

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

Also Present: Town Clerk Search Committee members: Virginia Boutchie, Vicki Cataldo, Dorothy Elwell, and Sally Soucy; Gloucester Daily Times Reporter Jonathan Phelps; and, Town Clerk Candidate Karen Budrow.

The Chairman called the meeting to order at 6:00 p.m. and announced that the Board would hear Public Comment. No one offered any comment.

A motion was made, seconded, and unanimously Voted to approve and sign the weekly warrant in the amount of \$93,238.67.

A motion was made, seconded, and unanimously Voted to approve and sign the minutes for the January 25th, 2010, Selectmen's Open Meeting, and for the January 25th, 2010, Selectmen's Executive Session.

Mr. Zubricki asked the Selectmen if they were interested in scheduling a meeting with Kopelman and Paige to review the current status of the Town's legal affairs. The Selectmen asked that Town Counsel be requested to present an update at one of the Selectmen's April meetings.

At 6:05 p.m., Karen Budrow came before the Board to interview for the position of Town Clerk. Ms. Budrow is currently employed as Director of Human Resources for the City of Chelsea. The Selectmen reviewed Ms. Budrow's work experience and asked several cogent questions. The Selectmen thanked Ms. Budrow for coming and she left the meeting.

Mr. Zubricki began his Town Administrator's Report for the period covering January 23rd, 2010 through February 5th, 2010 regarding the following items:

Village Initiative Plan Technical Planning Assistance: Mr. Zubricki reported that the Town was not successful in getting the State grant to help with a portion of the Village Initiative. As a result, Carolyn Britt of Community Investments will include it in the proposal that she is currently preparing.

School District Budget Follow-up Meeting: Mr. Zubricki said that the School Committee has subsequently voted the school budget at a 4% increase.

Business Financial Assistance: Mr. Zubricki reported that he had hosted a meeting recently, among Senator Tarr, Representative Ferrante, and several members of the Town's business community, to explore the possibility of the State funding low interest loans to help out the businesses on the causeway during the Route 133 Reconstruction Project. There is a follow-up meeting scheduled for sometime in early March with the Senator and Representative Ferrante and assorted experts to discuss various options that might be made available to the business community.

North Shore Community Health Network Mini-Grant: Mr. Zubricki said that the Board of Health had applied for and received a grant to help pay for the second annual Youth Triathlon scheduled for the fall of 2010. The North Shore Community Health Network has requested that the Town sign a Memorandum of Agreement as a condition of the grant funding. A motion was made, seconded, and unanimously Voted to approve and authorize Chairman Jones' signature on the Memorandum.

James Mullen, Jr. appeared before the Selectmen to discuss his application for the position of Town Clerk. Mr. Mullen has been Town Clerk of Milton, Massachusetts for the past 32 years. The Selectmen discussed with Mr. Mullen his strengths and weaknesses in relation to the qualifications necessary for the Essex Town Clerk position. At the end of the interview, the Selectmen thanked Mr. Mullen and he left the meeting.

The Selectmen reviewed a request from Department of Public Works Superintendent Goodwin for \$30,000 in additional snow removal funding. A motion was made, seconded, and unanimously Voted to approve the request and forward the request to the Finance Committee.

A motion was made, seconded, and unanimously Voted to issue a proclamation establishing Holocaust Remembrance Week on April 11th through April 17th, 2010. Chairman Jones signed the proclamation.

The Selectmen discussed a request from the BSA to hold an overnight camporee at Centennial Grove commencing Friday, May 14th through Sunday, May 16th. The BSA has requested that the fees be waived or reduced in lieu of a service project. The Selectmen expressed concern that the camporee might interfere with the Little League games and that there would not be enough room for camping and parking. The Selectmen asked Mr. Zubricki to find out if the BSA would mind camping in the woodland areas at Centennial Grove, since the fields would not be available for tenting. They also asked Mr. Zubricki to contact Warren Grant for a reference. The Selectmen said that they would consider the request again at their meeting on February 22nd.

The Selectmen reviewed a resignation letter from Daisy Nell as the Essex representative to the Board of Cape Ann TV. Her resignation will be effective May 2010. The Selectmen asked everyone, including the Gloucester Daily Times Reporter, to spread the word that the Town is looking for a suitable replacement representative.

Mr. Zubricki said that the Planning Board has requested access to Legal Counsel for clarification of some issues that have arisen regarding the legal frontage of a particular property. A motion was made, seconded, and unanimously Voted to approve access to Town Counsel by the Planning Board.

The Selectmen considered a request from Brendan O'Donoghue to be appointed to the Town Building Committee. A motion was made, seconded, and unanimously Voted to appoint Mr. O'Donoghue to the Town Building Committee.

At 7:00 p.m., Patricia Brown arrived before the Selectmen to interview for the Town Clerk's position. She described her accomplishments over the past few years as Assistant

Town Clerk in Rockport and answered questions from the Selectmen. The Selectmen thanked Ms. Brown and she left the meeting.

Dan Mayer came before the Selectmen to request a transfer of the lease for the property at 101 Conomo Point Road (Map 19, Lot 102) from Walter and Evelyn Mears to Dan Mayer. The Chairman reminded Mr. Mayer, who already leases another property from the Town at Conomo Point, that the leases will be expiring at the end of 2011 and they are not expected to be renewed. Mr. Mayer acknowledged that he knew that the leases would not be renewed. A motion was made, seconded, and unanimously Voted to approve the transfer of the lease pending successful review of the necessary documents. The Selectmen's Assistant said that she would contact Mr. Mayer regarding the paperwork.

Selectman Lynch reviewed the proposed changes to the zoning bylaws relative to the proposed subdivision of a southern portion of Conomo Point.

Dog Control Officer Amy Reilly appeared before the Selectmen to discuss her efforts to handle complaints about nuisance and vicious dogs in Town. She was joined by Animal Health Inspector Pam Stone. Ms. Reilly and Ms. Stone discussed changes that they would like made to the dog control bylaws based on their past experiences in dealing with lost or abandoned pets and wildlife. Ms. Reilly reported that the Town of Ipswich has agreed to shelter any dogs that she has picked up as long as someone from Essex will assume responsibility for the daily feeding and walking. The desirability of establishing a data base of licensed dogs in Town was discussed as a useful tool in identifying stray dogs and for checking rabies vaccinations. Mr. Zubricki said that he would research and draft a proposed hourly wage for someone to tend to the feeding and care of any stray dogs that were picked up by the Town on an "as needed" basis along with the establishment of a revolving fund. Ms. Reilly said that she would work on some proposed changes to the dog control bylaws and hoped to have them ready for approval in time to be included in the Annual Town Meeting Warrant for May 3rd, 2010. Ms. Reilly and Ms. Stone left the meeting.

At 8:00 p.m., the Selectmen interviewed Jennifer Smith for the position of Town Clerk. They discussed her past work experience, her strengths and weaknesses. Finally, there being no more questions on either side, the Selectmen thanked Ms. Smith for the interview and she left the meeting. Town Clerk Search Committee members Sally Soucy, Vicki Cataldo, and Dorothy Elwell also left the meeting.

Shellfish Advisory Commission Recommendations: Mr. Zubricki reported that he and Chairman Jones, Shellfish Advisory Commission Chairman Fitzgerald, and Shellfish Constable Thistlewood had met to discuss the perceived primary focus points of the Shellfish Constable's daily schedule. Based on that conversation, the Selectmen asked Mr. Zubricki to draft a revised daily work plan for their review at a future meeting.

Mr. Zubricki said that the Long Term Planning Committee has asked whether the Department of Public Works would be agreeable to assuming responsibility for maintaining the Pocket Parks (once they are created) which are proposed in the Committee's Village Initiative plan for downtown Essex. The Selectmen asked Mr. Zubricki to contact the Chairman of the Board of Public Works to discuss the matter.

Finance Committee Chairman Jeffrey Soulard and Finance Committee members Mark McKenna, Gordon Martin, Karen Birch, and Ed Lafferty joined the meeting, as well as, Police Chief Silva and Town Accountant Roxanne Tieri.

Mr. Soulard handed out his current analysis of the proposed budget for FY2011. Those present discussed whether or not to use some of this year's free cash to offset FY11 budget shortfalls. Most of the capital expenditures will be postponed for a future fiscal year in order to avoid an over-ride for FY11. The Town is still waiting to hear how much the cost of health insurance will be increased and union negotiations are still on-going. The Finance Committee felt confident that they will be able to avoid an over-ride this year. Unfortunately, there will more likely than not be an over-ride in FY2012.

The Finance Committee members, the Town Accountant, the Treasurer/Tax Collector, and the Police Chief left the meeting at 9:15 p.m.

Mr. Zubricki said that he has had an inquiry from the Manchester Essex Little League about projects concerning the Field of Dreams. The Selectmen said that they are most interested in having a nice scoreboard and two sets of aluminum bleachers. If there is any money left over, they would like it used towards the purchase of sturdy fencing and a batting cage as suggested by MELL.

Draft Annual Town Meeting Warrant: Mr. Zubricki reviewed the articles on the latest draft of the warrant for the Annual Town Meeting. He may be adding an article to increase mooring fees charged by the Town as suggested by the Chief of Police.

Selectman Lynch said that so far the Conomo Point Planning Committee only has one vacancy. However, the Committee has only met a couple of times since the new bylaw has gone into effect. Based on the new bylaw, a member has to miss four meetings before the member may be replaced on the Committee.

The Selectmen agreed to scheduling the Conomo Point Public Input Session for Thursday, March 11th, 2010, at the Essex Elementary School between the hours of 7:00 and 9:00 p.m.

Mr. Zubricki said that several people have recommended that an assessment of the John Wise Avenue Site that is being proposed for the new Police and Fire Public Safety Building be conducted before spending money on the feasibility study. The Selectmen asked Mr. Zubricki to ask the Conservation Commission, the Zoning Board of Appeals, and the Planning Board for an opinion of the site.

Mr. Zubricki reported that Congressman Tierny, as a member of the House Appropriations Committee, is asking communities if they have any important projects that need to be funded. The Selectmen agreed to Mr. Zubricki's suggestion to fill out an application, drawing from the list of Town projects from past conversations with Senator Tarr and the Town's American Recovery and Reinvestment Act application.

Selectman Lynch agreed to work with Mr. Zubricki to formulate some questions for a survey regarding the EYC programs.

Mr. Zubricki agreed to forward a copy of the questions that the Town Clerk Search Committee had created for the interviews to the Selectmen to use in evaluating the finalists. The Selectmen will discuss their choice at the next meeting of the Board. It is hoped that the new Town Clerk will be able to start in March.

Mr. Zubricki said that he has been contacted by a close friend of Town Clerk Sally Soucy who is retiring this May after many, many years of service to the Town. The close friend and a group of residents would like the Selectmen to agree to name the nature trail at Centennial Grove where Sally walks every morning "The Sally Lord Soucy Nature Trail" in honor of her service to the Town. A motion was made, seconded, and unanimously Voted to approve the naming of the trail. Mr. Zubricki said that the close friend has agreed to be responsible for all the arrangements associated with the honor which will be kept secret until it is awarded to Sally.

The Selectmen were reminded that the Town Hall will be closed on Monday, February 15th, for Presidents' Day and that the Warrant will be signed on Tuesday, February 16th.

The next Board of Selectmen's meeting will be held on Monday, February 22nd, at 7:00 p.m. in the T.O.H.P. Burnham Public Library.

At 9:30 p.m., citing the need to discuss the value of real estate and collective bargaining, the Chairman entertained a motion to move to Executive Session. He stated that the Board would not be returning to Open Session and invited Mr. Zubricki to attend. Times Reporter Jonathan Phelps left the meeting. 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 9:45 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.