

Selectmen's Minutes

June 22, 2009

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

Chairman Jones 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.

Annie Cameron said that the Essex Shipbuilders Athletic Association is planning to sponsor a Soapbox Derby to benefit the PTO sometime in the near future. The event will be held on Story Street and cause that street to be closed to traffic for a period of time. She asked the Selectmen if they would approve the event. The Selectmen were in favor of holding the event. They advised Ms. Cameron to make arrangements with Police Chief Peter Silva and BPW Superintendent Paul Goodwin. The group will also need to provide a certificate of liability insurance to the Town and make sure that the "hold harmless" agreements are signed by the appropriate people.

Mr. Zubricki presented his Town Administrator's Report for the period covering June 13th, 2009 through June 19th, 2009, regarding the following items:

Southern Conomo Point Subdivision Subcommittee Update: Selectman Lynch reported that Horsley Witten had brought a land use attorney from Newburyport to the last SCPSS meeting. The Subcommittee has finished redrawing the map for Conomo Point and is currently working on the bylaw language. Selectman Lynch asked Mr. Zubricki to ask Town Counsel if it is necessary to have a Town Meeting vote to authorize the Conomo Point Commissioners to actually get subdivision plans for the Point approved by the Planning Board. The Subcommittee anticipates that they will have a preliminary subdivision plan prepared soon after June 30th, 2009.

Sarah Creighton and Annie Cameron from the Manchester Essex School Building Committee appeared before the Selectmen to present a project update. Sarah reported that there are large sections of the building that are completed and which are being punch listed. A lot of the technology has already been installed and furniture is beginning to be delivered. They are hoping to obtain a temporary certificate of occupancy for two administration areas of the building so that the summer employees may operate from those areas. By August 1st, they would like to have their permanent certificate of occupancy so that the teachers may start moving into the building and preparing for the fall semester. They are scheduled to begin demolition of the old building in August and all the used building materials will be recycled. They are planning a series of small open houses and a community day to familiarize parents and residents with the new facilities. A big, formal gala celebration/open house is anticipated for sometime in October. There is a website link for the new school building and a recent addition is a link for Frequently Asked Questions. Presently, the two major concerns for the building project are: 1) when they will receive the permanent certificate of occupancy permit, and 2) a possible cash

flow problem due to a delay in grant funding. The Selectmen thanked the members of the School Building Committee and they left the meeting. It was agreed that Mr. Zubricki would contact Senator Tarr's office to ask for assistance in getting the timely receipt of the State funding for the school project. (The Selectmen also asked Mr. Zubricki to extend an invitation to Senator Tarr and Representative Ferrante to take part in Essex River Day.)

Essex Regional Retirement Board Investments: Mr. Zubricki said that a letter has been received from the Retirement Board extending the deadline for a response regarding the placement of investments held by the Board. After a short discussion, a motion was made, seconded, and unanimously Voted to support moving ERRB investments to the PRIT (the State investment fund). Mr. Zubricki will prepare a letter to the ERRB advocating that the investments be moved to the PRIT to be signed by the Chairman and sent before the next Selectmen's meeting if necessary to meet a deadline.

Energy Service Company Retrofit: Mr. Zubricki reported that Wenham has already decided to hire the services of an energy retrofit company and has provided information about the project to the Selectmen's Office. They are willing to partner with Essex in the experiment. The Selectmen asked Mr. Zubricki to further investigate the idea.

Quarterly Report: Mr. Zubricki presented the Quarterly Report for the Selectmen's review. A motion was made, seconded, and unanimously Voted to approve the Quarterly Report for submittal.

Manchester Prisoner Lockup Agreement: Mr. Zubricki reported that Police Chief Silva has successfully negotiated a new prisoner lockup agreement with the Manchester-by-the-Sea Police Chief. The new agreement contains the same language as the old contract, but is for a one-year term and will cost the Town less than the previous agreement. A motion was made, seconded, and unanimously Voted to approve and sign the Prisoner Lockup Agreement with Manchester-by-the-Sea. The signed agreement will be forwarded to Manchester-by-the-Sea for their Selectmen's signatures.

In other business, a motion was made, seconded, and unanimously Voted to approve the payment of \$121.85 from the Luther Burnham Fund to J.M. Harvey Mobile Glass to pay for repairing a broken window in the T.O.H.P. Burnham Public Library.

A motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$116,205.73.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the June 15th, 2009, Selectmen's Open Meeting and the June 15th, 2009 Selectmen's Executive Session.

A motion was made, seconded, and unanimously Voted to approve an M.G.L. Chapter 44 § 33b transfer from Cemetery Maintenance in the amount of \$900 to pay for rental of a chipper to dispose of a large brush pile that could not be burned.

A motion was made, seconded, and unanimously Voted to approve a request from the Commissioners of the Department of Public Works to transfer from various Cemetery Department accounts the total sum of \$19,915.67 (\$13,475.67 Lot Care and \$6,440.00 Sale of Lots) towards the budget for fiscal year 2010 as approved in Article 6 at the November 3rd, 2008, Special Town Meeting.

A motion was made, seconded, and unanimously Voted to approve and initial the changed date for the Essex River Day liquor and entertainment licenses to Saturday, June 27th, 2009.

The Selectmen discussed the potential donation of a phone service system. After investigating the installation cost, the cost to purchase handsets, the service options, billing difficulties, and the limited number of phone lines possible, it was agreed that the "free system" would offer less features than the one presently in place.

A motion was made, seconded, and unanimously Voted to appoint Peter Granitsas and Alan H. Shearer to the position of Harbormaster's Assistant for a three-year term pending successful completion of a drug and medical screen at the recommendation of Chief Silva.

A motion was made, seconded, and unanimously Voted to appoint Edward Akerley to the position of Town Hazardous Waste Advisor for the term of one year commencing July 1, 2009.

A motion was made, seconded, and unanimously Voted to reappoint Robert Brophy to Conservation Commission for a term of 3 years.

A motion was made, seconded, and unanimously Voted to reappoint the following members of the Auxiliary Fire Department for a term of one year:

David W. Barrett	Christian Hassel	Randie Reader
Josh Butler	Cory Jackson	Robert Rose III
Dexter Doane	Anthony Lafata	Nick Silva
Daniel Fialho	Keith Muise	Jonathan Tiplady
Warren Grant, Jr.	Heather Osborn	Eian Woodman
Warren Grant III	Dennis Pyburn	

A motion was made, seconded, and unanimously Voted to reappoint Daniel Doucette and Paul Doucette to the Board of Fire Engineers for the term of one year.

A motion was made, seconded, and unanimously Voted to reappoint the following members of the Fire Department for a term of one year:

Edward Akerley	Ronald Gallant	David Peraan
James Albani	Travis Good	Ramie Reader
Daniel Ball	Jason Heath	Sean Reed
Glenn Boutchie	Joseph Lafata	Scott Savory

Westley Burnham
Keith Carter
Samuel Crocker
Richard Dort, Jr.
Bruce Figurido
Michael French

Timothy Lane
Rick Mansfield
Chris Maxfield
Ivan Muise
Ernest Nieberle, Jr.
Nicholas Ouellette

Michael Soucy
Kevin Sousa
George Stavros
David Thompson
Gordon Thompson

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

Auction Permits:

- Frank Kaminski, d/b/a Kaminski Auctions, for use on Saturday, June 27th, 2009, between the hours of 10:00 a.m. and 7:00 p.m. within the confines of 109 Eastern Avenue.
- Frank Kaminski, d/b/a Kaminski Auctions, for use on Sunday, June 28th, 2009, between the hours of 10:00 a.m. and 7:00 p.m. within the confines of 109 Eastern Avenue.
- Richard A. DiFillipo, d/b/a R.A. DiFillipo Auctions, for use on Tuesday, July 28th, 2009, between the hours of 8:00 a.m. and 10:30 p.m. within the confines of 125 Main Street.

One-Day Wine & Malt License:

- Joan B. Houghton, Woodman's Inc. for use on Wednesday, June 24, 2009, between the hours of 12:00 noon and 9:00 p.m. within the confines of Memorial Park.
- Joan B. Houghton, Woodman's Inc. for use on Friday, July 10, 2009, between the hours of 12:00 noon and 9:00 p.m. within the confines of 125 Main Street.

It was mentioned that there has been no further information received from anyone regarding the request for a transfer of the liquor license for the Essex Package Store to the proposed new owners of the business. The new owners are believed to be negotiating with the Alcoholic Beverage Control Commission to pay the back taxes of approximately \$30,000 owed by the Essex Package Store business owners.

The Selectmen were reminded that the Evening Business Exchange will be held on Wednesday, July 1, at 5:00 p.m. at Cape Ann Lanes in Gloucester.

The next Board of Selectmen's meeting will be held on Monday, July 13, 2009, at 7:00 p.m. at the Senior Center.

The Gloucester Waterfront Festival will take place on August 15 & 16.

The Gloucester Schooner Festival will take place on September 5 & 6.

Chairman Jones reported that he has discussed the problem of Essex residents receiving parking tickets for parking in resident parking areas while attending MERHS sports

events at the school in Manchester with Sue Taylor. She has assured him that they will work it through.

At 8:20 p.m., citing the need to discuss strategy with respect to litigation, the value of real property, and collective bargaining, the Chairman entertained a motion to 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 Selectmen returned to Open Session at 8:35 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: _____
A. Raymond Randall, Jr.