

Present: Chairman A. Raymond Randall, 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. There was no one present from the public.

Brendhan Zubricki presented his Town Administrator's Report for the period covering February 7th, 2009 through February 20th, 2009, regarding the following items:

Town Building Committee Charge and Organization: Mr. Zubricki presented a draft charge for the new Town Building Committee that had been reviewed by the Selectmen and the members of the committee. A motion was made, seconded, and unanimously Voted to approve the charge for the Town Building Committee to read as follows:

The charge of the Town of Essex Building Committee ("Committee") is threefold: First, the Committee shall develop and review building use options and estimated costs for the Essex Town Hall, to include but not be limited to renovating to code and ADA requirements the existing facility for continued use as town offices and library, or town offices only, or library only, and finally, for potential uses by a third party. Any recommendation should include a cost-benefit analysis for each of the options chosen to review by the committee followed by a recommendation for best-use of the facility. Further, the Committee is charged to create and analyze a plan to develop and construct Town offices, a police station, and a library, either as stand alone options or in conjunction with one another, on the Town-owned land abutting John Wise Avenue. Further they should review options for the renovation and/or reconstruction of the existing fire station at 24 Martin Street for uses as a stand alone fire facility, a police and fire station and/or police station, town offices and fire station. Each facet of this charge must consider the impact of the location on the services provided by the T.O.H.P. Burnham Library, the fire department, the town offices and the police department to the residents of the Town of Essex as well as the long term economic impact on the Town and its finances.

The Selectmen asked Mr. Zubricki to forward the official charge to the committee and to ask the committee to schedule a meeting to elect a chair, discuss their charge and for the chair to report back to the Selectmen.

Conomo Point Planning Committee Input: Selectman Lynch reported that the Conomo Point Planning Committee had met recently to discuss the Horsley Witten draft proposals for the future of Conomo Point. The CPPC have prepared a list of questions which Selectman Lynch has forwarded to Horsley Witten. Mr. Zubricki will contact Horsley Witten to find out when the answers will be available. In the meantime, the Selectmen asked Mr. Zubricki to email the CPPC members a summary of his recent conference call

with the Department of Environmental Protection and Horsley Witten regarding future uses of Conomo Point.

Essex Youth Commission Initiatives: Mr. Zubricki reminded the Selectmen that at their last meeting, former Youth Commission members had presented a list of suggestions to improve the offerings of the Town's Youth Program which included funding for a focus group to assess Town needs for youth activities, the creation of a board of directors to manage the summer program, and the adoption of health and safety guidelines to be used in auditing the summer program (both the program and the site of the program). Manchester has said that they have no health and safety standard guidelines in place for their summer program. The Selectmen asked Mr. Zubricki to seek a third party volunteer to take charge of applying a health and safety audit/checklist of the summer program for this season. The portion of the audit checklist for the site used for the program will be implemented at a later time. However, administrative standards can be reviewed this season. Mr. Zubricki said that he has not received a list of proposed new programs from Jessica Yurwitz. The Selectmen reviewed a note from the Youth Director and asked Mr. Zubricki to remind the Youth Director that she reports directly to Mr. Zubricki and that Mr. Zubricki will manage any concerns or questions she may have.

Virtual Town Hall Advisory Board: The creator of the Town's website has asked Mr. Zubricki to serve on its municipal advisory board as a volunteer and Mr. Zubricki has agreed pending approval from the Selectmen. A motion was made, seconded, and unanimously Voted to approve Mr. Zubricki's request to serve on the Virtual Town Hall's Advisory Board.

Consulting Planner Contract: Mr. Zubricki has been working with Town Counsel and Community Investment Associates of Ipswich to finalize the consulting contract language. A motion was made, seconded, and unanimously Voted to approve and sign the contract pending final resolution of the contract language.

Presentation of Loss Control Award: Mr. Zubricki said that the Town has received a Loss Control Award again this year from the Town's insurance carrier, MIIA. However, MIIA has indicated that they would like to present the award in person at a Selectmen's meeting. The Selectmen asked Mr. Zubricki to schedule the presentation for an April Selectmen's meeting.

Draft Annual Town Meeting Warrant: Mr. Zubricki reviewed the draft of the articles to be included in the Annual Town Meeting in May.

Mr. Zubricki reported that he and Chairman Randall had met earlier in the day with Senator Bruce Tarr and Representative Ann Margaret Ferrante and representatives of the Office of the Inspector General in Boston to discuss a public/private partnership idea for a new Town office building and Police Department. The Town may be able to avoid the need for public bidding using an approach similar to that currently used by Charter Schools. Also discussed at the meeting was funding for the repairs to the outside of the Town Hall from the President's stimulus package, funding from the Seaport Bond Bill to improve water access in the downtown area, and Verizon improvements to Town service including the addition of FIOS. Chairman Randall and Mr. Zubricki assured Senator Tarr that the Town Hall repair project is top priority and is "shovel ready". They also spoke to

Senator Tarr about the possibility of the Library expanding into the entire first floor of the Town Hall and remodeling the second floor for use as affordable housing for seniors. Representative Ferrante has arranged for the director of the Seaport Advisory Council to visit with Town officials next month to discuss the needs of the Town in relation to the Town's waterfront. Senator Tarr has suggested that he would like to organize a coalition of other towns on the North Shore to petition Verizon to install the local equipment necessary to offer FIOS.

Special Town Meeting Motions: The Selectmen reviewed the three articles on the warrant for the March STM. It was agreed that Chairman Randall would present the Town Clerk Article, Treasurer/Tax Collector Virginia Boutchie would present the Community Preservation Article, and Finance Committee Chairman Jeff Soulard would present the Free Cash to General Fund Article.

The Selectmen inquired about the status of past articles being submitted to the Attorney General for review. Mr. Zubricki reported that the Town Clerk is still working on submitting the rest of the articles and that one package already submitted has been lost by the State. The Selectmen asked Mr. Zubricki to call the Attorney General to ask what the Town could do to expedite the recovery and approval of the lost package.

In other business a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$76,405.93.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the February 9, 2009, Selectmen's Open Meeting.

The Selectmen reviewed a letter from several interested parties regarding a proposed new home for the Essex Hand Tub in the Old Railroad Freight House by the Legion Hall on Main Street. It was suggested that perhaps Community Preservation money could be used to fund the project which would include moving the Freight House from Island Road to Main Street. Selectman Lynch volunteered to speak to Ed Howard, a representative of the group, to discuss the project in more detail.

A motion was made, seconded, and unanimously Voted to approve the reappointment of Pam Stone as Animal Health Inspector. The Selectmen signed the appointment card.

The Selectmen reviewed an invitation letter from the Essex National Heritage Commission to become an Ex Officio member of the Commission. No action was taken on the letter.

The Selectmen signed a Waiver and Release for Sponsorship for the Police Training Academy for Daniel Bruce which was previously voted at the BOS meeting of 2/9/09.

A motion was made, seconded, and unanimously Voted to approve the following requests for permits and licenses:

Auction Permits:

- Michael March, d/b/a Blackwood March Auctions for use on Wednesday, March 25th, 2009, between the hours of 4:00 p.m. and 11:00 p.m. within the confines of 125 Main Street.

- Frank Kaminski, d/b/a Kaminski Auctions, for use on Saturday, February 28th, 2009, between the hours of 10:00 a.m. and 5:00 p.m. within the confines of 125 Main Street.
- Frank Kaminski, d/b/a Kaminski Auctions, for use on Sunday, March 1st, 2009, between the hours of 10:00 a.m. and 5:00 p.m. within the confines of 125 Main Street.

One-Day Entertainment License:

- David Brown, Essex Shipbuilding Museum for use on Saturday, February 28th, 2009, between the hours of 6:00 and 11:00 p.m. within the confines of the Waterline Center at 66 Main Street.

Chairman Randall and Selectmen Lynch reviewed a letter from Maria Burnham regarding the creation of an overlay district. Selectman Jones recused himself from the discussion. Selectman Lynch said he would draft a response to be reviewed by Chairman Randall. A motion was made, seconded, and unanimously Voted to sign and send the letter pending agreement as to the final draft by both Chairman Randall and Selectman Lynch.

Mr. Zubricki reported that Town Counsel is still reviewing the Pallazola decision.

Selectman Jones reported that the Playing Fields Committee meeting scheduled for this Wednesday has been cancelled.

The Selectmen were reminded that the Long Term Planning Committee will be meeting on Tuesday, February 24, 2009 at the Senior Center at 7:00 p.m. Mark Racicot from the Metropolitan Area Planning Council has been rescheduled to speak about M.G.L. Ch. 43D, a tool for targeted economic development. Chairman Randall will be attending the meeting.

None of the Selectmen will be able to attend the Cape Ann Chamber of Commerce Evening Business Exchange that will take place on Tuesday, February 24th from 5:00 to 7:00 p.m. at the Manchester Athletic Club.

The next Board of Selectmen's meeting will be held on Monday, March 9, 2009, at 6:30 p.m. in the Teachers' Lounge at the Essex Elementary School prior to the Special Town Meeting in the cafetorium at 7:30 p.m.

Finance Committee Chairman Jeff Soulard, Finance Committee member Ed Lafferty, and Town Accountant Roxanne Tieri appeared before the Selectmen to discuss the progress made on the proposed FY 2010 budget. Chairman Soulard handed out and reviewed a list of proposed adjustments to certain line budget items which were discussed by all at length. It was agreed that better management of the school budget is essential. The Finance Committee will continue to work on the budget and will update the Selectmen at their next meeting on March 9th, 2009. The Selectmen thanked everyone and Jeff, Ed, and Roxanne left the meeting.

Citing the need to discuss contract negotiations and real property, Chairman Randall entertained a motion to move to Executive Session. He said that the Board would not be

returning to Open Session and invited Town Administrator to attend. The motion was moved, seconded, and by a unanimous Roll Call Vote the Board moved to Executive Session at 9:20 p.m.

The Board returned to Open Session at 9:40 p.m.

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