisheries has been sympathetic, but non-committal about allowing the information to be shared with the Town. The Selectmen decided not to pursue access to the slips further.

Danny White appeared before the Selectmen with his Scout Advisor Mark Jordan to discuss his proposed Eagle Scout project. Danny would like to organize and oversee the repainting the outside and inside of the Pavilion at Centennial Grove after first repairing/replacing any rotten, missing or damaged boards. He anticipates that he will be able to obtain volunteer labor as well as donations to pay for the cost of supplies and materials. Danny provided the Selectmen with a written proposal which he illustrated with photographs showing the current appearance of the Pavilion. The Selectmen were very much in favor of his proposal and a motion was made, seconded, and unanimously Voted to approve the Pavilion Eagle Scout Project. Danny said that the project would commence in late September and probably be completed in a month. The Selectmen signed the assent papers and Danny and his Scout Advisor left the meeting.

Potential New Dog Control By-law Language: Mr. Zubricki presented the Selectmen with the samples that he has collected of Dog Control Laws in other towns. Selectman Lynch said that he would work on drafting a voice control amendment to the Town's existing Dog Bylaw that could be discussed at the next Selectmen's meeting. The amendment could be approved at a town meeting either in November or next May.

Chairman Randall said that he would like the Selectmen to meet with representatives of the School Committee on a regular basis about every two months. Mr. Zubricki agreed to coordinate a meeting for September 8<sup>th</sup>. The Selectmen also agreed to meet with the Finance Committee and the Youth Commission once the Town Accountant has completed her financial reports and certified free cash. The Selectmen will review Youth Commission financial data at their next meeting as a preliminary step.

The Selectmen discussed the lack of adequate parking at Farnham's on Eastern Avenue. Chief Silva has agreed to ask for more signage from the State to better indicate where customers may and may not park. Chairman Randall agreed to talk to Farnham's owners about posting an employee outside to ensure customers do not park in no-parking areas. Mr. Zubricki said that he would contact the owner of the South Essex Shopping Plaza and see if he would be willing to allow Farnham's customers to use his parking lot. And, the owner of neighboring Voyager Marine has offered the use of his parking on the weekends when his business is closed.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$87,132.34.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the July 28, 2008, Selectmen's Open Meeting.

The Selectmen reviewed a change of address on Chief Silva's contract and each initialed the change.

A motion was made, seconded, and unanimously Voted to sign the Town's updated Automobile Fleet Schedule, the Statement of Values Schedule, and the Special Property Supplement to be forwarded to the Town's insurance carrier (Massachusetts Interlocal Insurance Association).

Chairman Randall read and signed a thank you letter to Karen Bernier for preparing a professional real estate valuation of Crow Island.

The Selectmen reviewed a resignation letter from LynnAnne Hagar. A motion was made, seconded, and unanimously Voted to accept her resignation from the Youth Commission.

A letter from Martha Hoar was read. A motion was made, seconded, and unanimously Voted to regretfully accept her resignation from the Open Space Committee.

It was agreed that thank-you letters would be sent to both LynnAnne and Martha.

The Selectmen said that they would like to meet with the Chairs of all the Town boards and committees on September 22<sup>nd</sup> at the Senior Center. Mr. Zubricki agreed to coordinate the meeting and compile a list of invitees with phone numbers. Chairman Randall will contact each of the invitees personally as a follow-up to a written invitation that Mr. Zubricki has drafted.

Chairman Randall said that he will be continuing his discussion with Manchester representative Sue Thorne regarding the sharing of a Town Planner. The Selectmen agreed that a planner should only be used for "planning" and not for execution of administrative duties. They also agreed that they may have a better chance of interesting someone in the position by being able to offer full-time employment with benefits which they could do if the person is shared with Manchester. The Planning Board is currently working on a draft of the job description.

A motion was made, seconded, and unanimously Voted to approve retroactively a request from the Church of Jesus Christ of Latter Day Saints to waive the rental fee and to permit the use of Centennial Grove for a church picnic on Saturday, August 9<sup>th</sup>, 2008 between the hours of 12:00 noon and 6:00 p.m. Mr. Zubricki said that the church has asked for a project that the church members may perform in lieu of paying the rental fee. It was decided to ask the church members to consider painting the Concession Stand at the Grove and to perhaps coordinate their efforts with Danny White's Eagle Scout Pavilion Project.

A motion was made, seconded, and unanimously Voted to approve a request and to waive the rental fee from the Cape Ann Chamber of Commerce to hold the 15<sup>th</sup> Annual Essex Music Festival at Centennial Grove on Saturday, August 16<sup>th</sup>, 2008 between the hours of 12:00 noon and 8:00 p.m.

A motion was also made to approve a request from Union Trust Mortgage Corp. to rent Centennial Grove on Friday, August 22<sup>nd</sup>, between the hours of 11:00 a.m. and 6:00 p.m. for a company outing.

In their capacity as Licensing Board for the Town, motions were made, seconded, and unanimously voted by the Selectmen to grant the following requests for licenses:

Auction License:

- R.A. DiFillipo, d/b/a R.A. DiFillipo Auctions, for use on Tuesday, September 23<sup>rd</sup>, 2008, between the hours of 8:00 a.m. and 10:30 p.m. within the confines of 125 Main Street.

One-Day Entertainment License:

- Cape Ann Chamber of Commerce for use on Saturday, August 16<sup>th</sup>, 2008 between the hours of 12:00 noon and 8:00 p.m. within the confines of Centennial Grove. Vote to waive the licensing fee.

One-Day Wine and Malt License:

- Cape Ann Chamber of Commerce for use on Saturday, August 16<sup>th</sup>, 2008 between the hours of 12:00 noon and 8:00 p.m. within the confines of Centennial Grove. Vote to waive the licensing fee.
- Woodman's, Inc., Lawrence D. Woodman, manager, for use on Wednesday, August 20<sup>th</sup>, 2008, between the hours of 12:00 noon and 10:00 p.m. within the confines of 125 R Main Street.
- Union Trust Mortgage Corp. for use on Friday, August 22<sup>nd</sup>, 2008, between the hours of 11:00 a.m. and 6:00 p.m. within the confines of Centennial Grove for a company outing.
- Imaginary Beasts, c/o Matthew Woods for use on Friday, August 29, 2008 between the hours of 5:00 and 10:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.

The Selectmen were reminded that the next Board of Selectmen's meeting will take place at 7:00 p.m. on Monday, August 25<sup>th</sup> in the T.O.H.P. Burnham Public Library.

The Cape Ann Breakfast Club will meet on Friday, September 5 at 7:30 a.m. at Cruiseport Gloucester. The program will feature a debate between the candidates for the

office of Fifth Essex District State Representative. Selectman Lynch and Town Administrator Zubricki will attend.

The Essex Clamfest will take place on Saturday, October 25<sup>th</sup>, 2008 from 11:00 a.m. to 4:00 p.m. at Memorial Park.

Selectman Jones said that there is a citizens group conducting a campaign entitled "Mums the Word" and the group is soliciting donations and labor for planting chrysanthemums along town ways. A motion was made, seconded, and unanimously Voted to approve the expenditure of \$100.00 from the Selectmen's Planting Fund for this purpose. Mr. Zubricki said that he would contact the appropriate people.

There being no further 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