

**Selectmen's Minutes**  
**T.O.H.P. Burnham Library**

**February 18, 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, and Conomo Point leaseholders Martha Mazzarino and Dan Mayer.

The Chairman called the meeting to order at 7:30 a.m. and announced that the meeting was being recorded and that the Board would hear Public Comment. No one offered any comment.

The Chairman asked Mr. Zubricki to place a conference call to Pam Shadley of Shadley Associates, a landscape design firm located in Lexington, Massachusetts. The Chairman introduced those present and said that the meeting was being recorded. Pam Shadley described her firm and their past projects which have included many coastal sites and one submersible park which is covered twice each day by the tide. The Selectmen said that they are seeking professional help conceptualizing ideas for public space at Conomo Point and that they would like some visual displays of those concepts for the Annual Town Meeting. Although there is no budget at this time, the Town may appropriate money in the future for implementation of the designs that are chosen. More than likely, any changes made to the landscape will be phased-in over time as funding becomes available. The Town will need professional help with managing, permitting, and constructing the project as it evolves. An appointment was scheduled for Thursday, March 3<sup>rd</sup>, at 3:30 p.m. for a site walk. Mr. Zubricki agreed to email Shadley Associates the names of the other landscape firms that the Town is interviewing regarding Conomo Point and the Selectmen terminated the call.

Mr. Zubricki reported that the Conservation Commission Clerk is working to find a time that her commission may meet with the Board of Selectmen for a site visit to Conomo Point to review the location and its conservation limitations.

Mr. Zubricki said that he has been invited by Senator Bruce Tarr, who is now minority leader of the State Senate, to join a commission to study the expenditure of funds received through the American Reinvestment and Recovery Act. Mr. Zubricki said that he would like to accept the invitation and that he would like his representation on the commission added to his Town Administrator's responsibilities. The Selectmen were in agreement and a motion was made, seconded, and unanimously voted to approve Mr. Zubricki's appointment to the Commission by Senator Tarr.

Mr. Zubricki said that the Town Clerk has reviewed the fees for dog licenses in other towns and has suggested that an article be placed on the Annual Town Meeting Warrant to increase the Town's dog license fees to be more comparable to those charged in other towns. She will summarize other dog-related issues in a memo to the Board.

Mr. Zubricki reported that only one proposal had been received regarding the proposed youth summer program at Centennial Grove. He distributed copies of the proposal for the Selectmen's review and comment at a future Selectmen's meeting.

The Chairman asked Mr. Zubricki to place a conference call to Marion Pressley of Pressley Associates, another landscape design firm with locations in Cambridge, Massachusetts, and Valencia, California. The Chairman introduced those present and said that the conversation was being recorded. Mrs. Pressley discussed the capabilities of her firm and their many projects including Faneuil Hall Marketplace, Harvard Square, and East Boston Piers Park. After the Selectmen reviewed their perceived planning needs for Conomo Point, a joint site visit was scheduled for Thursday, March 10<sup>th</sup>, at 3:30 p.m. The Chairman thanked Mrs. Pressley for her time and ended the conference call. Mr. Zubricki agreed to provide each of the four landscape firms the names of the other firms being asked to offer ideas for Conomo Point public space.

Martha Mazzarino and Dan Mayer left the meeting.

Mr. Zubricki and Selectman O'Donnell, who is also Chair of the Town Building Committee, agreed to try to schedule a meeting for that committee on March 8<sup>th</sup>.

In other business, the appraisal standards to be used by the Town to determine the amounts for the bridge leases and for the proposed real estate sales prices were discussed. Mr. Zubricki said that Town Counsel is recommending that the Town use the Uniform Standards of Professional Appraisal Practice (USPAP), as published by the Appraisal Standards Board (ASB) of the Appraisal Foundation. Chairman Randall said that he would also like to discuss the standards with John Petersen of Petersen/Lachance Realty Advisors in an effort to learn about the state of the industry, and asked Mr. Zubricki to schedule a conference call. Mr. Petersen had been subcontracted by the Horsley Witten Group in 2009 to provide the Town with an appraisal for approximately 23 acres of land in the area recently designated as southern Conomo Point.

Mr. Zubricki said that he had been unsuccessful in finding any companies that could help with verifying documentation required for shellfish license applications. All of the towns that he spoke with said that they use a police officer to verify the records. Essex does not have any extra staff available in the Police Department to provide that service. Mr. Zubricki said that the Town Clerk has devised a comprehensive checklist and he reviewed all the items currently being checked by the Town Clerk. The Selectmen decided to rely on the Town Clerk for verification of license application documentation and agreed to only investigate if and when any complaints are received regarding false documentation or when the Town Clerk's process raises questions of validity.

Mr. Zubricki said that it had come to his attention that a Town employee has asked the Town to pay for a parking ticket that was received while that employee was at a working seminar. The parking meters in the town where the seminar was held were inaccessible because they were buried in snow. Even so, tickets were issued. After some discussion, a motion was made, seconded, and unanimously voted that since this was a special situation, the Board would approve the payment of the ticket, contingent upon approval by the Town employee's Board, and also, that that approval be reflected in the minutes of the Town employee's Board.

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Mr. Zubricki distributed the proposed Board of Selectmen's/Conomo Point Commissioners' report to be published in the Town's Annual Report for 2010 as drafted by the Chairman. After some discussion, it was agreed that Selectman O'Donnell would add a preface to the report and that the spacing would be adjusted.

Mr. Zubricki reported that Ed Neal has resigned from the Conomo Point Planning Committee and asked the Selectmen for suggestions for a replacement. The Selectmen can appoint replacement members to the Committee, but agreed to wait for the Annual Town Meeting, since the positions on the CPPC are elected positions. It was suggested that Chairman Randall may consider filling the vacancy left by Ed Neal.

A motion was made, seconded, and unanimously voted to approve the acceptance of a gift to the Town in the amount of \$3,000 to be used towards a forest fire truck from the Essex Fire Company.

Mr. Zubricki asked the Selectmen to sign personal acknowledgments regarding the recently approved Town Comprehensive Public Records and Technology Policy. Mr. Zubricki said that he will be asking other Town employees to sign similar acknowledgments and that it will now become part of the Town employee employment package that will be updated from time to time.

The Selectmen were reminded that the next Selectmen's meeting will take place on Monday, February 28<sup>th</sup>, 2011 in the T.O.H.P. Burnham Library at 7:00 p.m.

At 9:00 a.m., citing the need to discuss the lease of real property at Conomo Point, the Chairman entertained a motion to move to Executive Session. Chairman Randall stated that discussing the subject in Open Session would be detrimental to the Town's negotiating position and that the Board would only be returning to Open Session to adjourn the meeting. He invited Town Administrator Zubricki to attend the Executive Session. The motion was moved, seconded, and, following a unanimous Roll Call Vote, the Board moved to Executive Session.

The Board returned to Open Session at 9:25 a.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: \_\_\_\_\_  
Lisa J. O'Donnell