

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

June 20, 2011

Present: Chairman Jeffrey D. Jones, Selectman Lisa J. O'Donnell, Selectman Susan Gould-Coviello, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also Present: David Bogdan, Steve Abbot, Jean Goldsberry, and Gloucester Daily Times Reporter Dyke Hendrickson.

The Chairman called the meeting to order at 7:00 p.m. in the T.O.H.P. Burnham Library and announced that the meeting was being recorded and that the Board would hear Public Comment. No one offered any comment.

David A. Bogdan, of Georgetown, MA, and Steve Abbott, of Peabody, MA came before the Selectmen to request a waiver of the application filing deadline for non-resident, non-commercial clamming permits. Both gentlemen were unaware that the Town's shellfishing regulations had recently been changed. A motion was made, seconded, and unanimously voted to waive the application deadline for Mr. Bogdan and Mr. Abbott. The Selectmen questioned whether the sponsors for Mr. Bogdan and Mr. Abbott were Essex residents and a motion was made, seconded, and unanimously voted to approve the applications and sign them outside of a Selectmen's meeting pending confirmation from the Town Clerk that the sponsors are Essex residents. Mr. Bogdan and Mr. Abbott thanked the Selectmen and left the meeting.

The Selectmen reviewed three other requests for waivers of the application filing deadline for non-resident, non-commercial shellfish permits sponsored by Ed Perkins from:

- Chester M. Sullivan, 3 Meghans Way, Methuen, MA
- Brendan Sullivan, 3 Meghans Way, Methuen, MA
- Philip A. Picariello, 1470 Stonecleave Road, Boxford, MA

All three men had submitted notes stating that they were unaware of the change in the Town's regulations and that they had prior commitments that prevented them from being present at tonight's Selectmen's meeting. A motion was made, seconded and unanimously voted to waive the filing deadline for these three persons and the Selectmen signed approval of their applications.

The Selectmen, acting in their capacity as Personnel Board, reviewed a ***letter from the Board of Health Agent*** requesting approval of unpaid personal leave pursuant to the AFSCME contract for the Board of Health Clerk. A motion was made, seconded and unanimously voted to approve this request.

Philip Picariello joined the Selectmen's meeting and asked about his request for a waiver of the application deadline for a non-resident clamming permit. The Selectmen informed him that they had granted his request and approved his application. He thanked the Selectmen and left the meeting.

Mr. Zubricki presented his Town Administrator's Report for the period June 4th through June 17th, 2011 regarding the following:

Conomo Point Planning Committee Future Focus: Selectman Gould-Coviello reported that the Conomo Point Planning Committee had met last Tuesday. The meeting was well attended and they had discussed a new focus for the Committee now that a lot of the Committee's goals have been reached. The Committee has formed a new sub-committee, comprised of George Marsh, Kim Jarvis, Ray Randall, Jim Witham, John Bediz, and Mark Lynch, to work on formulating and drafting a Request for Proposals for design services for northern Conomo Point. The new sub-committee will be scheduling a time to meet with the Selectmen in the near future to discuss the sub-committee's intended direction.

Remote Datacenter Analysis: Mr. Zubricki said that he has been discussing the Town's possible participation in the City of Melrose's proposed regional datacenter. The City of Melrose is still considering what it will charge for these services, and is willing to offer a trial period to Essex to test the service. Mr. Zubricki will likely work with Melrose to try the service in small increments while he continues to utilize the present facilities. If, for any reason, the service does not perform according to expectations, Mr. Zubricki will be able to revert back to the old procedures. The services that may be moved to the Melrose datacenter currently cost the Town about \$9,000 per year.

Selection of Deputy Shellfish Constable: The Selectmen said that they have reviewed the four applications that were received expressing interest in the Deputy Shellfish Constable position. A motion was made, seconded, and unanimously voted to appoint Peter Wilson to the position, based on his previous experience and contingent upon a successful drug and medical screen.

Reconfiguration of Causeway Planting Strips: The Selectmen reviewed a *drawing detailing the configuration of the planting* strips proposed for the causeway. The plantings will include a mixture of trees and shrubs and Selectman O'Donnell is working with Robyn Pyndowski, a local landscaper, to determine suitable plants for the site and with MassDOT regarding availability and cost. The approved list will be presented to the property owners for selection of plants for their properties.

Paglia Park Design Notice of Intent: The Selectmen and Mr. Zubricki acknowledged that there has been a lot of discussion regarding whether or not a boardwalk would be permitted by the Conservation Commission and/or the Department of Environmental Protection on the land for Paglia Park. Either Selectman O'Donnell or Selectman Gould-Coviello will attend the next Conservation Commission meeting to discuss the idea with ConCom members. The Selectmen do not want to pay for the consultant's preparation of a Notice of Intent if there is no chance of getting it approved.

Second Walkthrough, Lahey Medical Building: Mr. Zubricki said that a second walkthrough of the Lahey building had taken place and a few questions had arisen. The building consists of two parts: part one is a two-story section that is currently rented as an apartment and part two (the business section) is a one-story section that has a walk-out, finished basement. There is no elevator in the building, but the parts of the business section are handicapped accessible either

from the street level or from the walkout basement level. Stairs connect the two levels. Mr. Zubricki said that a vote of Town Meeting would be necessary to appropriate funds to assume a mortgage and/or lease of the property. The building is currently listed for sale at approximately +/- \$600,000. The owner has not responded with a rental figure, but it was speculated that it may cost around \$4,200 per month or \$50,000 per year. Selectman O'Donnell said that the Town Building Committee would continue to explore the idea regarding the possible use of the building as a temporary, more economical site for Town offices.

Failure of Proposition 2 ½ Overrides: Mr. Zubricki said that all the departments will be using the contingency budget because the requested override was voted down. The school district has asked their counsel for a list of options open to the school district and Mr. Zubricki will advise the Selectmen of the school district's intention as soon as they decide upon a course of action.

Summit Regarding the Re-Promotion of Essex: Mr. Zubricki attended a summit in Town last week to consider suggestions for promoting the businesses in Town now that the Route 133 construction period is almost at an end. The summit was sponsored by Senator Tarr and representative Ferrante, as well as several other legislators. One of the many ideas suggested by those present included asking MassDOT to utilize night work to complete the remaining section of Route 133. After some discussion, the Selectmen agreed that they are not in favor of night work since the remaining area to be completed is in a closely settled residential neighborhood. Also suggested were special signage to help direct the public to businesses and parking and many promotional ideas involving the use of the State tourism resources.

Mr. Zubricki said that he had forwarded a complaint about drainage at the site of Pike Marine to MassDOT and MassDOT has agreed to monitor the situation.

Mr. Zubricki said that the monthly update meeting with MassDOT is scheduled for this Wednesday.

Quarterly Report: Mr. Zubricki said that he had completed this quarter's report to the Department of Environmental Protection and a motion was made, seconded, and unanimously voted to approve the distribution of the report.

Mr. Dyke Hendrickson, the Gloucester Times reporter, left the meeting.

Amendment of Special Legislation: Mr. Zubricki informed the Selectmen that he had spoken with Representative Ferrante recently about amending the special legislation that was passed earlier this year and she has suggested having Town Counsel draft a letter outlining the reasons for and against requiring another vote at Town Meeting to endorse the request to amend the special legislation. The Selectmen said that they would each continue to encourage Senator Tarr and Representative Ferrante to work towards obtaining the amendment to the special legislation without requiring another vote in favor of it from a new Town Meeting.

Opposition Letter Regarding Demolition Delay Bylaw: The Selectmen discussed a *letter that a resident had written to the Attorney General* recently challenging the May 2011 Annual Town Meetings' creation and addition of a demolition delay bylaw to the Town's bylaws. It was agreed that Mr. Zubricki should ask Town Counsel to prepare a rebuttal and forward it to the Attorney General.

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

Auction Permit:

- Michael March, d/b/a Blackwood March Antiques, for use on Thursday, June 30, 2011, between the hours of 4:00 and 11:00 p.m. within the confines of 125 Main Street.

One-Day Wine & Malt License:

- Woodman's Inc., Joan Houghton, for use on Friday, July 1, 2011, between the hours of 12:00 noon and 10:00 p.m. within the confines of 121 Main Street.

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

William	Sanborn	ADA Coordinator
Amelia	Reilly	Animal/Dog Control Officer
Kathleen	Azadian	Board of Registrars
Vickie	Cataldo	Board of Registrars
William	Sanborn	Building Inspector
William	Holton	Building Inspector's Assistant
Blake	Story	Burial Agent
Dan	Doucette	Civil Defense/Emgcy Mgt. Director
Glenn	Boutchie	Civil Defense/Emgcy Mgt. Dtr's Assist.
Kim	Drake	Community Preservation Committee
Wallace	Bruce	Community Preservation Committee
Diane	Polley	Community Preservation Committee
Paul	Goodwin	Community Preservation Committee
Kurt	Wilhelm	Community Preservation Committee
Richard	Ross	Community Preservation Committee
Virginia	Boutchie	Community Preservation Committee
Phillip	Caponigro	Community Prsn. Committee Alternate
Wallace	Bruce	Conservation Commission
Shirley	Singleton	Conservation Commission
Philip	Caponigro	Conservation Commission
Elisabeth	Frye	Conservation Commission
Walter W.	Andrews	Council on Aging
Effie M.	Andrews	Council on Aging
Keith	Symmes	Council on Aging

Thayne	Symmes	Council on Aging
Ramie	Reader	Electrical Inspector
John	Shields	Electrical Inspector's Asst.
Kim	Pederson	Essex Cultural Council
Gail	Pepe	Essex Cultural Council
Richard	Ross	Finance Committee
Daniel	Doucette	Fire Engineers Board, Chief
Tim	Lane	Fire Engineers Board, Deputy Chief
Ramie	Reader	Fire Engineers Board, Deputy Chief
James	Albani	Firefighter
Daniel	Ball	Firefighter
Heather	Osborn	Firefighter
Glenn	Boutchie	Firefighter
Westley	Burnham	Firefighter
Richard	Dort, Jr.	Firefighter
Jason	Heath	Firefighter
David	Pereen	Firefighter
Sean	Reed	Firefighter
Kevin	Sousa	Firefighter
George	Stavros	Firefighter
Gordon	Thompson	Firefighter
Bruce	Figurido	Firefighter
Ronald	Gallant	Firefighter
Scott	Savory	Firefighter
Chris	Maxfield	Firefighter
Nicholas	Ouellette	Firefighter
Edward	Akerley	Firefighter
Samuel	Crocker	Firefighter
Warren	Grant III	Firefighter
Michael	Soucy	Firefighter
Ivan	Muise	Firefighter
David	Barrett	Firefighter
Dexter	Doane	Firefighter
Daniel	Fialho	Firefighter
Cory	Jackson	Firefighter
Eian	Woodman	Firefighter
Keith	Carter	Firefighter, Captain
David	Thompson	Firefighter, Lieutenant
Travis	Good	Firefighter, Lieutenant
Joseph	Lafata	Firefighter, Lieutenant
Ernest	Nieberle, Jr.	Firefighter, Lieutenant
Michael	French	Firefighter/Arson Investigator
Dan	Doucette	Forest Fire Warden
William	Knovak	Harbormaster's Assistant

Steve	Hartley	Harbormaster's Assistant
Barry	DeMoulin	Harbormaster's Deputy
Edward	Akerley	Hazardous Waste Advisor
Robert	Coviello	Historical Commission
Dan	Doucette	Local Emergency Pln. Com
Jeffrey	Jones	Local Emergency Pln. Com.
Elaine	Wozny	Local Emergency Pln. Com.
Peter	Silva	Local Emergency Pln. Com.
Paul	Goodwin	Local Emergency Pln. Com.
Julie	Scofield	Open Space Committee
Tamson	Gardner	Open Space Committee
Lysa	Leland	Open Space Committee
Maria	Burnham	Open Space Committee
Leslie	Burns	Open Space Committee
Jeffrey D.	Jones	Playing Fields Committee
Susan	Taylor	Playing Fields Committee
James	O'Neil	Playing Fields Committee
Richard	Trembowicz	Playing Fields Committee
Jessica	Lamothe	Playing Fields Committee Alternate
Richard	Corriere	Plumbing & Gas Inspector
David	Pereen	Plumbing-Gas Inspector's Assistant
David	Earle	Police Officer, Part-Time
David	Kent	Police Officer, Part-Time
Gregory	Brown	Police Officer, Part-Time
Alexander	Edwards	Police Officer, Part-Time
Matthew	Doucot	Police Officer, Part-Time
Daniel	Bruce	Police Officer, Part-Time
Nicholas	Hamilton	Police Officer, Part-Time
Mark	Gagnon	Police Officer, Part-Time
Donald A.	Paquin	Ranger-Crane Wildlife Refuge
Daniel	Doucette	REPC Emergency Response Coordinator
Keith	Woodman	Shellfish Advisory Commission
Jim	Haskell	Shellfish Advisory Commission
Sherri	Davis	Town Building Committee
Dorothy	Elwell	Town Clerk's Assistant
	Kopelman & Paige P.C.	Town Counsel
Warren	Grant, Jr.	Firefighter, Probationary
Anthony	Lafata	Firefighter, Probationary
Joan	Perrigo	Firefighter, Probationary
Dennis	Pyburn	Firefighter, Probationary
Nick	Silva	Firefighter, Probationary
Sally	Rich	Firefighter, Probationary
Barron	Leeds	Firefighter, Probationary
Edward	Neal, Jr.	Firefighter, Probationary

Peter Nich Firefighter, Probationary

In other business, a motion was made, seconded, and unanimously voted to approve and sign the weekly warrant in the amount of \$90,660.94.

A motion was made, seconded, and unanimously voted to approve and sign the minutes for the June 6th, 2011, Selectmen's Open Meeting, the June 6th, 2011, Selectmen's Executive Session, the June 8th Selectmen's Open Meeting, and the June 8th Selectmen's Executive Session.

A motion was made, seconded, and unanimously voted to accept *Ed Lafferty's letter of resignation* from the Finance Committee.

Mr. Zubricki said that MassDOT has requested permission to store construction equipment adjacent to Town Landing when it is not being used for the Route 133 reconstruction project. After some discussion, the Selectmen agreed that they are not in favor of having the equipment stored at that location during the summer season. They would like MassDOT to either make arrangements with private individuals to store the equipment on private land or to truck the equipment to the Memorial Park/tennis court area for storage.

A motion was made, seconded, and unanimously voted to approve the *request of the Board of Commissioners for the Cemetery Department* to transfer \$14,400 from its various accounts to its FY2012 budget.

A motion was made, seconded, and unanimously voted to approve a Reserve Fund Transfer request in the amount of \$5,000 to Unemployment Expense.

The Selectmen discussed a recent request from a non-leaseholder to install pavers on Town property at 154 Conomo Point Road, Map 24, Lot 18. After some discussion, a motion was made, seconded, and unanimously voted that pursuant to Paragraph 6 of the Lease, contingent upon a letter from the leaseholder, to approve a request to modify property located at 154 Conomo Point Road (Map 24, Lot 18) by adding a walkway to provide better access to the disabled; and also, that this approval does not convey or imply that the tenant has any right, title or interest in the subject property or any portion thereof and it does not affect the lease termination date of December 31, 2011.

The Selectmen reviewed a *letter from a Manchester resident* regarding the school tennis courts and agreed to forward the letter to the School Committee for comment.

The Selectmen reviewed a *letter from an Essex resident* regarding a proposed future use of the elementary school and Town buildings.

The Selectmen reviewed another *letter regarding a suggestion that Conomo Point costs* be passed on directly to the Conomo Point tenants.

A motion was made, seconded, and unanimously voted to approve a request from Lynne Grantz, a member of the First Presbyterian Church of Ipswich, to rent Centennial Grove for their annual Church Picnic on Sunday, July 31, 2011, between the hours of 2:00 and 7:00 p.m.

The Selectmen were reminded that there is a Conomo Point Leaseholder meeting at 7:30 a.m. on Wednesday, June 22.

Mr. Zubricki will be conducting a site visit at Conomo Point on Wednesday, June 22, at 10:00 a.m. for those interested in bidding on the RFP for qualified real estate appraisers.

The next regular Board of Selectmen's meeting will be on Monday, July 11th, 2011, at 7:00 p.m. in the T.O.H.P. Burnham Library.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:30 p.m.

Documents used during the meeting include the following:

- Letter from the Board of Health Agent*
- Drawing detailing the configuration of the planting*
- Letter that a resident had written to the Attorney General*
- Ed Lafferty's letter of resignation*
- Request of the Board of Commissioners for the Cemetery Department*
- Letter from a Manchester resident*
- Letter from an Essex resident*
- Letter regarding a suggestion that Conomo Point costs*

Prepared by: _____
Pamela J. Witham

Attested by: _____
Lisa J. O'Donnell