

Selectmen's Minutes

November 5, 2012

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

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

Mr. Zubricki began his Town Administrator's Report for the period October 27th through November 2nd, 2012, regarding the following items:

Comparison of Possible Building Materials for Boardwalk: Mr. Zubricki reviewed a ***report from Vine Associates*** regarding their recommendations for materials to be used in the boardwalk project. The Selectmen were in agreement with the recommendations made by Vine Associates to use a combination of timber, hardwood, and stainless cable. Mr. Zubricki said that he would inform them of the Selectmen's approval of their recommendations.

Town Hall/Library Project Guidance: Mr. Zubricki said that Meyer and Meyer is requesting ***approval for a change order*** since the original scope of design work has increased. In addition to the basement waterproofing costing more than anticipated, a security system and an updated fire alarm system has been recommended. After some discussion, the Selectmen asked Mr. Zubricki to ask Meyer and Meyer for a matrix showing all the possible design and construction aspects of the project with associated costs. The matrix will enable the Board to analyze the possibilities and ensure that the most necessary items are chosen first.

Draft Fiscal Year 2014 Capital Budget Update: Mr. Zubricki presented an overview of a ***draft of the Selectmen's 5-10 Year Capital/Personnel Plan*** for FY14. The Selectmen agreed to review the draft for a more detailed discussion at a later Selectmen's meeting.

Draft Special Town Meeting Motions: Mr. Zubricki briefly reviewed the ***draft motions*** for the November 19th, 2012 Special Town Meeting. The Selectmen approved the draft and Mr. Zubricki will bring any Finance Committee comments on the figures back to the Board.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$182, 710.87.

A motion was made, seconded, and unanimously voted to approve the minutes from the Selectmen's November 1st, 2012 Open Meeting and from the November 1st, 2012 Executive Session.

A motion was made, seconded, and unanimously voted to appoint two new members to the Conservation Commission: Ted Marshall, whose term will expire on 6/30/2015 and Jamie Richardson, whose term will expire on 6/30/2013.

The Selectmen reviewed a *recommendation from Chief Silva* and a motion was made, seconded, and unanimously voted to accept the donation from Ebsco of two used office chairs, a table, and two file cabinets to the Police Department.

A motion was made, seconded, and unanimously voted to approve a request for the following Auction Permit:

- Richard A. DiFillipo, for use on Wednesday, December 5, 2012, between the hours of 8:30 a.m. and 10:30 p.m. within the confines of 125 Main Street.

The Selectmen were reminded that the next regular Board of Selectmen's meeting will take place on Monday, November 19th, 2012, starting at 6:30 p.m. in the Teachers' Lounge at the Essex Elementary School on Story Street.

There will be a public hearing at 6:30 p.m. at the Essex Elementary School for the purpose of adopting a Residential Factor on Monday, November 19th, 2012.

There will be a Special Town Meeting on Monday, November 19, 2012, starting at 7:30 p.m. in the cafetorium of the Essex Elementary School on Story Street.

At 7:23 p.m., citing the need to discuss the lease, sale, and value of real property at Conomo Point; pending litigation concerning the case of the Town of Essex vs. the Estate of Judith H. Foley, Northeast Housing Court C.A. No. 09H77SP003249; pending litigation concerning the case of Judson Pratt, et. al. vs. the Town of Essex, Essex Superior Court C.A. No. ESCV2012-00936B; and, a potential easement over Town land for the benefit of Demeter, Map 3, Lot 19, Southern Avenue; the Chairman entertained a motion to move to Executive Session. He said that discussing these matters in Open Session would be detrimental to the Town's negotiating and litigating strategies. He invited Mr. Zubricki to attend the session and said that the Board would be returning briefly to Open Session in about one-half hour. The motion was moved and seconded. Following a unanimous Roll Call Vote, Steve Cuthbertson left the meeting and the Board moved to Executive Session.

The Board returned to Open Session at 7:50 p.m.

A motion was made, seconded, and unanimously voted to grant an extension to the signing deadline for the purchase and sale agreement for the property at 8 Sumac Drive (Map 19, Lot 17) due to two recent deaths in the family.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting.

Documents used during this meeting include the following:

Report from Vine Associates
Approval Request for a Change Order from Meyer and Meyer
Draft of the Selectmen's 5-10 Year Capital/Personnel Plan

Draft Motions for the November 19th, 2012 Special Town Meeting
Recommendation from Chief Silva to Accept a Donation

Prepared by: _____
Pamela J. Witham

Attested by: _____
Lisa J. O'Donnell