

Present: Selectman A. Raymond Randall, Selectman Mark W. Lynch, Town Administrator Brendhan Zubricki, Police Chief Peter Silva, Francis Burnham, Mrs. Adrienne Allen, Mrs. & Mr. Mayer, Robert Doane, Daniel Doane, and Selectmen's Assistant Pamela J. Witham.

Acting Chairman Lynch called the meeting to order at 7:00 p.m. in the T.O.H.P. Burnham Public Library on Martin Street and announced that the Board would hear public comment.

Mr. Robert Doane and son, Mr. Daniel Doane, came before the Selectmen to express their dissatisfaction regarding the changes recently made to the mooring regulations. Both Doanes are commercial fishermen and have used the same two moorings for the last eighteen years: one at Conomo Point and one off the end of Water Street. Both moorings have been listed for many years in son, Daniel Doane's name. Under #28 in the revised regulations, there is only one mooring allowed per person and under #27, a person is only allowed a one-time transfer of a mooring to a spouse. Based on the new regulations, they will be forced to give up one of the two moorings and place Robert Doane's name on the mooring waiting list. Mr. Doane said that he has already placed his name on the list. Chief Silva said he cannot predict when a new mooring will become available for Mr. Doane, or where it will be in the River. Chief Silva said he was sorry, but that there is nothing he can do based on the current rules. The Selectmen reminded everyone that Chief Silva, as the Harbormaster, has complete control of the mooring rules and regulations. The Selectmen may only offer suggestions or recommendations to the Chief regarding the rules and regulations. After some discussion, no alternative solutions were found and the Doanes left the meeting.

At 7:05 p.m., Acting Chairman Lynch announced that the previously scheduled Public Hearing for a new All Alcohol Restaurant license for Logins Corp. d/b/a Sophia's at 112 Main Street would be cancelled with no intent to reschedule, based on a request from the applicant.

Selectman Randall said that he would like Chief Silva to review the mooring rules and regulations in effect for surrounding communities as they compare to those currently in effect for Essex and that he would also like Chief Silva to consider in the future creating a distinction in the regulations between moorings for pleasure boats and moorings for commercial fishing boats. Chief Silva agreed to take the matter under advisement and left the meeting.

Francis Burnham came before the Selectmen to speak about a recent ruling by a judge regarding the continuing effort to clean up the Allen property on Southern Avenue. He was distressed that the judge has ordered, on the advice of the Essex Building Inspector, that two garages be removed. He also said that the Town should fire Town Counsel for being incompetent and that Mr. Allen would be filing an appeal in Superior Court in the near future. The Selectmen thanked Mr. Burnham for sharing his opinion and Mr. Burnham left the meeting.

Ms. Adrienne Allen and Mr. Mayer appeared before the Selectmen to discuss a request for a transfer of the lease for the property at 98 Conomo Point Road (Map 19, Lot 56). The lease currently is assigned to the following people: Adrienne Allen, Robert Allen, Beth Herlihy, and Alison Herlihy and would be amended to list only Daniel Mayer. Mr. Mayer has recently purchased this cottage owned by Ms. Allen and family. Ms. Allen said that the property is located in the area that is generally referred to as "south of Robbins Island Road". The Selectmen reminded Mr. Mayer that the leases for properties at Conomo Point will be ending in 2011 and that they are not expected to be renewed. Selectman Lynch said that the Town is currently discussing subdivision of the lots south of Robbins Island Road, but at this point, that all tenants will be expected to vacate upon lease expiration. Mr. Mayer acknowledged that he is aware of the Conomo Point situation. A motion was subsequently made, seconded, and unanimously Voted to transfer the lease for 98 Conomo Point Road (Map 19, Lot 56) to Daniel Mayer, effective June 1, 2009. A copy of the signed approval will be forwarded to Mr. Mayer and Ms. Allen for their records. Mr. Mayer and Ms. Allen left the meeting.

Mr. Zubricki presented his Town Administrator's Report for the period covering May 16th, 2009 through May 29th, 2009, regarding the following items:

Town Clerk Search Committee: Mr. Zubricki asked if the Selectmen would like him to begin to assemble a committee to assist in the search for a new Town Clerk. He said that two members of the Board of Registrars, Dawn Burnham and Vickie Cataldo, Assistant Town Clerk Dot Elwell, and Treasurer/Collector Virginia Boutchie had volunteered to serve on the committee. The Selectmen are in favor of creating a search committee and said they would work on formulating an official charge. They asked Mr. Zubricki to contact the four volunteers and accept their offers to serve. One of the committee's initial tasks will be to acquire Town Clerk job descriptions from other communities to help with creating one for Essex.

Comstar Billing Agreement: Mr. Zubricki reported that the Comstar Ambulance Billing Agreement is up for renewal. He said that everyone has been satisfied with their past performance. A motion was made, seconded, and unanimously Voted to approve the renewal contract for signature by Chairman Jones.

Mr. Zubricki presented a grant application prepared by the Police Department to request funding for enhanced 911 services. A motion was made, seconded, and unanimously to authorize Chairman Jones signature on the grant application.

Selectman Lynch reported that the Southern Conomo Point Subdivision Sub-committee had met recently with Horsley Witten representative Nick Cracknell. During their discussion, they agreed to try to research how the roads at the Point became accepted as Town roads since the method of acceptance will determine the legal process required for subdivision. Based on this and other information, it has been determined that the Town will probably have to create a definitive sub-division plan. Selectman Lynch said the committee and Point residents have been asked by HW to think about preferences regarding architectural style for the neighborhood and to provide photo examples.

Mr. Zubricki said he has received a resignation from Paul Goodwin regarding his position on the Playing Fields Committee. Everyone agreed to work on suggestions for a replacement.

The Selectmen are in favor of Chief Silva participating in the renewal contract negotiations with Manchester to provide prisoner lock-up facilities to the Town.

Selectman Randall agreed to discuss some information that has recently come to the attention of the Selectmen with Jack Good and Ramie Reader regarding appointments.

Mr. Zubricki reported that the Board of Public Works has initially expressed disapproval regarding the concept exploration of creating a wind turbine energy center at the site of the old landfill on Landing Road. The Selectmen asked Mr. Zubricki to seek additional information from DeRosa Environmental Consulting and Meridian Associates regarding the favorable advantages of wind energy.

Mr. Zubricki also reported that the Essex Retirement Review Board wants to place Board of Public Works employees in Group 4 of the retirement system, which is the highest paid group. The Selectmen agreed that Mr. Zubricki would attend a meeting of other Town Administrators on June 12 to represent the Selectmen's interests in the discussion.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$132,281.39.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the May 18th, 2009, Selectmen's Open Meeting and the May 18th, 2009, Selectmen's Executive Session.

A motion was made, seconded, and unanimously Voted to appoint A. Raymond Randall, Jr. as clerk of the Board of Selectmen.

A motion was made, seconded, and unanimously Voted to approve a request from Mr. Ciampi's lawyer to extend the closure period granted to the Essex Package Store located at 91 Main Street for needed repairs until July 14th, 2009.

Mr. Zubricki said he had received a request from Ted Marshall, a member of the Essex Enhancement Committee, regarding the placement of sand at Clammer's Beach at Conomo Point. The Selectmen were in favor of the idea and asked Mr. Zubricki to discuss it with the Conservation Commission.

The Selectmen reviewed information concerning the municipal elections to the Boston Region Metropolitan Planning Organization. A motion was made, seconded, and unanimously Voted to mark the ballot for Municipal Elections to the Boston Region Metropolitan Planning Organization, choosing candidates Siegenthaler and Sullivan, and to authorize the Chairman's signature on the ballot.

A motion was made, seconded, and unanimously Voted to authorize the Chairman's signature on the renewal application for the Chubb Police and Fire Injured On Duty Insurance proposal from Cabot Risk Strategies.

Mr. Zubricki reported that Town Counsel has finished reviewing the supporting documents regarding a request to transfer a lease for property at 6 Robbins Island Road (Map 19, Lot 59) in the name of Robert A. Schuiteman Trust to Robert A. Schuiteman and Laura L. Collins and has given Town Counsel's approval for acceptance of the request. A motion was made, seconded, and unanimously Voted to amend the name on the lease for the property at 6 Robbins Island Road (Map 19, Lot 59) by deleting the name Robert A. Schuiteman Trust and by adding the names Robert A. Schuiteman and Laura L. Collins.

A motion was made, seconded, and unanimously Voted to proclaim June 1 through June 5, 2009, as Small Business Week in Essex.

The Selectmen recognized Pat and Jack Chisholm of the Chebacco Package Store as being awarded Small Business Persons of the Year in Essex by the Cape Ann Chamber of Commerce. The Selectmen's Assistant will confirm attendance by Selectman Lynch and Selectman Randall at Periwinkles on Thursday evening and at The Manor Inn on Friday at noon. A framed award will be presented by the Selectmen to the Chisholms on Thursday.

The Selectmen reviewed a memo from School Committee member Susan Coviello regarding a proposed joint meeting of the Boards of Selectmen, the Finance Committees, and the School Committee on Thursday, June 18th, 2009 at 7:30 p.m. to discuss teacher contract issues and financial issues. Selectman Randall said that he would represent the Essex Selectmen at the meeting.

Mr. Zubricki reported that the enrollment period for the Summer Youth Program has ended and that it appears that based on the actual enrollments to date, the program will be just barely able to break-even. He said that the movie company has agreed to give the Town the entire budgeted amount of \$5,000 towards registration fees. Even so, it will be necessary to manage the program well to avoid a loss. The Selectmen agreed that there will be no Counselor In Training positions offered this year due to the smaller, more complex program. They asked Mr. Zubricki to ascertain whether it will be possible to afford to hire Russell Harnish to provide counselor training this year.

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

One-Day Entertainment License:

- Essex County Greenbelt Association for use on Friday, June 12th, 2009, between the hours of 6:00 and 8:30 p.m. within the confines of the barns and house at the Cox Reservation at 82 Eastern Avenue.

One-Day Wine & Malt License:

- Kathy Azadian for use on Saturday, June 13, 2009, between the hours of 6:00 p.m. and 12:00 midnight within the confines of the Essex Shipbuilding Museum Waterline Center at 66 Main Street.
- Essex County Greenbelt Association for use on Thursday, June 11th, 2009, between the hours of 5:00 and 8:00 p.m. within the confines of the barns and house at the Cox Reservation at 82 Eastern Avenue.
- Essex County Greenbelt Association for use on Friday, June 12th, 2009, between the hours of 6:00 and 8:30 p.m. within the confines of the barns and house at the Cox Reservation at 82 Eastern Avenue.

One-Day Auction Permit:

- Michael March, d/b/a Blackwood March Auctions for use on Wednesday, June 24th, 2009, 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 an invitation from Gloucester Elks Lodge #892 to attend Flag Day Ceremonies on Monday, June 15, 2009 at 6:30 p.m. at the Elks Lodge, 97-101 Atlantic Road.

The next Board of Selectmen's meeting will be held on Monday, June 15, 2009, at 7:00 p.m. at the T.O.H.P. Burnham Public Library.

At 8:25 p.m., citing the need to discuss strategy with respect to litigation and the value of real property, Mr. Zubricki requested that the Selectmen move to Executive Session. A motion was made, seconded, and per a unanimous Roll Call Vote, the Selectmen moved to Executive Session. They invited Mr. Zubricki to attend and said that they would not be returning to Open Session.

The Board returned to Open Session at 8:45 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: _____
A. Raymond Randall, Jr.