

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

April 15, 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 Police Chief Peter Silva.

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. There was no-one present from the public to offer any comment.

At 7:31 a.m., citing the need to discuss collective bargaining, the Chairman entertained a motion to move to Executive Session. He stated that discussing the bargaining in Open Session would be detrimental to the Town's bargaining position and invited Mr. Zubricki and Chief Silva to attend. He said that the Board would be returning to Open Session. The motion was moved and seconded, and following a unanimous Roll Call Vote, the Board moved to Executive Session.

The Board returned to Open Session at 7:40 a.m. and Chief Silva left the meeting.

The Board placed a conference call on the speaker phone to Town Counsel Gregg Corbo. Mr. Zubricki updated everyone on the status regarding the Special Legislation that is being sought regarding Conomo Point. The request is still being reviewed in committee and is meeting resistance from some committee members. Senator Tarr has recommended that the Selectmen amend their request by allowing for bridge leases of five years or less and not for permission to sell any of the lots at this time, if such an amendment becomes necessary to pass the legislation.

The Selectmen reviewed two letters to Representative Michael F. Kane and Senator James T. Welch, both members of the Joint Committee on Municipalities and Regional Government. One *letter explained the need for short-term bridge leases* at market rents to maintain occupancy of the property while the Town works towards a finalized solution and the *other letter recounted* some of the Conomo Point leasing history and the Department of Environmental Protection mandates that have created the current situation at Conomo Point. A motion was made, seconded, and unanimously voted to ratify the previous signature of these two letters by Chairman Randall.

After some discussion, the Selectmen and Town Counsel decided to keep the original wording of the proposed amendment, but, if necessary, to agree to an amended version that would only allow bridge leases and no sales. The following motion was made, seconded, and unanimously approved:

It has been suggested by the General Court, that it would facilitate the timely consideration and enactment of the Home Rule Petition for adoption of special legislation entitled, "An Act Establishing Procedures for the sale and/or Lease of Property Known as Conomo Point in the Town of Essex" approved at the November 15, 2010 Special Town

Meeting under Article 16 if it were to be amended by deleting references to sale of the Conomo Point properties and limiting the scope of the act to so-called bridge leases of five years or less. The Board of Selectmen, however, respectfully continues to support the enactment of the original legislation in the form approved by Town Meeting and strongly urges the General Court to adopt the original version without amendment. If, however, the General Court deems it necessary, we approve an amendment to such petition as set forth on the document entitled Board of Selectmen vote 4/15/11.

Attorney Corbo said that he will follow up today's vote with Representative Ann Margaret Ferrante and Senator Tarr's office and ended the conference call.

In other business, a motion was made, seconded, and unanimously voted to appoint Leslie Burns to the Long Term Planning Committee at the *request of LTPC Chair Mike Dyer*. The Selectmen signed her appointment card and the Selectmen's Assistant will email Mr. Dyer and Ms. Burns to let them know that the appointment card will be presented to Ms. Burns by the Town Clerk when she is sworn in.

The Selectmen reviewed the *Financial Statement and Exhibit* that Mr. Zubricki had prepared and revised, illustrating the estimated financial impact to the Town's tax rate with bridge leases and without bridge leases. The Selectmen discussed using the exhibit as part of a power point presentation at the Annual Town Meeting and suggested that Finance Committee member Ed Lafferty create the presentation, if he is willing. Mr. Zubricki will review the exhibit with Chairman Soulard first.

Mr. Zubricki said that the Town's insurance carrier, MIIA, has submitted a *renewal proposal* offering a rate increase of 4.9%. It had previously been estimated that the rate increase would be at least 5%. A motion was made, seconded, and unanimously voted to agree to the 4.9% rate increase and to authorize the Chairman to sign the renewal proposal.

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

The Selectmen were reminded that there will be an Essex Lions Club program honoring High School Seniors who attended Essex Elementary School which will take place on Wednesday, May 18, 2011 at 7:00 p.m. at the American Legion Post in Manchester. Selectman Jones will attend the ceremony.

Chairman Randall said that he had hoped that they could have at least one conceptual drawing to display in the hallway at Town Meeting, and perhaps on the Town's website, illustrating what might be possible at Conomo Point.

Mr. Cracknell of the Horsley Witten Group has agreed to get more information regarding what the Group feels is the highest and best use of the property at Conomo Point.

Mr. Zubricki announced that he was leaving the meeting to attend another meeting in Topsfield.

The Chairman reviewed his thoughts and recommendations about Conomo Point with both Selectmen.

The Selectmen discussed their plan to hold informational neighborhood meetings regarding Conomo Point and Chairman Randall said that he will be meeting with Conomo Point leaseholders on April 30.

At 9:03 a.m., there being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting.

Documents discussed during this meeting include the following:

Letter explaining the need for short-term bridge leases

Another Letter

Request of LTPC Chair Mike Dyer

Financial Statement and Exhibit

Renewal Proposal from MIIA

Prepared by: _____
Pamela J. Witham

Attested by: _____
Lisa J. O'Donnell