

**Selectmen's Meeting
Senior Center**

January 24, 2011

Present: Chairman A. Raymond Randall, Jr., Selectman Jeffrey D. Jones, Selectman Lisa J. O'Donnell, Town Administrator Brendhan Zubricki, Selectmen's Assistant Pamela J. Witham.

Also Present: Board of Public Works member Paul Rullo; Conomo Point Planning Committee Chair Mark Lynch and CPPC members John Bediz, Charles Burnham, and Jim Witham; Conomo Point Leaseholders Paul Collins, William Liberti, Mark Osburn, and Judd Pratt; Finance Committee Chair Jeff Soulard; Planning Board Chair Kim Drake; Police Chief Peter G. Silva and Police Sergeant Paul Francis; School Committee member/ Conomo Point Planning Committee member Susan Coviello; Tennis Court Committee members Jim Lewiecki and Kathy Pennoyer; Town Clerk Christina Wright; and, Treasurer/Collector Virginia Boutchie.

The Chairman called the meeting to order at 7:00 p.m. and announced that the meeting was being recorded and that the Board would hear Public Comment. There was no public comment offered.

Mr. Zubricki presented his Town Administrator's Report for the period covering January 8th, 2011 through January 21st, 2011 regarding the following:

Treasurer/Collector's Accomplishments: Mr. Zubricki said that each of the Selectmen had been given a copy of the Treasurer/Collector's goals and accomplishments for review. He said that former Selectman Lynch had been the Selectmen's liaison for the Treasurer/Collector's performance review. Selectman Jones offered to assume that responsibility and Mr. Zubricki asked the Selectmen to forward their comments to Selectman Jones for future discussion with the Treasurer/Collector.

Town Building Feasibility Study, Phase I: Mr. Zubricki reported that the firm that was commissioned to conduct a feasibility study for new Town building(s) has prepared an initial report regarding the anticipated spatial requirements of the various entities that would be using the proposed space. The Town Building Committee has not been able to review and discuss the report yet due to adverse weather conditions, but the TBC is scheduled to meet on January 31st to go over the report. The firm is suggesting that a topographic survey of grades at the proposed John Wise site and the Martin Street site may be necessary for a combined estimated cost of approximately \$14,000.

Summer Camp RFP Facility Site Visit: Mr. Zubricki said that he had heard from four interested parties concerning the recently released RFP for a summer camp at Centennial Grove. He said that the YMCA is definitely interested in making a proposal and suggested several items that the Selectmen may wish to think about. In the past, the

summer program was operated by the Town and did not have to comply with State regulations for summer camps. If the Town turns the operation over to a non-profit entity, certain guidelines may need to be met such as providing water for hand washing or flush toilets. Alternatives, such as hand sanitizer and portable toilets may also be permitted. The Building Inspector will also need to inspect and certify the buildings for safety, etc. Mr. Zubricki said that there is an Eagle Scout candidate who is looking for an Eagle Scout project and who would be willing to help with the Centennial Grove site. Mr. Zubricki said that the YMCA has said that they may be able to prioritize the hiring of Essex residents for the program and that the beach area may only be off limits during specific times to non-camp participants.

FY12 Selectmen's Budget Package: Mr. Zubricki reviewed the budget package again and said that he had surveyed the building inspector salaries in other towns and found that the average pay is \$30 per hour, compared to the \$20 per hour that Essex pays. The Selectmen said that they would like to increase the Building Inspector's stipend over a two-year period up to \$30 per hour for a 6-to-8 hr. work week, and that they would also like to increase the Assistant Building Inspector's salary to provide for his regular presence at the Town Hall for two hours each week on Monday mornings. The Selectmen said that they also want the building permit fees increased from the current \$6 per \$1,000 to \$10 per \$1,000 and asked that an article be included on the Annual Town Meeting warrant to that effect.

Preliminary Draft of Annual Town Meeting Warrant: Mr. Zubricki briefly reviewed each of the proposed articles for inclusion in the ***Annual Town Meeting Warrant***. Mr. Zubricki said that Kurt Wilhelm would like to have the demolition delay article on the Annual Town Meeting warrant again. He has changed the delay period from 6 months to 4 months for buildings 100 years old or more instead of 50 years old or more.

In other business, a motion was made, seconded, and unanimously voted to approve and sign the weekly warrant in the amount of \$253,305.16.

A motion was made, seconded, and unanimously voted to approve and sign the minutes for the January 10th, Selectmen's Open Meeting and Executive Session.

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

Antiques License:

- Alexander Westerhoff at 18 Eastern Avenue
- Essex Antiques & Interiors, Edna I. Goudreault, at 235 John Wise Avenue

Common Victualler's License:

- Essex River Cruises & Charters, Clifford Amero, Manager, at 35 Dodge Street.
- DVR Corp., d/b/a Cape Ann Pizza and Subs, James Roumeliotis, Manager, at 65 Eastern Avenue

- Essex Pizza and Restaurant, Dimitrios Tegos, Manager, at 235 Western Avenue

The Chairman asked Town Clerk Christina Wright to begin the Quarterly Department Head segment of the meeting. Christina said that she has been working with the Dog Control Officer to improve the Town's dog licensing system and the control of vicious and nuisance dogs. She said that preliminary records show that there are approximately 900 dogs in Town, and that currently, only around 200 are duly licensed. In a survey of other small towns, she found that Essex charges the least for dog licenses and that Gloucester charges four times as much and Beverly charges twice as much. She said that they are investigating new software that will allow information concerning all the licensed dogs, vicious dogs and nuisance dogs in Town to be readily accessed by the Police, the Dog Control Officer and the Town Clerk. She said that in the future, all dogs that are deemed to be vicious dogs, will receive a red license tag which will be easier to identify in the field than the regular license tag with a "V" on it.

In her capacity as Town Clerk, Christina announced that nomination papers are now available and handed out *notices listing the offices up for election* on May 9, 2011.

Kathy Pennoyer and Jim Lewiecki, members of the Essex Parks Improvement Committee, spoke next about their committee's efforts to augment Memorial Park with the addition of a basketball court and the renovation of the tennis courts. The committee has already raised approximately \$23,000. It has spent all but about \$6000 of that money on the creation of a viable design plan and permitting. They now estimate that it will cost approximately \$145,000 to implement the plan. They said that they are planning a fundraiser this coming Spring and that they have initiated discussions with the Essex Shipbuilders about partnering on this project. They discussed the proposed design for the improvements which do not include lighting at this time. A question was raised about whether or not Community Preservation money could be used for this project. The Selectmen thanked Mr. Lewiecki and Mrs. Pennoyer for their report and they left the meeting.

Planning Board Chair Kim Drake said that her board is moving forward with the process to amend the zoning bylaws to allow for the subdivision of southern Conomo Point. They have scheduled a public hearing to discuss the proposed change on Wednesday, February 16, 2011. She said that her board, as far as she knows, is generally in favor of Town Counsel John Goldrosen's January 5th, 2011 draft of the amendment. Chairman Randall reminded her that the Selectmen would like to have a representative from the Planning Board attend their discussions on Conomo Point at their regular meetings. Mrs. Drake said that she would remind her board members of the request.

Board of Public Works member Paul Rullo said that his department has been busy with recent snow storms and that they have already spent about \$50,000 of this year's snow budget. More snow and lots of it are being forecast for this week and it is only January. He said that more than likely they will need additional money to get through this season.

Mr. Rullo commended Superintendent Paul Goodwin on the excellent job performed by Mr. Goodwin and his staff in keeping the Town roads clear and safe during the last three snow storms.

Police Chief Peter Silva agreed with Paul Rullo on the great job that the BPW does to keep the roads clear. The Chief said that during the past storm, the causeway had flooded. Apple Street was extremely icy and they were unable to get the fire truck over to the other side of the causeway due to the backup of cars that could not navigate the ice. He said that one of the cruisers now has about 130,000 miles on it and is starting to have problems. He is hoping to be able to replace it in the near future.

Finance Committee Chair Jeff Soulard said that they are still working on the FY12 budget, but that they are fairly certain that they will be asking the Town to vote for an over-ride at the Annual Town Meeting. The tax rate is currently set at \$13.62, and an over-ride would set it at over \$15.00. The School Committee is still working on their budget, which will not be set until sometime after the public hearing about it in February. Mr. Soulard said that the loss of rental income from Conomo Point would also seriously impact the tax rate.

Treasurer/Collector Virginia Boutchie said that her department is continuing to test the new software that is being created to replace Revenue Sense, the current software. She is expecting that the software will be ready for Town use at the beginning of FY 2012. Mrs. Boutchie reported that a piece of property, labeled as Map 10, Lot 10 by the Assessors, had been taken by the Town as a result of unpaid taxes. There is now a third party who is interested in buying property that is adjacent to it, who has offered to pay the back taxes to the Town so that they can buy that small piece of land as well. A motion was made, seconded, and unanimously voted to rescind the Town's taking of the land known as Map 10, Lot 10 on the Assessors' maps, contingent upon payment in full of the back taxes that were unpaid and review by Counsel. Mrs. Boutchie said that the back taxes amount to approximately \$6,000.

School Committee member Susan Coviello reminded the Selectmen that there will be a public hearing on February 1st to discuss the proposed school budget for FY12. She said that presently, everything has been level funded with the exception of the creation of 6 new positions. She reported that enrollment has increased by 163 students. The proposed Essex portion of the budget is about 6.4% higher than last year's budget.

The Chairman said that that concluded the Quarterly Department segment of this meeting and thanked everyone for coming. Paul Rullo, Virginia Boutchie, and Christina Wright left the meeting.

Mr. Zubricki distributed the latest version of the *Conomo Point Mind Map*, dated **1/24/2011**, and reviewed the additions that have recently been included. The Selectmen agreed that they would like to also include bridge leases for northern Conomo Point on the map. A motion was made, seconded, and unanimously voted to offer bridge leases to

Conomo Point tenants who lease lots north of Robbins Island Road. The Chairman asked everyone to continue to work on the maps and to forward their suggestions to Mr. Zubricki, who will make the additions to the maps.

Conomo Point Planning Committee Chair Mark Lynch said that his committee is preparing a paper recommending the position that the Town should take regarding Conomo Point.

Mark Lynch, John Bediz, Charles Burnham, Susan Coviello, Jim Witham, Paul Collins, William Liberti, Mark Osburn, Judd Pratt, Jeff Soulard, and Kim Drake left the meeting.

A motion was made, seconded, and unanimously voted to ratify the Chairman's declaration of a state of emergency on Wednesday, January 12, 2011 at 1:22 p.m., and also to ratify his termination of the state of emergency at 12:00 noon on Thursday, January 13, 2011.

The Selectmen reviewed the appointments to the Board of Appeals. A motion was made, seconded, and unanimously voted to approve the appointment of Richard Carter to the Board of Appeals for three years; the appointment of Edwin Perkins as a Board of Appeals Alternate for two years; and, subject to Town Counsel's agreement that it would not be a conflict of interest or otherwise prohibited, Rolf Madsen as a Board of Appeals Alternate for two years. The Selectmen signed the appointment cards.

The Selectmen reviewed the notarized statement from Dr. Sachsse acknowledging that that he is aware that the leases at Conomo Point are expected to end and not be renewed on December 31, 2011. A motion was made, seconded, and unanimously voted to approve the removal of the name of Nancy Sachsse from the lease for the Conomo Point property at 44 Robbins Island Road (Map 19, Lots 72 and 74 A) and the addition of the name Eckart Sachsse to this lease.

A motion was made, seconded, and unanimously voted to sign the *letter to the Manchester Essex Conservation Trust* as recommended by the Board of Assessors.

Police Chief Silva and Sergeant Paul Francis came before the Selectmen to discuss the accomplishments of the Police Department over the past year. Chief Silva reviewed a *log of calls* that the department handled in 2010 and Sergeant Francis reported on the progress made to date regarding *certification for the department*. To date, the department has achieved 123 points of the total 155 needed. Sgt. Francis said that he would like to have a trial/mock assessment in early Spring, with the final assessment completed by calendar 2011 year-end. The Sergeant is only able to work on certification in his spare time as his regular work load permits. One of the more challenging items on the list is finding a safe and private interview space for suspects, witnesses, or victims which would also have video-taping and recording facilities. The Selectmen thanked Sergeant Francis for his update and he left the meeting.

Chief Silva discussed his *goals and accomplishments for 2010* which included certification for the department, motorcycle noise, nightly meetings with residents, and ABCC training for area restaurants. He went on to talk about his *goals for 2011* which will include continuing to work towards certification of the department, integrating the firearms records, the house numbering project, vehicle window etching and mooring location additions. The Selectmen thanked the Chief for his presentation and said that the certification goal will include the completion of the mock assessment with the calendar year of 2011. Chief Silva left the meeting.

The Chairman asked Mr. Zubricki to schedule two conference calls for a future Selectmen's meeting regarding Conomo Point: The first call to be with Sheldon Pennoyer and Jim Heroux; and the second call to be with Nick Cracknell and Scott Horsley of the Horsley Witten Group.

The Selectmen reviewed a *letter from a part-time Deputy Shellfish Warden* suggesting that the Shellfish Warden work one or both days of the weekend. There are more diggers on the weekends than during the weekdays. A motion was made, seconded, and unanimously voted to ask the Warden to work one weekend a month during the summer months of June, July, and August.

The Selectmen reviewed a *note from John Story, Jr.* regarding a tax bill for marsh land, Map 42, Lot 172. Mr. Story said that he is not the owner of the land. The land is listed on Assessors Map 42 which is a theoretical map listing all the land in Town with an unidentified location. The Selectmen decided to refer the letter and the bill to the Treasurer/Collector for processing.

The Selectmen were informed that the Building Inspector has been unable to certify Building Code compliance for the Windward Grille as mandated by the ABCC. The owner/manager of the property agreed to make the changes when first notified that changes were needed two years ago. He has been reminded several times, but so far the changes have not been made. A motion was made, seconded, and unanimously voted to initiate proceedings to revoke the liquor license for the Windward Grille unless the required changes are made before the end of this week (1/22/2011).

The Selectmen reviewed a *letter to appeal a decision* by the Animal Control Officer regarding a dog on Story Street and asked Mr. Zubricki to schedule a public hearing to review the information.

The Board of Selectmen was reminded that they will meet with the Long Term Planning Committee on Tuesday, January 25th, at the Senior Center at 7:00 p.m.

The next Board of Selectmen's meeting will take place on Wednesday, January 26th, at 7:30 a.m. in the T.O.H.P. Burnham Library.

The Eastern Essex District Department of Veterans' Services Board of Directors will be meeting at 7:00 PM on Wednesday, January 26, 2011 in the Employee Lounge (ground floor) of Ipswich Town Hall, 25 Green Street Ipswich, MA. Chairman Randall is currently the Selectmen's representative to the Board of Directors and he reminded everyone that a new representative will need to be selected this coming May, since he will not be seeking re-election to the Board of Selectmen.

The Board of Selectmen will hold their first February meeting on Monday, February 7th, 2011, at 7:00 p.m. in the T.O.H.P. Burnham Library on Martin Street.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 10:40 p.m.

Documents used during this meeting include the following:

Annual Town Meeting Warrant
Notice Listing the Offices up for Election
Conomo Point Mind Map, dated 1/24/2011
Letter to the Manchester Essex Conservation Trust
Log of Calls
Certification for the Police Department
Goals and Accomplishments for 2010
Goals for 2011
Letter from a part-time Deputy Shellfish Warden
Note from John Story, Jr.
Letter to Appeal a Decision

Prepared by: _____
Pamela J. Witham

Attested by: _____
Lisa J. O'Donnell