

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

Also present: Board of Health Chairperson Lynn Marchetti, Board of Public Works Superintendent Paul Goodwin, Board of Public Works Chairman Scott DeWitt, Board of Public Works member Paul Rullo, Conservation Commission Chairman Wally Bruce, Conservation Commission member Shirley Singleton, Finance Committee Chairman Jeffrey Soulard, Finance Committee member Richard Ross, Finance Committee member Karen Birch, Finance Committee member Mark McKenna, Deputy Fire Chief Dan Doucette, Deputy Fire Chief Paul Doucette, Library Director Debbie French, Open Space Committee Chairperson Julie Scofield, Planning Board member Juergen Dietrichson, Police Chief Peter G. Silva, Sergeant Paul Francis, School Committee member Susan Coviello, Town Accountant Roxanne Tieri, Town Clerk Sally Soucy, Treasurer/Collector Virginia Boutchie, School Committee/Youth Commission member Annie Cameron, Youth Commission Chairperson Tricia Soulard, Youth Director Marilyn Klypka-Simpson, and Youth Commission members Katrina Haskell and Jessica Yurwitz.

Chairman Randall called the meeting to order at 7:00 p.m. in the Senior Center on Pickering Street and announced that the Board would hear Public Comment. No one offered any comment.

Mr. Zubricki presented his Town Administrator's Report for the period covering September 6th through September 19th, 2008, regarding the following items:

Joint Project Planning Meeting: Mr. Zubricki reported that the Planning Board, Conservation Commission, and the Building Inspector have requested a joint meeting with the Selectmen to discuss coordination of efforts regarding an ongoing project on John Wise Avenue. The Selectmen agreed to the request and a motion was made, seconded, and unanimously Voted to ask Mr. Zubricki to arrange a joint meeting with the Planning Board Chair, the Conservation Commission Chair, the Building Inspector and the Selectmen as soon as possible.

Purchase of Backup Server: Mr. Zubricki said that the Cable I-Net Technology Fund has enough money in it to purchase a backup server to be placed at no expense to the Town at a remote location and he has confirmed with Town Counsel that it is permissible to use that money for the purchase. The Fund is set up as a grant account and further appropriation via Town Meeting approval is not necessary. The Finance Committee has suggested, however, that it might be better to use the fund money to purchase an on-line backup service instead. The on-line service would not be able to offer a site from which to conduct business in the event of an emergency. The purchase of a backup server was deemed to be more cost effective and a motion was made, seconded, and unanimously Voted to authorize Mr. Zubricki to make the purchase. Mr. Zubricki said that a technician from Edgewater Technology will be coming to the Town Hall to evaluate the Town's computer equipment and Mr. Zubricki will also discuss with him the selection of an appropriate backup server at that time.

Potential Replacement of Grove Beach Docks/Floats: Mr. Zubricki has been researching the repair/replacement of the docks and floats at Centennial Grove. It may be possible to merely replace the surfaces of the existing docks and floats rather than purchasing the entire assemblies. The Selectmen agreed to postpone making a decision until the items can be removed from the water and inspected. It is anticipated that the inspection will occur before the next Board of Selectmen's meeting on October 6th. Sources of funding for the repairs/replacement may come from the Grove Revolving Fund, Youth Commission Free Cash, Town Free Cash, or a combination thereof.

Heating Oil Bids: Mr. Zubricki reported that he had solicited three bids for provision of this season's heating oil for the Town Hall and only Foxhill Oil Company has responded. Foxhill is the Town's current provider. Their bid is for the same price as last year's bid at \$0.20 over the low daily Boston wholesale price. A motion was made, seconded, and unanimously Voted to award the contract to Foxhill Oil Co. and the Selectmen signed the contract.

Conomo Point Planning Discussion with DCR: Mr. Zubricki said that he and Chairman Randall had contacted Jessica Rowcroft from the Division of Conservation and Recreation. Ms. Rowcroft has offered to act in an advisory capacity and review the Town's RFP seeking a planner to assist with Conomo Point. She has also suggested that the Town investigate the Smart Growth Technical Assistance Grant Program. She will not be attending the Board of Selectmen's meeting on October 6th.

Town Hall Chimney Repairs: Mr. Zubricki has reviewed with our architect the repairs suggested by the company that recently inspected the Town Hall chimneys. The architect has expressed reservations concerning the anticipated scope of the work advocated by the inspection company and is recommending that any work that is done should be performed by a company experienced in the needs and requirements of historic preservation. The architect has furnished the name of a contractor with this experience and Mr. Zubricki will be meeting with him in the near future. While there is some money available to pay for repairs, it may be necessary to request additional money at the November Special Town Meeting. The chimney that is used for the Town Hall furnace will have to be repaired as soon as possible for safety reasons, but repair of the other two chimneys may be able to be postponed.

Joint Municipal-School Roundtable: Mr. Zubricki reported that this month's meeting on September 17th of officials from Essex and Manchester discussed sharing youth program offerings and the possibility of forming a regional youth program. At the meeting, Mr. Zubricki presented information he had gathered about Hamilton and Wenham's shared recreation program. Also discussed was the creation of a "Financial Working Group". This group would be composed of Judy Mulligan, the Superintendent, two School Committee members, two Selectmen, and two Finance Committee members (1 from each community). School Committee member Coviello was present and she informed the Selectmen that the District is no longer pursuing that initiative.

Quarterly Report: Mr. Zubricki has completed the Quarterly Report to the Department of Environmental Protection. A motion was made, seconded, and unanimously Voted to approve the report.

Appointment of Trench Permitting Authority: Mr. Zubricki said that Town Counsel is recommending that it is more advantageous to appoint the Board of Public Works rather than the Superintendent of Public Works as the Town's official Trench Permitting Authority. The Superintendent will, by delegation, perform the duties associated with the appointment. Aggrieved parties can appeal to the Board of Public Works. A motion was made, seconded, and unanimously Voted to appoint the BPW to the position of Trench Permitting Authority.

Cape Ann Emergency Planning Team Monthly Meeting: Mr. Zubricki attended the September meeting of the CAEPT. The Team would like to become a formally organized Regional Emergency Planning Committee (REPC) and they have requested the appointment of an Emergency Response Coordinator from Essex who would serve on the REPC board of directors. The ERC is typically either the Fire Chief or Deputy Chief and the Essex Fire Department is recommending Dan Doucette as a candidate. A motion was made, seconded, and unanimously Voted to appoint Deputy Fire Chief Daniel Doucette to the position of ERC.

At 7:30 p.m. Chairman Randall welcomed the chairpersons and members of Town boards and committees who were present and asked each person to introduce themselves and speak about their committee's needs and wishes for improvements and coordination of efforts.

Conservation Chairman Wally Bruce and member Shirley Singleton spoke about the need for a part-time Conservation Agent, the need to educate the public regarding conservation issues, the need for access to legal resources, and hope for better communication between boards. Ms. Singleton gave the Selectmen an educational brochure from the Town Ipswich about conservation and wetlands. She said their Conservation Committee would like to have something similar to give to Essex residents.

Planning Board member Juergen Dietrichson spoke about the need for the services of a professional planner and the many benefits that a planner would provide to the Town.

Library Director Debbie French said that the library could use another person to help with the increasing workload and new shelving to replace old, unsafe shelves.

Police Chief Peter Silva and Sergeant Paul Francis spoke about the Police Department's need for adequate space, well-trained personnel, and the acquisition of improved technology such as Incident Management software. As Harbormaster, the Chief said that he continues to work towards reorganizing available moorings for townspeople and visitors. He would also like to increase access to the town from the water.

Open Space Committee Chair Julie Scofield said that her committee could use more members to help with projects like grant-writing and that she wished for better communication between boards and committees.

Finance Committee Chairman Jeff Soulard said he is pleased that the Finance Committee now has, for the first time in a few years, a complete membership of seven. With more

people on the committee, they will be able to provide more assistance and guidance to other boards and committees regarding structuring of budgets and spending practices.

Board of Health Chair Lynne Marchetti said that her Board is extremely pleased that the Town voted for a part-time public health nurse. The nurse has been well received by the community and she has already organized several food clinics. The nurse is presently planning some heart healthy programs as well. The Board of Health is now seeking the means to provide supplies for the public health nurse, for health fairs and wellness projects. Ms. Marchetti also said that the boards needed to work together to make the process of obtaining a building permit more streamlined and clear to residents.

School Committee member Susan Coviello reported that the new Manchester school project is now 50 per cent complete, on time, and on budget. The School Committee is also anticipating that they will be receiving a significant reimbursement for some of the costs and the first \$10,000,000 has already been received. The annual school budget accounts for approximately 65% of the Town's tax dollars.

Scott DeWitt, the Chairman of the Board of Public Works, said that when the contract with Covanta for waste management expires in three years, the rate to renew is expected to increase dramatically. Superintendent Paul Goodwin agreed with the Chairman and said that the Town has a small number of people (approximately 985 users) over which to spread the rising costs for services, special projects, and chemical supplies.

Deputy Fire Chief Dan Doucette and Deputy Fire Chief Paul Doucette spoke about the Fire Department's need for adequate space. They said that they are limited in their purchasing decisions of specialty vehicles because of narrow and cramped garaging space. The current vehicles now have only about 2 inches of clearance. None of the public buildings in Town have generators and are therefore unsuitable for use during any kind of emergency. In order to come into NIMS compliance, more training is needed for firefighters and emergency responders. Also, it may be necessary in the near future to provide for a full-time person as opposed to a volunteer person to perform safety inspections on a regular basis and to meet Haz-Mat requirements.

Treasurer/Collector Virginia Boutchie said that her Department has been very busy formulating and establishing their written policies and procedures as mandated by the State. She said that due to the nature of the Department's work (handling cash, working with confidential matters, etc.), her Department should not be sharing office space with any other boards or committees. Currently, the Planning Board Clerk shares their space.

Town Accountant Roxanne Tieri said she would like a better storage facility for accounting records. The records are in boxes upstairs piled on the balcony of the Town Hall, along with records from other departments.

Youth Commission Chair Tricia Soulard said that they would like to have more members to help with programs, etc. It was generally agreed by everyone that many of the committees would like to have more members.

Chairman Randall thanked everyone for coming and said that the Board of Selectmen and the Town Administrator would take into consideration all that had been said.

Everyone left the meeting except for the Finance Committee members, the Town Accountant, the Youth Commission members, the Youth Director, the Superintendent of Public Works, the Chairman of the Board of Public Works, the Board of Selectmen, the Town Administrator, the Selectmen's Assistant and the Gloucester Daily Times Reporter.

Finance Committee Chairman Jeff Soulard said that last March when the Youth Commission's budget had been restructured, it had been anticipated that there would be a deficit. Now the figures from the summer program are in and the Town Accountant has prepared an analysis based on the past six years of operations. This analysis shows that even in an optimum year there is a funding deficit that in the past has been funded by the Town. The Finance Committee does not feel that it can justify the Town's continuing to fund this gap and is recommending that the Youth Commission needs to make its program more efficient and to establish stronger internal controls and possibly try to outsource some of the smaller tasks to volunteers. They are also recommending that the Youth Director's hours be decreased from 20 hours a week to 15 hours. Currently, there is Youth Commission Free Cash from past years that could be used to fund the deficit this year, but not on an ongoing basis. The use of this money would have to be approved at the Special Town Meeting in November.

Youth Commission Chair Tricia Soulard and Commission members Annie Cameron and Jessie Yurwitz said that they do not understand how the enterprise fund is supposed to work and they are having difficulty interpreting the Town Accountant's monthly budget reports.

After some discussion, the Selectmen charged the members of the Youth Commission to report back to them whether or not they felt that the Town should continue to fund the Youth Commission's annual shortfall of approximately \$35,000 when the Town already has so many other pressing needs, especially considering the current downturn in the economy.

Vince Tulloch, an Essex resident and former Youth Commission member, spoke strongly in favor of the Youth Program. He said that the great benefit to the children should be considered when evaluating the program.

The Finance Committee members, the Town Accountant, the Youth Director, the Youth Commission members, the Gloucester Daily Times Reporter and Mr. Tulloch left the meeting.

At 9:11 p.m., citing the need to discuss strategy with respect to possible litigation, the Chairman entertained a motion to move to Executive Session. He said that the Board would be returning to Open Session and invited Superintendent Paul Goodwin, Board of Public Works Chairman Scott DeWitt, and Town Administrator Brendhan Zubricki to attend. The motion was made, seconded, and per a unanimous Roll Call Vote, the Board moved to Executive Session.

The Board returned to regular session at 9:32 p.m. Paul Goodwin and Scott DeWitt left the meeting.

Draft Special Town Meeting Warrant: Mr. Zubricki reviewed the proposed list of articles for the November Special Town Meeting which now incorporates changes made at the last Selectmen's meeting and additional requests from other Town departments. The warrant is expected to be finalized at the next Selectmen's meeting on October 6th.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$50,583.74.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the September 8th, 2008, Selectmen's Open Meeting. A motion was also made, seconded, and unanimously Voted to approve and sign the minutes for the September 8th, 2008, Selectmen's Executive Session.

The Selectmen considered a request to remove a dead tree at 87 Conomo Point Road (Map 19, Lot 117). A motion was made, seconded, and unanimously Voted to ask Mr. Zubricki to inform the lessee at 87 Conomo Point Road that the Selectmen have approved her request to remove the tree at her own expense.

The Selectmen signed a congratulatory letter to Treasurer/Collector Virginia Boutchie on her successful completion of the State's treasurer's exam.

The Selectmen reviewed a request from North Shore United Way to erect a United Way thermometer on Town Hall property to the left of the driveway in late October. This is a different location from past years. The Selectmen asked Mr. Zubricki to coordinate placement of the sign with United Way to make sure that the thermometer would not be placed near the Manchester-Essex Rotary sign.

A motion was made, seconded, and unanimously Voted to approve a request from Lisa Fudge and her family to pass over Essex roads for the 2nd annual Stephen Hancox Memorial Motorcycle Run & BBQ Benefit on October 4th, 2008.

A motion was made, seconded, and unanimously Voted to appoint Daniel Fialho to the Auxiliary Fire Department as recommended by the Board of Engineers and the Auxiliary Fire Chief. The Selectmen signed the appointment card.

The Selectmen considered a request to use the Grove for overflow parking resulting from a private party at a Western Avenue business on Saturday, October 11th from approximately 4:00 to 8:00 p.m. A motion was made, seconded, and unanimously Voted to approve the overflow parking in the lower lot at the Grove. They asked Mr. Zubricki to inform the applicant that they have approved his request, but strongly urge him to hire a private duty police officer for the event, especially if alcohol is going to be served. They asked Mr. Zubricki to find out if a shuttle service would be employed to ferry party-goers back and forth.

A motion was made, seconded, and unanimously Voted to approve the request for an Auction License by Michael March, d/b/a Blackwood March Antiques, for use on Wednesday, October 15th, 2008, between the hours of 4:00 p.m. and 11:00 p.m. within the confines of 125 Main Street.

The Selectmen were reminded of the following events:

- The Essex Division of the Cape Ann Chamber of Commerce will meet on Tuesday, September 23rd, at 8:00 a.m. at the Cape Ann Golf Course on John Wise Avenue. Mr. Zubricki will attend.
- The next Cape Ann Caucus will be held on Friday, September 26th, at Periwinkles, starting at 8:00 a.m.
- The next Board of Selectmen's meeting will take place at 7:00 p.m. on Monday, October 8th in the Library.
- The Essex Clamfest will take place on Saturday, October 25th, 2008 from 11:00 a.m. to 4:00 p.m. at Memorial Park.
- There will be a celebration of Michael Costello's career and retirement on Wednesday, November 19, 2008 at Cruiseport Gloucester, featuring a cocktail hour and dinner.
- The Essex Holiday Festival is scheduled for December 4 through 6, 2008.

Mr. Zubricki said that the Shellfish Warden has requested that he be allowed to drive the Town Shellfish Warden's truck to his home in Byfield and back on the days that he works daily double tides. He would drive his truck to Essex for the first tide of the day, then take the Town truck home and return in it for the second tide of the day. At the end of the day, he would return home in his own truck. Double tides occur about ten days out of every month. After some consideration, the Selectmen decided to deny the Warden's request.

There being no other business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 10:25 p.m.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Jeffrey D. Jones