

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 Times Reporter Amanda Flitter.

Also Present: Finance Committee Chairman Jeffrey Soulard, Fin Com member Richard Ross, Fin Com member Ed Lafferty, Police Chief Peter Silva, Sergeant Paul Francis, Board of Public Works Superintendent Paul Goodwin, Board of Public Works member Walter Rich, Youth Commission Chair Annie Cameron, Shellfish Constable Paul Thistlewood, Shellfish Deputy Constable Steve Hartley, Shellfish Deputy Constable William Knovak, Shellfish Advisory Board member Lawrence Woodman, Shellfish Advisory Board member Keith Woodman, Shellfish Advisory Board member Robert Fitzgerald, and clammers Ed Lane and Dean Rossi.

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. No one offered any comment.

Brendhan Zubricki presented his Town Administrator's Report for the period covering October 4<sup>th</sup> through October 17<sup>th</sup>, 2008, regarding the following items:

Town Hall Chimney Work: Mr. Zubricki reported that it will be possible to switch the boiler flue piping to another nearby chimney in the Town Hall. This will mean that the chimney currently in use only has to be taken down to the roof line and capped over without having to be rebuilt. The bricks will be stored in the basement of the Town Hall until such time as the Town can afford to renovate the building in its entirety to historic standards. However, the Town needs permission from the Massachusetts Historical Commission and the Essex Historical Commission before any work is done since the Town Hall is on the National Register. Mr. Zubricki presented a draft permission request letter to the Historical Commissions for the Selectmen's review. A motion was made, seconded, and unanimously Voted to approve and sign the letter. Once permission is granted, Mr. Zubricki will contact the mason and make arrangements to get the work completed as soon as possible in the interest of public safety. The winter heating season has already begun and it is hoped that the work will not interfere with heating the Town Hall.

Potential Conversion of Town Hall to Natural Gas Heating Fuel: Mr. Zubricki has found that it would be possible to convert the Town Hall to a gas fueled heating system. However, the Town would have to bear the cost of purchasing new baseboard hot water radiators for the entire Town Hall, removing the old system, and installing the new one. The only incentive that the gas company is offering at this time is possibly some assistance with the purchase of a new gas fired boiler or a rebate in the amount of about \$2,000. Based on Mr. Zubricki's analysis, there would be almost no fuel cost savings if the conversion is made, since the Town would have to invest a lot of money for the retrofit of a drafty building that the Town may or may not continue to use in the future. The Selectmen agreed not to pursue the idea at this time.

Special Town Meeting Motions: Mr. Zubricki reviewed the warrant articles and their corresponding motions and dollar amounts with the Selectmen, the Finance Committee members, the Police Chief and the Sergeant, and the Board of Public Works Superintendent and BPW member Walter Rich. It was agreed, among other items, that articles dealing with the purchase of a new Police cruiser and additional funding for fuel will be indefinitely postponed. Further, the Selectmen and Finance Committee members informed the Public Works representatives that funding for a recent increase with respect to Water Department chemicals would need to come from the Water Department's own free cash. It is possible that the Selectmen may support the use of General Fund Free Cash for a Water Filtration Plant generator in the future, since that is a capital item. Adjustments were made to the final motions based on the discussion.

Superintendent Paul Goodwin, BPW member Walter Rich, and Finance Committee members Ed Lafferty and Richard Ross left the meeting.

At 7:30 p.m., Shellfish Advisory Commission members Lawrence Woodman, Robert Fitzgerald and Keith Woodman, Constable Paul Thistlewood, and Deputy Constable Steve Hartley came before the Selectmen to discuss the perceived merits and/or disadvantages on the Town's shellfish industry of the following practices: net seeding, required volunteer seeding, rotation of open clam flats on a regular basis, and implementation of a sliding shellfish harvest quota.

There are two types of seeding that involve nets. The first method lays down seed clams and then covers them with nets to protect them from predators and keep them in place. The second method merely utilizes nets placed on the beds that will catch the seed already in the area and hopefully keep it in place. It was agreed that both methods have proven to be effective.

It was reported that the State of Maine has a program that offers a discount on the purchase of a shellfish license to those who volunteer to plant seed clams for a specified number of hours. An alternative possibility would be to enlist school children to help with reseeded as part of their community service requirement.

Rotation of the clam flats was not thought to be very useful. In the past when a flat has been reopened after a period of closure, it has drawn a large number of clammers, resulting in almost immediate depletion of the flat. Flats that are over-harvested take a long time to recover.

There is already a fixed adjustment in place for digging limits based on rainfall, etc. The Selectmen asked the Advisory Commission to meet and determine the changes to the parameters that they would like to see made, including a sliding digging limit/rainfall scale, and then present their recommendations back to the Selectmen.

The clammers are in agreement that one of the biggest problems the industry faces is the proliferation of the green crab, a natural predator of clams. They would also like the Selectmen to consider raising the limit on the number of pounds of clams that can be harvested on a daily basis. The current limit has been unchanged for a number of years.

The Selectmen suggested that the Shellfish Advisory Commission set up a meeting with the specialists at Cat Cove Lab in Salem. The Shellfish Advisory Commission and the Selectmen will meet December 1<sup>st</sup> at 7:30 p.m. Topics for discussion at that time will include reseeding options and methods of controlling the green crab population.

Robert Fitzgerald agreed to be the liaison between the Selectmen and the Shellfish Advisory Commission until the Commission can elect a chairman. Mr. Zubricki reminded the Commission that they need to post their meetings before they meet. The Selectmen's Assistant will post the Shellfish Advisory Commission for the December 1<sup>st</sup> meeting with the Selectmen.

Lawrence Woodman, Keith Woodman, Robert Fitzgerald, Dean Rossi, and Ed Lane left the meeting.

Annie Cameron, the Chair of the Essex Youth Commission, appeared before the Selectmen to present an update on the Commission's progress to date. The Youth Commission is currently attempting to put new policies and procedures in place to deal with certain risk assessment and budgetary issues. The Commission has voted to fund the current FY2009 shortfall with Youth Enterprise Free Cash. The Commission would also like the Selectmen to consider transitioning the Youth Commission into a Parks and Recreation Department. The Commission is working with the Finance Committee, the Treasurer and the Town Accountant to ensure implementation of correct procedures and controls to use when dealing with summer program revenue and summer program supplies. The Selectmen said that it is the Youth Commission's responsibility to alert the Selectmen to any unsafe property conditions at the Grove. Mr. Zubricki will contact the Town's insurance company next Spring to ask for a review of possible safety issues at the Grove property in relation to the summer program. Ms. Cameron said that she would like to see a working bathroom at the Grove with running water. Currently, the Town rents porta-johns that are placed at the Grove and the Field of Dreams during the Spring, summer and early Fall months.

The cottage at the Grove is frequently vandalized due to its remote location. It has been suggested that the cottage should be sold to a private party and the proceeds used to enhance the remaining property at the Grove. If the cottage became a year-round residence, it is perceived that vandalism at the Grove would decline.

In another matter, Annie told the Selectmen that the Commission would like to hold a bonfire behind the Town Hall on Halloween. The Selectmen said they would take it under advisement.

The Youth Commission is very much in favor of having quarterly, joint meetings between the Selectmen and the various Town boards and committees at the Essex Elementary School where there is plenty of room, to keep everyone informed, including the public, about what is going on in the Town.

Ms. Cameron thanked the Selectmen and left the meeting.

Police Chief Peter G. Silva and Sergeant Paul Francis next appeared before the Selectmen to present a Quarterly Report regarding the Department's goals and objectives. They

continue to work towards obtaining certification of the Department. Sergeant Francis is Project Manager and has allocated two days per week to certification tasks. Items to be addressed in order to meet certification criteria include the formulation and implementation of specific policies and procedures, and maintaining a certain level of standards in several areas such as the use of firearms, evidentiary procedures, and emergency operations. They continue to work towards scheduling additional training for everyone in the Department to ensure that the new standards will be achieved and maintained in all areas. Chief Silva anticipates that it will take from two to three years of diligent effort by all involved to achieve certification of the Department.

The Police Department is desperately in need of adequate office space in which to operate and has recently leased storage space at the Essex Mini Storage on Western Avenue. The possibility of publishing the Ad Hoc Building Study Committee's findings on the website was discussed as a means to keep the public informed about the Committee's progress. Chief Silva does not believe that it is feasible to renovate the existing Fire Station to meet the needs of both the Fire Department and the Police Department.

Chief Silva distributed a recap of his budget to date for the Selectmen's and Fin Com Chairman Jeffrey Soulard's review. Selectman Lynch asked if the budget report could be reformatted to more clearly present comparisons between budgeted and actual amounts spent to date with a variance column. Mr. Soulard said he would work with the Town Accountant on the presentation. Concern was expressed over the continuing escalation of the cost of fuel. None of the vendors in Town offer a discount to the Town for fuel purchases. A suggestion was made to investigate the ideas of bulk purchasing by the Police, Department of Public Works, and the Fire Department and/or organizing a group purchase among nearby towns.

Chief Silva, Sergeant Francis, and Fin Com Chair Jeff Soulard left the meeting.

Town Clerk Sally Soucy appeared before the Selectmen to request approval of the State Warrant for the Presidential election. A motion was made, seconded, and unanimously Voted to approve and sign the Warrant for the State Presidential Election on November 4, 2008. The Town Clerk left the meeting.

Approval of Community Preservation Committee By-law: The Attorney General has approved the Community Preservation Act that was passed by the Town at a past Annual Town Meeting. The Town now has 30 days to appoint a CPA Committee to oversee the use of collected CPA funds. The 30-day limit expires on November 6<sup>th</sup>, 2008. The Board of Selectmen is allowed to appoint two of the committee members. The remaining committee members will include one person from the Conservation Commission, one person from the Housing Authority, the Superintendent of the Board of Public Works, one person from the Essex Historical Commission, and one person from the Planning Board. Mr. Zubricki said the Town Treasurer is still interested in serving on the committee. The Selectmen would like their second committee appointment to be a member of the Finance Committee. The other members chosen so far include Diane Polley from the Housing Authority, Scottie Robinson from the Planning Board, and Stephan Gersh from the Conservation Commission.

Safe Routes to School Infrastructure Assessment: The School is now eligible to apply for funding since they have been participating in the program for over a year. The first step is to make a formal request for an assessment of the Town's needs. The School Principal Eric Gordon will prepare the application data form, but a letter of support from the Selectmen is also needed as part of the application. A motion was made, seconded, and unanimously Voted to approve and sign the letter of support prepared by Mr. Zubricki. Mr. Zubricki will work with the Principal to ensure that the application is completed and filed before the November 7<sup>th</sup> deadline. If the assessment determines that there is a high priority, then the Town may proceed to request Federal funding.

The Selectmen decided to postpone discussion of a letter they received from a Conomo Point resident expressing concerns about traffic at Clammers' Beach. They asked Mr. Zubricki to ask the writer and Richard Osborn to a future Board of Selectmen's meeting to discuss the issues.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$83,149.00.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the October 6<sup>th</sup>, 2008, Selectmen's Open Meeting. A motion was also made, seconded, and unanimously Voted to approve and sign the minutes for the October 6<sup>th</sup>, 2008, Selectmen's Executive Session.

The Selectmen reviewed information regarding Ballot Question #1 and asked Mr. Zubricki to work with Manchester and the School District to develop an informational "fact piece" on the subject that could be published in the local press.

A motion was made, seconded, and unanimously Voted to approve the appointment of Steve Hartley to Harbormaster's Assistant now that he has successfully completed his emergency training.

A motion was made, seconded, and unanimously Voted to approve the Lions request to hold their 27<sup>th</sup> Annual Turkey Trot Road Race and Fun Walk on Sunday, November 23, 2008. The Selectmen signed the forms requesting permission from the State to pass over State Roads. Selectman Lynch, a member of the Lions Club, recused himself from the discussion of the Road Race and the voting.

A motion was made, seconded, and unanimously Voted to approve the Youth Commission's request to hold their Annual Holiday Festival on Thursday and Friday, December 4<sup>th</sup> and 5<sup>th</sup>, 2008 on Town Hall grounds. The Selectmen signed the forms requesting permission from the State to pass over State Roads.

The Selectmen ratified the approval of an Entertainment License for the Steam Muster that was sponsored by the Essex Historical Society and Shipbuilding Museum on Saturday, October 18<sup>th</sup>, 2008, between the hours of 9:00 a.m. and 4:30 p.m. within the confines of the Shipyard at 66 Main Street.

The Selectmen reviewed Sally Dort's resignation letter from the Council on Aging. A motion was made, seconded, and unanimously Voted to accept her letter.

A motion was made, seconded, and unanimously Voted to approve a request from the First Universalist Church to hold their Annual Lantern Walk and campfire at Centennial Grove on Saturday, November 8<sup>th</sup>, 2008 from 4:30 to 9:00 p.m. A motion was made, seconded, and unanimously Voted to waive the customary fee for use of the Grove. The Church will also need approval from the Fire Department for the campfire.

The Selectmen were reminded that the Essex Clamfest and Health Fair will take place on Saturday, October 25<sup>th</sup>, 2008 from 11:00 a.m. to 4:00 p.m. at Memorial Park.

The Cape Ann Breakfast Club will meet on Friday, October 31, 2008, at 7:30 at The Elks at Bass Rocks in Gloucester. The featured program will be a debate, "2008 Ballot Question One – The Repeal of the State Income Tax, Trick or Treat?" Selectman Jones and Mr. Zubricki will be unable to attend. Chairman Randall and Selectman Lynch will attend.

The next Board of Selectmen's meeting will be held in the Teachers' Lounge at the Essex Elementary School at 6:30 p.m. on Monday, November 3<sup>rd</sup>, 2008, prior to the Special Town Meeting that will commence at 7:30 p.m.

The Holiday Meeting of the Massachusetts Collectors and Treasurers Association will be held at the College of the Holy Cross in Worcester at which time Virginia Boutchie will be awarded a certificate designating her as a Certified Massachusetts Municipal Treasurer on Wednesday, December 10<sup>th</sup>, 2008.

There being no other business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 9:28 p.m.

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

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