

Present: Selectman Mark W. Lynch, Selectman A. Raymond Randall, Jr., Town Administrator Brendhan Zubricki, Gloucester Daily Times reporter Jonathan Phelps, 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 Library on Martin Street and announced that the Board would hear Public Comment. No one present from the public offered any comment.

Mr. Zubricki presented his Town Administrator's Report for the period covering December 12<sup>th</sup>, 2009 through December 25<sup>th</sup>, 2009 regarding the following items:

Village Initiative Technical Assistance: Mr. Zubricki reported that he and Selectman Lynch had met with Carolyn Britt to discuss how she might assist the Long Term Planning Committee with their Village Initiative. She has found a variety of available grants to assist with planning efforts in the downtown area. Based on previous conversations with LTPC members, it was decided that Mr. Zubricki should inform the LTPC that no money will be included in the proposed budget for planning services for the Village Initiative for FY2011 unless the Committee feels strongly that it is necessary.

Selectmen's Assistant Compensation Comparison: Mr. Zubricki presented a market comparison of the Selectmen's Assistant's Compensation for the Selectmen's review and further discussion at a future meeting of the entire Board.

Northern Conomo Point Proposal: Mr. Zubricki and Selectman Lynch had also discussed a proposal for Northern Conomo Point at their meeting with Carolyn Britt. The original proposal has been revised and Selectman Lynch would like it to be reviewed by the Conomo Point Planning Committee at the CPPC's next meeting on January 7<sup>th</sup> before asking the Select Board to review and approve the plan.

Future Use of Cemetery Parcel: Mr. Zubricki said that to date no restrictions have been found on the previous deeds for the piece of land that is being considered as a site for a future public safety building. Mr. Zubricki recommended that the Selectmen proceed with the preparation of a draft plan by an engineer to separate the piece from the main cemetery so that it will be ready to file once the feasibility study is completed. The Chairman asked Mr. Zubricki to seek actual engineering fee estimates to confirm his current estimate of about \$1,500 for the work.

Regional School District Tentative Budget Hearing: Mr. Zubricki reported that he and Board of Selectmen Chairman Jones had attended a preliminary school budget meeting on December 15<sup>th</sup> in Manchester with Finance Committee members. Judy Mulligan has asked for feedback regarding the proposed budget. Selectman Lynch said that the Town cannot afford a double digit increase in the school budget. School Committee members have said that continuing State cutbacks have made it tougher to keep the budget under control and that they will continue to work towards bringing the increase down.

Draft Fiscal Year 2011 Operating and Capital Budget Discussion: The Selectmen continue to review the proposed FY2011 operating and capital budget. The Selectmen said that the currently proposed Youth Commission budget is OK and asked Mr. Zubricki to check with the Planning Board to see if they anticipate any monetary additions or adjustments to their budget. The Selectmen agreed with Mr. Zubricki that the hiring of a firm to add ground-surveyed features to the Assessors' newly contracted Town maps could wait another year, if necessary.

Quarterly Report: The Selectmen reviewed the Quarterly Report to the Department of Environmental Protection. A motion was made, seconded, and unanimously Voted to release the report.

In other business, a motion was made, seconded, and unanimously Voted to approve the payment of \$200.00 to Whitmarsh Lock & Safe Co. for repair of the rear door into the Library from the Luther Burnham Fund.

A motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$157,282.18, and, further, to exempt from Section 20 of Chapter 268A of the General Laws the contract with Ramie Reader contained within the warrant pursuant to subsection (d) of said Section.

A motion was made, seconded, and unanimously Voted to approve a line item transfer in the amount of \$8,100 from encumbered Waste Water Legal to General Legal.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the December 14<sup>th</sup>, 2009, Selectmen's Open Meeting, and the Selectmen's December 14<sup>th</sup>, 2009, Executive Session.

A motion was made, seconded, and unanimously Voted to approve the designation of Selectman Randall as the Board's voting delegate to the Massachusetts Interlocal Insurance Association.

A motion was made, seconded, and unanimously Voted to approve a donation to the Police Department of \$50.00 from Helen and David Tory of 7 Lufkin Point Road.

A motion was made, seconded, and unanimously Voted to approve the following license renewals:

Antiques License Renewal:

- Richard Bevilacqua, d/b/a Essex Antiquarians at 165 Main Street
- H. Victoria Burke, d/b/a The Antique Company at 164 Main Street

Class II License Renewal:

- Charles F. Coles, Jr., Dynamic Auto Brokers at 4 Laurel Lane

Common Victualler's License Renewal:

- Essex Seafood, Howard Lane, Manager at 143 R Eastern Avenue

The Selectmen were reminded that the Cape Ann Chamber's Economic Forecast Breakfast Club will meet on Friday, January 8<sup>th</sup> at 7:30 a.m. at the Elks at Bass Rocks. Selectman Lynch and Town Administrator Zubricki will attend.

The next Board of Selectmen's meeting will be held on Monday, January 11<sup>th</sup>, at 7:00 p.m. in the T.O.H.P. Burnham Public Library.

Chief Peter Silva will be asked to meet with the Selectmen at their January 11<sup>th</sup> meeting to review his accomplishments and to set future goals.

Board of Public Works member Scott DeWitt, BPW Superintendent Paul Goodwin, and Water Department employees Mike Galli, Dave Frithsen, and Arthur Churchill joined Gloucester Mayor Carolyn Kirk before the Selectmen.

The assembled group introduced themselves to Mayor Carolyn Kirk who presented a brief overview of the water crisis that the City had faced last summer. Mayor Kirk thanked the Water Department profusely for their tireless assistance during the crisis. She went on to say that one-half of the City's water resource needs extensive and costly repair which will only get the City through a few more years. Ultimately, a new facility will have to be built. Mayor Kirk said that during the repair period, she will be asking several surrounding municipalities for their assistance to provide water to the City. A discussion followed Mayor Kirk's remarks. Superintendent Goodwin said that he has been meeting with the head of Gloucester's Water Department and that Essex may need water backup from Gloucester during periods of the Route 133 Reconstruction Project. The assembled group thanked the Selectmen for meeting with them and left the meeting.

Peg Wheeler from the Trustees of Reservation appeared before the Selectmen to request that the Selectmen approve the renewal of a conservation restriction for Nut and Pod Islands in the Castle Neck River marsh. The restriction will be for 20 years and will mature in the year 2030. Town Clerk Sally Soucy joined the meeting. A motion was made, seconded, and unanimously Voted to approve the conservation restriction for Nut and Pod Islands for a period of 20 years. The Selectmen signed the restriction and were witnessed by Sally Soucy. Peg Wheeler said that she will forward the completed copies of the documents to the Town once they are filed at the Registry. She thanked the Selectmen and left the meeting with Sally Soucy.

Draft Annual Town Meeting Topics: The Selectmen discussed Mr. Zubricki's draft of possible topics for the upcoming Annual Town Meeting. Selectman Randall agreed to put together a report on the Grove Cottage including a market analysis, potential uses if the cottage is retained by the Town or if the cottage is sold to a third party, and a survey of residents for or against keeping or selling the cottage.

Mr. Zubricki reported that Town Counsel has forwarded recent changes to the Federal wireless regulations and has advised that the Town check their by-laws to make sure that

they are compatible with the new regulations. Mr. Zubricki agreed to ask Planning Board Chair Kim Drake if she will check the Town by-laws.

Mr. Zubricki said that the Dog Control Officer is drafting some new dog control measures that she would like to see voted on at the Annual Town Meeting.

At 8:00 p.m., members of the Shellfish Advisory Commission Dean Rossi and Scott Dunsmore joined the Selectmen to present an update from the Commission. Dean Rossi said that there were 198 days in the past season, but the flats were only open 75 of those days because of rainfall closures. Now that the regulations and boundaries are being changed by the Division of Marine fisheries, there should be more opportunities for shellfish harvesting.

Mr. Rossi said that the Commission would like to suggest that there should be a late fee for filing late clamming permit applications. Mr. Zubricki said he would find out from Town Counsel what the procedure should be to institute a late fee. The Commission would also like to be more involved and aware of requests for deadline waivers and hardship waivers.

Mr. Dunsmore and Mr. Rossi said the Commission would like to suggest some operational changes based on the job description for the Shellfish Warden. The Selectmen said they were welcome to get a copy of the job description that they could review so they could put together a recommendation of suggested changes.

Mr. Rossi presented a slide show of pictures taken showing the progress of their reseeded project that was funded last year by grants.

The Selectmen thanked Mr. Rossi and Mr. Dunsmore for their update and they left the meeting.

The Selectmen reviewed an anonymous letter regarding the perceived illegal issuance of two clamming permits. It was decided that Mr. Zubricki would give the letter to the Town Clerk for her to investigate.

There being no further business before the Board, a motion was made, seconded, and unanimously Voted to adjourn the meeting at 8:39 p.m.

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
A. Raymond Randall, Jr.