

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

April 11, 2011

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

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. No one offered any comment.

John Arnold of 34 Southern Avenue came before the Selectmen to request a waiver of the application deadline for a commercial shellfishing license. He said that he has finally gotten his boat motor repaired and is now able to go fishing. A motion was made, seconded, and unanimously voted to waive the deadline for Mr. Arnold and the Selectmen approved his application which included complete documentation. Mr. Arnold thanked the Selectmen and left the meeting.

Mr. Zubricki discussed his Town Administrator's Report for the period from March 19, 2011 to April 1, 2011, regarding the following:

Cloud Computing - Shared Data Center Model: Mr. Zubricki reported that the City of Melrose will be hosting a summit to explore the possibility of creating a cloud-based regional datacenter in May. Mr. Zubricki said that he plans to attend the summit.

Mr. Zubricki said that he has also been working with a software developer, Town Counsel, and the Town's auditors to perfect a cloud-based tax collection program. The Tax Collector/Treasurer has been testing the system as it evolves and is pleased with its performance, so far. It appears all legal and liability issues will be resolved in the near future and that the Town may be able to switch over to the new system as early as July 1, 2011.

At 7:08 p.m., citing the need to discuss pending litigation regarding the revised Conomo Point Plan, the Chairman entertained a motion to move to Executive Session. He said that discussing the Plan in Open Session would be detrimental to the Town's litigating strategy and invited Mr. Zubricki to attend. He stated that the Board would be returning to Open Session. 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 7:27 p.m.

Adoption of Public Safety and Fire Mutual Aid Statutes: Mr. Zubricki reported that it is not necessary to have Town Meeting vote on the adoption of three mutual aid statutes. A vote by the Selectmen is sufficient. However, the Police Chief and the Fire Chief have not yet reviewed and offered an opinion on the statute for Public Safety. The Selectmen have previously approved the second regional mutual aid agreement for the Fire Department. MEMA has recommended that communities wait to join the third mutual aid agreement for the DPW until some additional features can be added at the agency level.

In other business, a motion was made, seconded, and unanimously voted to approve and sign the weekly warrant in the amount of \$149,353.24; and further, to exempt from § 20 of Chapter 268A of the General Laws the contract with Ramie Reader contained within the warrant pursuant to subsection (d) of said Section. Chairman Randall abstained from signing the warrant.

A motion was made, seconded, and unanimously voted to approve and sign the minutes for the April 4th, 2011, Selectmen's Open Meeting.

Conomo Point Leaseholder Mark Osburn, Conomo Point Planning Committee members Susan Coviello, Charles Burnham, Gil Guerin, John Bediz, and Jim Witham, Conomo Point Planning Committee Chair Mark Lynch, and Mrs. Guerin joined the Selectmen for discussion regarding Conomo Point.

Mr. Zubricki reviewed the *one-page summary* of the first three Conomo Point Articles. This document will be handed out around Town and will be available at Town Meeting. Mr. Zubricki said that the Selectmen had reviewed changes suggested by Andrew St. John to their *statement of position paper* regarding Conomo Point and had agreed to make 5 changes to the paper. Mr. Zubricki reviewed the changes.

Mr. Zubricki also reviewed each of the questions of a *Frequently Asked Questions* paper that was compiled by the members of the Conomo Point Planning Committee and reviewed by Town Counsel. A discussion followed regarding suggested revisions to the FAQ paper. Mr. Zubricki will post a final version to the Town website.

Chairman Randall said that he would like to spend the next three weeks before the Annual Town Meeting talking to as many people as possible and acquainting them with the facts surrounding the issues at Conomo Point. He said that the Selectmen will be meeting at private homes with groups of people in different neighborhoods, they will be writing letters to the Gloucester Daily Times, and talking to people at public places such as the Post Office and the Recycling Center. Once the FAQ paper has been completed, the Chairman would like it to be handed out around Town for people to consider before the night of the ATM.

That concluded the Conomo Point discussion and Mark Lynch, Jim Witham, John Bediz, Charlie Burnham, Mark Osburn, Mr. and Mrs. Guerin, and Susan Coviello left the meeting.

A motion was made, seconded, and unanimously voted to approve the following requests for licenses and permits:

Gasoline Storage Permit Renewal:

- Wheelworks, Inc., d/b/a Gaybrook Garage for underground storage of 16,000 gallons gasoline at 152 Western Avenue.
- Edwin C. Perkins, d/b/a Perkins Marine, Inc. for above-ground storage of 7,500 gallons gasoline and 2,500 gallons diesel at 82 Main Street.

- Charles E. Holden, d/b/a Holden Essex Realty Trust for the above-ground storage of 90,000 gallons of propane gas in 3-30,000 gallon tanks, 49,000 gallons in trucks and tanks awaiting reuse, and 100 gallons of methanol alcohol at #2 Scot's Way.

One-Day Entertainment License:

- Sheilagh Doerfler, Essex County Greenbelt Association, Inc., for use on Thursday, May 19, 2011, between the hours of 6:30 and 8:30 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.

One-Day Wine and Malt License:

- Sheilagh Doerfler, Essex County Greenbelt Association, Inc., for use on Thursday, May 19, 2011, between the hours of 6:30 and 8:30 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.

Chairman Randall said that he would like to recommend that the members of the Select Board try to attend the MMA Annual Meeting as a great place to find information and ideas regarding municipal topics.

In other business, a motion was made, seconded, and unanimously voted to proclaim Tuesday, July 26, 2011, as Spirit of the 21st Anniversary of the Americans with Disability Act (ADA).

A motion was made, seconded, and unanimously voted to approve a reserve fund transfer to pay accrued vacation time for Paul Thistlewood. This budget line item had already been depleted earlier this fiscal year when two other employees left.

The Selectmen signed the appointment card appointing William Knovak to the position of Shellfish Constable effective 4/16/2011. His appointment had been approved and voted at a previous Selectmen's meeting.

At 8:05 p.m., citing the need to discuss contract negotiations with non-union personnel, the Chairman entertained a motion to move to Executive Session. He said that discussing the contract in Open Session would be detrimental to the Town's negotiating strategy and invited Mr. Zubricki and Chief Silva to attend. He stated that the Board would be returning to Open Session. 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 8:20 p.m. and the Chief thanked the Selectmen and left the meeting.

Town Building Feasibility Study Update: Mr. Zubricki reported that the firm hired to perform the feasibility study for new town buildings will be coming to Town on April 21st to gather more information. The firm has already provided the Town with an *analysis* comparing the characteristics of the proposed John Wise Avenue site with public safety traffic requirements, a

probable estimate of project costs for the new building, and a discussion of the *factors affecting project feasibility*.

Fiscal Year 2012 Contingency Budget: Mr. Zubricki said that the Finance Committee has asked all the departments to prepare a contingency budget for FY 20112 that is 3% less than the proposed budget. He exhibited a draft ***Selectmen's Budget Summary*** showing where the 3% reductions could be made. The Selectmen agreed with Mr. Zubricki's suggestions and a motion was made, seconded, and unanimously voted to forward the exhibit to the Finance Committee.

Revised Annual Town Meeting Draft Motions: Mr. Zubricki distributed the ***draft of the Annual Town Meeting motions*** for the Selectmen's final review. The motions will be discussed at the next Board of Selectmen's meeting on April 25.

Mr. Zubricki reported that he has discussed using two rooms for the Annual Town Meeting with Essex Radio and Essex Radio is advising against having the rooms connected by two-way speakers. They have used two-way speakers in the past and it does not work. They do recommend having speakers in the overflow room so that persons in that room can hear what is going on in the gym. People wishing to speak will need to go to the gym. The school does not have enough chairs for both the gym and the cafetorium, so an arrangement will need to be made to rent additional chairs for the gym. There will need to be two moderators and extra registrars and counters for both rooms.

The Selectmen agreed that there was probably no need for the School Committee, et al, to come to the first night of the ATM, since only Conomo Point issues will be discussed on the first night.

Mr. Zubricki reviewed a ***letter from the City of Newburyport*** regarding the importance of better commuter rail service. A motion was made, seconded, and unanimously voted to send a letter to the MBTA advocating improved rail service to the north shore.

The Selectmen reviewed a ***resolution of the Gloucester City Council*** on the Need to Maintain the Eight Minimum Services at Addison Gilbert Hospital. A motion was made, seconded, and unanimously voted to the Northeast Health System in support of the Gloucester resolution.

The Selectmen considered a request to the Personnel Board from the Board of Health to allow the Board of Health Clerk to take up to 10 half-days without pay. A motion was made, seconded, and unanimously voted to approve the request.

The Selectmen reviewed a ***job vacancy announcement for a deputy shellfish constable*** and a motion was made, seconded, and unanimously voted to post the vacancy and begin receiving letters of interest. The Selectmen will most likely wait until later in the year to hire the new deputy.

The Selectmen considered an ***invitation from the Essex Lions Club*** to attend a program honoring High School Seniors who attended Essex Elementary School on Wednesday, May 18,

2011 at 7:00 p.m. at the American Legion Post in Manchester. Selectman Jones will attend the ceremony.

The Selectmen will hold their next regular meeting at 7:00 p.m. in the T.O.H.P. Burnham Library on Monday, April 25, 2011.

Selectman O'Donnell distributed a draft of a proposed *scope of professional design services* for Conomo Point. She asked the other Selectmen to review the scope and forward their suggestions to Mr. Zubricki. She also asked that the finalized scope be sent to Planning Board members Kim Drake and Andrew St. John, Jamie Richardson, and the four landscape architect firms that have expressed an interest in the Conomo Point project. It is anticipated that proposals will be received and reviewed during the coming summer and that funding might be provided at a fall Special Town Meeting. The initial focus of the project will be on the piers and parking. Mr. Zubricki will draft the request for proposals.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 10:00 p.m.

Documents used during this meeting include the following:

- One-page Summary*
- Statement of Position Paper*
- Frequently Asked Questions*
- Analysis*
- Probable Estimate of Project Costs*
- Factors Affecting Project Feasibility*
- Selectmen's Budget Summary*
- Draft of the Annual Town Meeting Motions*
- Letter from the City of Newburyport*
- Resolution of the Gloucester City Council*
- Job Vacancy Announcement for a Deputy Shellfish Constable*
- Invitation from the Essex Lions Club*
- Scope of Professional Design Services*

Prepared by: _____
Pamela J. Witham

Attested by: _____
Lisa J. O'Donnell