

Present: Chairman A. Raymond Randall, Selectman Mark W. Lynch, Selectman Jeffrey D. Jones, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also present: Treasurer/Collector Virginia Boutchie, Fire Deputy Chief Dan Doucette, Fire Deputy Chief Paul Doucette, Planning Board Chair Kim Drake, Essex resident Steve Hemeon, Town Building Committee Chair Lisa O'Donnell, Essex resident Jay Ramsey, Town Building Committee member Sara Richards, Board of Public Works Commissioner Paul Rullo, Open Space Committee Chair Julie Scofield, Police Chief Peter G. Silva, Finance Committee Chair Jeff Soulard, and Town Accountant Roxanne Tieri.

The Chairman called the meeting to order at 7:00 p.m. in the cafetorium of the Essex Elementary School on Story Street and announced that the Board would hear Public Comment.

Paul Doucette said that he would like to announce that there is about \$530 left over in the Knowlton War Memorial Fund and that the Fire Department would like to donate it towards a new flag pole to replace the one next to the Memorial Stone in Memorial Park. The flag pole costs just over \$500, but the delivery charges will be about \$300-\$400. After some discussion with BPW Commissioner Paul Rullo, a motion was made, seconded, and unanimously Voted by the Selectmen to split the delivery costs of the flag pole between the Selectmen and the Board of Public Works.

Steve Hemeon appeared before the Selectmen to request a waiver of the application deadline for a 2009 clamming permit. A motion was made, seconded, and unanimously Voted to waive the deadline for Mr. Hemeon and the Selectmen signed his application. Mr. Hemeon left the meeting.

Chairman Randall thanked everyone for coming to the meeting and said that the purpose of the meeting was to allow the departments to update everyone on the activities of their departments and to voice any concerns or thoughts they may have.

Open Space Committee Chairperson Julie Scofield opened the discussion by saying that she would like the Selectmen to preface tonight's discussion by reviewing current events in Town and commenting on possible future issues.

Chairman Randall said that the Town is struggling to deal with the anticipated fiscal situation which is expected to become more critical in future years due to the recent economic downturn. This will impact the Town in a number of ways such as decreased growth and revenue.

Mr. Randall said that the Town will be benefiting from the filming of a movie at Centennial Grove. The movie company has made a substantial monetary contribution to the Town, as well as cash donations to various groups who regularly used the Grove to assist them in finding alternative sites for their activities this year. The company will be renovating the Grove Cottage and at least one of the parking lots at the Grove. Additionally, the movie people will be spending money at the various business

establishments in Town such as the restaurants, shops, etc. Mr. Zubricki and Town Counsel were instrumental in negotiating the contract between the Town and the movie company. Seventy-five percent of the movie will be shot in Essex.

Some of the residents have asked if the old Town beach on Red Gate Road could be used this summer since the beach at the Grove will be off limits while the filming is taking place. The Selectmen are continuing to assess the feasibility of this suggestion. Mr. Zubricki will be talking to the Conservation Commission regarding the possible placement of sand above the shoreline at the Red Gate Road beach to enhance the beach area.

Chairman Randall talked about the inadequacies of the existing Town buildings that serve the Fire Department, the Police Department and the Town offices and the need to seek solutions to allow all departments to perform their daily operations in a professional, competent manner in a safe environment.

Chairman Randall said that the future of Conomo Point is also of great concern. The leases are ending in 2011 and that will mean reduced revenue to the Town and possible legal expense. The Selectmen have been considering the benefits of using mediation to help with the transition period. He also mentioned that the Horsley Witten Group has been hired by the Town to suggest and plan future uses for Conomo Point. Selectman Lynch said that there will be two articles about Conomo Point on the warrant for the coming Annual Town Meeting: one will ask the Town if it is in favor of considering mediation to determine the future of Conomo Point and the other will seek to ensure that all members of the Conomo Point Planning Committee are participating members and allow the Selectmen to fill any vacancies that may arise on the Committee.

Another professional planning company has also been hired to assist various Town groups with overall Town planning. It is hoped that this company, which is owned by Carolyn Britt, will identify areas in the Town bylaws that need clarification, etc. and suggest appropriate remedies. The Planning Board, the Long Term Planning Committee, and the Zoning Board of Appeals will be offering input and information to assist this company with their analysis.

Mr. Zubricki reminded everyone of the State's Route 133 Reconstruction Project that will begin this season.

Chairman Randall concluded his update and turned the discussion over to Town Building Committee Chair Lisa O'Donnell. She reported that the committee has met twice so far. So far, their time has been spent bringing the new members that were not on the old ad hoc committee up to date. They will continue to review and collect information and interview town personnel as they work towards their goal of formulating a solution to meet the Town's building needs.

Treasurer/Collector Virginia Boutchie asked if the Building Committee will be canvassing departments regarding desired building amenities. She said her department is responsible for collecting money and she would like to have the collection area separated

from the public by bullet-proof glass and have a "hot-button" that connects directly to the Police Department. Chairman Randall agreed that safety of employees is a grave concern given recent events in other parts of the state and nation.

She also asked if the Fire Department will be sponsoring a public forum to discuss and inform residents and Town employees about the proposed advent of a regional emergency response center.

Treasurer/Collector Boutchie said that Motor Vehicle excise tax collection this year is down about 3% from past years. She would eventually like to have a computer terminal at the collection window to allow payments to be entered as they are collected. She has been working with the Police Department this year to only issue mooring permits to those who have paid their boat excise taxes. This has enabled the Town to collect unpaid taxes from past years.

Town Accountant Tieri reported that she has been working on the FY2010 budget with the Finance Committee. They have been keeping everyone informed of their day to day budget status and have made suggestions regarding the optimum management of each department's funds to ensure the most return. The Town has some reserves for unexpected funding going forward, but revenues are expected to be declining over the next few years.

Finance Committee Chairman Jeff Soulard is pleased that all the departments are working well together. He would like to see the Town save as much money as possible by partnering with other towns for needed services. His committee has been working diligently with departments to provide feedback on ways to achieve reasonable budgets and provide the departments with the funds they need to do their jobs well. One of the concerns continues to be managing the school budget which has been increasing every year. Due to regional school district reserves that have been applied to the school budget, the Town has only experienced an increase of approximately 5% each year instead of the actual 8%. So far, the Town has not had to resort to an over-ride of Proposition 2 ½, but it may be unrealistic to expect no over-ride in future years, especially if the school reserves are used up. The Finance Committee is also aware that the lease revenue and water revenue from Conomo Point will be ending after 2011.

Police Chief Peter Silva reported that he has one officer attending the Police Academy and another one who will be attending as soon as a vacancy arises. His department has been successful in obtaining auxiliary funding for various past projects through grants and has most recently received one to purchase a new trailer messaging board. The Police Department continues to work towards a regional emergency dispatch center, which will result in a great savings while providing cutting-edge services to the Town. Chief Silva is planning on hosting a public forum sometime before April 20<sup>th</sup> to promote the many benefits to the Town from a regionalized emergency center. Sheriff Cousins, who has spearheaded the regionalization project, will be present, as well as Tom Dubas, who is from a state of the art center in Lackawanna, Pennsylvania, to speak about the benefits and answer any questions or concerns. A question was raised concerning additional items, safeguards, and procedures that will need to be put in place when the emergency

center moves to the new regional location. Chief Silva said the extent of those items still has to be determined.

The Chairman asked Dan and Paul Doucette to comment regarding the Fire Department. Dan said that they continue to seek funding for necessary pieces of equipment in an effort to remove the burden of cost from the Townspeople. They have been unsuccessfully trying for the last two years to obtain grant funding for a much needed breathing apparatus. All the other towns in the area have received grant funding for one in each of their communities, but Essex has been turned down. They are now working with Senator Tierney's office to obtain funding for the apparatus and other protective equipment. It was mentioned that Jack Good generally prepares and writes the grant applications for towns in our area. The Finance Committee said that they have included financing for the apparatus in the budget and asked if grant funding can be obtained for something that is already funded in the budget. It was agreed that Mr. Zubricki will call Jack Good and then perhaps Senator Tierney's office to inquire about the funding for the breathing apparatus before the budget becomes finalized in the next few weeks.

Chairperson of the Planning Board, Kim Drake, spoke next. She said that there are two openings on the ballot this year for Planning Board members. She will be seeking re-election, but Amy Reilly has decided not to run. Kevin Street and Westley Burnham will be running instead. The Planning Board is currently working on two sub-division plans, one of which was originally proposed by the late Peter Van Wyck for an Essex Park Road development. The estate is now pursuing that project. The Planning Board will be meeting with Carolyn Britt to discuss Town planning needs and planning strategies. Kim spoke about the ambiguity of the wording in the Town bylaws regarding "special permit" and "site plan review". There will be an article on the warrant that will attempt to resolve this problem. They had wanted to include an article that would establish at least one overlay district, but the Selectmen have decided not to include the article on this warrant for several reasons. The other article concerning the bylaws that will be on the warrant will seek to clarify the definition of "change of use".

Board of Public Works Commissioner Paul Rullo reminded everyone that the Town has existing constraints on both its sewer and water systems. The sewer contract with Gloucester limits the Town's discharge to 225,000 gallons of wastewater and the Town's water supply can only produce about 220,000 gallons per year. Currently, the Town is pumping about 100,000 gallons to Gloucester, which leaves a wide margin for increase. However, the Town has just about reached its annual water usage limit. These constraints should be kept in mind when going forward with Town planning and auxiliary water supplies may have to be considered in the future. Mr. Rullo said they are very pleased that funds were found to lease/purchase a new generator for the department.

All departments present having spoken, Chairman Randall thanked everyone for all that they do and said the Selectmen appreciate their efforts. The Selectmen believe these department meetings continue to be strategic, helpful and valuable to all the participants.

Everyone left the meeting except for the Selectmen, the Town Administrator, the Selectmen's Assistant, and Jay Ramsey.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$67,426.61.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the March 23<sup>rd</sup>, 2009, Selectmen's Open Meeting and the minutes for the March 23<sup>rd</sup>, 2009 Selectmen's Executive Session.

The Selectmen reviewed a notice from the Alcoholic Beverage Control Commission stating that the license requested by The Farm at 233 Western Avenue may be approved subject to special conditions. The notice says that a hearing before the Commission may be requested within ten days for reconsideration of their administrative determination. Ryan Cox had informed the Selectmen's Office earlier in the day that he is in communication with the ABCC and expects that the issue will be resolved shortly.

A motion was made, seconded, and unanimously Voted to approve the Chairman's signature on a Standard State Contract Form to allow the Council on Aging to receive their Annual State Grant.

A motion was made, seconded, and unanimously Voted to grant permission to the Special Olympics of Massachusetts to pass over Essex roads on Saturday, August 29<sup>th</sup>, 2009, during their 2009 Ride with the Champions event.

A motion was made, seconded, and unanimously Voted to grant permission to Kevin Herr from the Gordon College Recreation Department to pass over Essex roads on Saturday, April 18<sup>th</sup>, 2009, during Gordon College's 3<sup>rd</sup> Annual Triathlon.

A motion was also made, seconded, and unanimously Voted to approve the 2<sup>nd</sup> Annual Happy as a Clam 5K Run/Walk and 1 Mile Kid Fun Run sponsored by the Essex Elementary PTO on Sunday, May 17, 2009.

A motion was made, seconded, and unanimously Voted to approve and sign the annual License with the Conomo Point Association to Attach Ramps & Floats at Conomo Point for 2009.

The Selectmen were reminded that the NIMS Executive Seminar will take place on Friday, April 17, 2009 from 8:30 a.m. to 12:00 noon at the Gortons' Gloucester HQ. Chairman Randall may be unable to attend, but Mr. Zubricki definitely will attend.

The Selectmen agreed, after discussing the March 23<sup>rd</sup> dog hearing with Town Counsel, and a motion was made, seconded, and unanimously Voted to reopen the hearing on Monday, April 27<sup>th</sup>, 2009, to begin at 7:05 p.m. in the T.O.H.P. Burnham Public Library on Martin Street. Jay Ramsey left the meeting.

The Selectmen briefly discussed the status of the progress made by Horsley Witten. Mr. Zubricki said that HW has completed phase I of their contract and are presently working on phase II. However, it appears that there have been statements made by the consultant

that do not reflect the Town's understanding of issues and Selectman Lynch and Mr. Zubricki have been working to repair the situation and get it back on track. A motion was made, seconded, and unanimously Voted to ask Mr. Zubricki to draft a letter to Horsley Witten reminding them that they are directly responsible to no other entity except the Board of Selectmen. The letter will be signed by all three Selectmen.

Mr. Zubricki reported that Town Counsel John Goldrosen has reviewed the proposed new language regarding "change of use" for the Town Meeting article. Attorney Goldrosen said that it is customary to pre-define a range of use in such cases and the proposed wording does not.

Mr. Zubricki said that school district officials have agreed to allow the Essex Youth Program to use some space at the Essex Elementary School this summer, but that they will require a fee in the amount of \$500.00. They are also requiring the Manchester Youth Program to pay a fee for use of the school in Manchester this summer. The Selectmen agreed to pay the fee.

The Selectmen discussed the need for surveillance cameras at the Grove Cottage when the movie company is done with the site. It was agreed that they would talk to Chief Silva about the vandalism problem at the Grove.

Citing the need to discuss strategy with respect to collective bargaining and the value of real property, the Chairman entertained a motion to move to Executive Session. He said the Board would not be returning to Open Session and invited Town Administrator Zubricki to attend. The motion was moved, seconded, and per a unanimous Roll Call Vote, the Board moved to Executive Session.

The Board returned to Open Session at 9:35 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