

## Selectmen's Minutes

July 27, 2009

Present: Chairman Jeffrey D. Jones, Selectman A. Raymond Randall, Selectman Mark W. Lynch, Town Administrator Brendhan Zubricki, Selectmen's Assistant Pamela J. Witham, Town Treasurer/Collector Virginia Boutchie, Town Clerk Sally Soucy, Andy Storey, and Sandy Patrican.

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. No one offered any comments.

Option to Purchase 61A-Designated Land: Andy Storey of John Wise Avenue and Sandy Patrican of Belcher Street appeared before the Selectmen. Mr. Patrican would like to purchase some of Mr. Storey's land which abuts Mr. Patrican's land on Belcher Street. Because the land is designated 61A, the Town must be offered the option to purchase the land for the same amount as Mr. Patrican is willing to purchase it for (\$300,000). The Selectmen said that the Town is not interested in purchasing the land and that they have checked with Greenbelt and Greenbelt is not interested in acquiring the land either. A motion was made, seconded, and unanimously Voted to waive the Town's option to purchase Mr. Storey's land. Mr. Zubricki said that he would draft a waiver to that effect for Mr. Storey and Mr. Patrican to be reviewed and signed by the Chairman of the Board of Selectmen. Mr. Storey and Mr. Patrican thanked the Selectmen and left the meeting.

Treasurer/Collector Virginia Boutchie appeared before the Selectmen with Town Clerk Sally Soucy. Ms. Boutchie said that it is time to renew the funding on the Permanent Note for the Pond Street water lines in the amount of \$173,000 and the Bond Anticipation Note for the DPW Barn in the amount of \$222,800. Both Notes are with Eastern Bank and will carry a 1.7% interest rate. A motion was made, seconded, and unanimously Voted to approve the refunding of both notes. The Selectmen signed the financing documents and were witnessed by Town Clerk Sally Soucy.

Mr. Zubricki presented his Town Administrator's Report for the period covering July 11<sup>th</sup>, 2009 through July 24<sup>th</sup>, 2009, regarding the following items:

Town Clerk Search Committee Update: Virginia Boutchie reported that she and the other members of the Town Clerk Search Committee have had their first meeting. She presented the Selectmen with a Town Clerk job description and an advertisement for the position that the Committee has drafted. After some questions, the Selectmen said that they would like to review the documents and would discuss them at their next Board of Selectmen's meeting on August 10<sup>th</sup>. It was agreed that the position would be advertised in the Beacon publication by the Massachusetts Municipal Association and online on the MMA website in January. Newspaper advertisements may also be run at that time. It is hoped that a candidate can be found in time to allow at least two months training before the current Town Clerk's term expires in May 2010. Mrs. Boutchie and Mrs. Soucy left the meeting.

Repair and Maintenance of Town Hall Clock: Mr. Zubricki said that two different professionals had come to inspect the Town Hall Clock and each has submitted an estimate for proposed repair work to the clock. The first estimate, from a Boston business, is for \$5,000 for a general overhaul of the interior workings of the clock. The second estimate, from a Kittery business, is for \$750 and covers just the basic essentials. It does not include an allowance for replacement parts. A motion was made, seconded, and unanimously Voted to award the work to the Kittery firm for an amount not to exceed \$2,000 to be paid from the Luther Burnham Fund.

School Building Assistance Funding: Selectman Lynch reported that there has been no word yet regarding the new funding agreement and its potential impact upon the financing for the new regional high school. He anticipates that he will have more information by the next Selectmen's meeting.

Essex Regional Retirement Board Investment/Governance Meeting: Mr. Zubricki reported that the various aspects of the ERRB are still being evaluated by different groups and advised waiting until all the facts are known before deciding on a specific course of action regarding the Selectmen's recommendation for an administrative overseer of the pension funds. The Selectmen were in agreement. Mr. Zubricki will attend an ERRB meeting on August 25, 2009 and a PERAC meeting that is being put together by Senator Tarr.

Senior Mini-Bus Grant: The Selectmen discussed the possibility of the Town acquiring the extra mini-bus from a grant that was awarded to Senior Care for Topsfield and said that they might seek funding for it in the Fall. The Selectmen asked Mr. Zubricki to get a list of proposed uses for the mini-bus from the Council on Aging to help the Selectmen assess the need for the new vehicle. The new vehicle would replace the current COA van which is failing. Selectman Randall suggested contacting CATA to ask about the kind of transportation services that CATA could offer to senior residents (after the Council's proposed use list has been assessed).

The Selectmen asked Mr. Zubricki to contact Town Counsel regarding the implementation of a proposed requirement for all Town volunteer workers who drive Town vehicles to pass an annual physical examination that includes a vision screen.

The Selectmen discussed efforts to work out an agreement with Manchester officials to waive ticketing of Essex vehicles during school sports events. Chairman Jones said that he would bring the subject up at the next Playing Fields Committee meeting on September 3<sup>rd</sup>.

In other business, a motion was made, seconded, and unanimously Voted to approve and sign the weekly payroll and vendor warrant for July 27, 2009 in the amount of \$593,181.85.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the July 13<sup>th</sup>, 2009, Selectmen's Open Meeting and the July 13<sup>th</sup>, 2009, Selectmen's Executive Session.

The Selectmen reviewed a draft congratulatory letter to Ipswich regarding their 375<sup>th</sup> anniversary. A motion was made, seconded, and unanimously Voted to approve the Selectmen's signature on the congratulatory letter.

The Selectmen reviewed a letter from a Conomo Point resident regarding the obstruction of his view by a neighbor's trees which have grown up over the years. Mr. Zubricki agreed to call the neighbor to discuss the matter.

Mr. Zubricki informed the Selectmen that an employee had overlooked asking permission to carry over unused vacation time from FY 2009 to FY 2010. A motion was made, seconded, and unanimously Voted to approve the carryover of ten hours of vacation time request.

Mr. Zubricki said that there was a call from the Gloucester Shellfish Constable saying that a Gloucester resident who used to live in Essex has taken out a license in Gloucester to dig clams. This person also has an Essex commercial clamming license that was granted in April 2009 by special approval from the Selectmen to be valid for one year after he moved to Gloucester and the resident now digs in both towns. The Gloucester Shellfish Constable had asked if the Essex license was still valid and Mr. Zubricki had explained to him that it was valid, based on the Town's current regulations. The Constable suggested that the reason for granting one year's grace is based upon a residency durational requirement that is no longer enforceable. The existing Essex Shellfish Regulations state that the special license will be issued for a period of one year. The Selectmen asked Mr. Zubricki to discuss the matter with Town Counsel.

A motion was made, seconded, and unanimously Voted to approve the Chairman's signature on the MIIA Auto Fleet Schedule, The Statement of Values and The Special Property Coverage Supplement.

Acting in their capacity as Licensing Board, a motion was made, seconded, and unanimously Voted to approve the following requests for licenses and permits:

One-Day Wine and Malt Permit:

- Woodman's Inc., Joan B. Houghton, Catering Sales, for use on Tuesday, August 18, 2009, between the hours of 12:00 noon and 10:00 p.m. within the confines of 125 Main Street.

Weekday Entertainment License:

- Cape Ann Golf Course Corp., d/b/a Fairway Pub, James Stavros, Manager for use at 99 John Wise Avenue.

The Selectmen were reminded that the next Board of Selectmen's meeting will be held on Monday, August 10<sup>th</sup>, 2009, at 7:00 p.m. at the T.O.H.P. Burnham Public Library.

The Gloucester Waterfront Festival will take place on August 15<sup>th</sup> & 16<sup>th</sup> and the Gloucester Schooner Festival will take place on September 5<sup>th</sup> & 6<sup>th</sup>.

At 8:00 p.m., members of the Board of Public Works: Paul Rullo, Walter Rich, and Trescott DeWitt and BPW Superintendent Paul Goodwin joined the Selectmen.

Mr. Zubricki reported that he has found additional information regarding the construction and implementation of wind turbines. After some discussion, the BPW members said that they are open to considering the idea of constructing a wind turbine off Landing Road. The Selectmen asked Mr. Zubricki to investigate the feasibility of having a wind turbine in that location based upon current zoning set backs.

Citing the need to discuss strategy with respect to litigation and the value of real property, a motion was made, seconded, and per a unanimous Roll Call Vote of the Board of Selectmen and the Board of Public Works, the Boards moved to Executive Session. They invited Mr. Zubricki and Mr. Goodwin to attend and said that they would not be returning to Open Session.

The Board of Selectmen returned to Open Session at 9:00 p.m.

There being no other 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.