

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

May 21, 2012

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

Also Present: Tax Collector/Treasurer Virginia Boutchie.

Acting Chair Lisa O'Donnell 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.

Tax Collector/Treasurer Virginia Boutchie came before the Selectmen to discuss tax title billing issues. She handed out a *letter from Attorney Michael Foley* regarding a title report performed by Michael Riordan on six Essex properties that are listed on Map 42 and stating that these six properties cannot be identified. Ms. Boutchie said that DOR has recommended that no tax bills be issued for unidentified properties, yet the Board of Assessors will not remove these properties from the tax rolls. The Selectmen were in agreement that these six properties should be removed and asked Mr. Zubricki to contact the head assessor to investigate a solution to this problem. Ms. Boutchie thanked the Selectmen and left the meeting.

Police Chief Peter Silva joined the Selectmen with Melissa Cennami, a dispatcher from the ECO. The Chief introduced Melissa Cennami to the Selectmen and recommended that the Selectmen endorse Ms. Cennami's request to have the Town, in name only, sponsor her attendance at the Police Reserve Academy. Ms. Cennami will be responsible for all costs and all liability. In addition to working at the Essex Emergency Center Office, Ms. Cennami is currently completing her master's degree in criminal justice at the University of Lowell. The Selectmen were in agreement with the Chief's recommendation and a motion was made, seconded, and unanimously voted to sign the endorsement document. The Chief and Ms. Cennami thanked the Selectmen and left the meeting.

In other business, a motion was made, seconded, and unanimously voted to ratify the expenditure of \$1,000.00 from the Luther Burnham Fund to Yescalis and Sons Painting for restoration work in the Town Clerk's Office and in the Planning Board Office.

A motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$85,625.16.

A motion was made, seconded, and unanimously voted to approve a line item transfer from Town Administrator Travel/Lodging to Town Meeting Audio/Visual in the amount of \$900.00.

A motion was made, seconded, and unanimously voted to approve a Section 33B transfer of \$8,700 from the General Health Insurance budget to ECO Health Insurance Budget.

A motion was made, seconded, and unanimously voted to approve and sign the minutes for the May 7th, 2012, Selectmen's Open Meeting, the May 7th, 2012 Selectmen's Executive Session, the May 16th, 2012 Selectmen's Open Session, and the May 16th, 2012 Selectmen's Executive Session.

The Selectmen discussed reorganization of the Board's officers, and a motion was made, seconded, and unanimously voted to reappoint Jeffrey D. Jones as Chairman and Lisa J. O'Donnell as Clerk of the Board of Selectmen.

The Selectmen reviewed the quotation for Police and Fire Coverage from Chubb Insurance in the amount of \$28,195 for FY2013, and a motion was made, seconded, and unanimously voted to accept the quotation. Acting Chair Lisa O'Donnell signed the application.

Ian Martin introduced himself to the Selectmen and described a project that he would like to perform as part of his Eagle Scout requirements. He would like to build greenhead boxes and to deploy them around the Memorial Park ball fields. He stated that the Department of Public Works has been very supportive and helpful. Ian said that he intended to assume responsibility for maintaining the boxes. Following the discussion, a motion was made, seconded, and unanimously voted to approve Ian Martin's Eagle Scout project. Ian and his father, Gordon Martin, thanked the Selectmen and left the meeting.

Mr. Zubricki said that he learned today that the Town of Manchester was intending to close School Street to traffic over the Memorial Day weekend in order to repair a failing culvert. However, the contractor had announced equipment problems that would delay the work from starting. The Selectmen expressed concern that closure of the road would have seriously affected the local businesses on a big holiday weekend. Mr. Zubricki agreed to ask Essex Board of Selectmen Chairman Jones to contact the Manchester Board of Selectmen Chair Tom Kehoe in an effort to find an alternative to total road closure. The Selectmen also asked if MassDOT could place a sign on Route 128 directing traffic to exits 18 or 14. Mr. Zubricki will look into that arrangement.

Jean Grobe, a local business owner, and Peggy Duff, the Chair of the Essex Cultural Council, joined the Selectmen to discuss the creation of a "Cultural District". Mrs. Grobe reviewed some preliminary information that she had gotten from the *Massachusetts Cultural Council website*. Mr. Zubricki agreed to talk to Town Counsel about the authorization requirements for creating a cultural district and to prepare an application. The Town will also need to pass a resolution adopting the district. Once the district is created, Mrs. Grobe said that she would be happy to

perform, with the help of others, the administrative tasks required by the State to maintain the district. Peggy Duff said that she would find out if there was a member of the Essex Cultural Council that would be interested in working with Mrs. Grobe, the Selectmen, the Town Administrator, and Town Counsel to create the district. Jean Grobe and Peggy Duff left the meeting.

The Selectmen discussed an invitation to march in the annual Memorial Day Parade on Monday, May 28th, 2012, starting at 9:00 a.m. It was agreed that Chairman Jones would be notified of the invitation to march in the parade. Selectman Gould-Coviello said that she might be able to march and it was unclear whether Selectman O'Donnell would be available.

A motion was made, seconded, and unanimously voted to approve a request to pass over State and Town roads during the annual Memorial Day Services. The Selectmen signed the parade application to the State.

The Selectmen discussed a request by the Planning Board to meet jointly (either on June 18th or June 20th) to consider an appointment to fill a vacancy on the Planning Board. The Selectmen agreed that they would like the Planning Board to join them at 7:30 p.m. at the Selectmen's meeting scheduled for June 18th, to discuss the candidates. The Selectmen's Assistant agreed to notify the Planning Board of the Selectmen's decision and to remind them to post the Planning Board for the joint meeting.

The Selectmen considered a request for a recorded interview regarding the Annual Town Meeting to be broadcast over a webcam. The Selectmen decided to take no action on this request since the timeliness of the interview has expired.

A motion was made, seconded, and unanimously voted to approve and sign the renewal applications for Public Officials and Police Professional Liability Insurance.

It was agreed that the Town Administrator's contract would be discussed at the next Selectmen's meeting on June 4th, when all Board members are expected to be present.

Mr. Zubricki said that William Liberti, a tenant at Conomo Point on property (12 Robbins Island Road, Map 19, Lot 62) owned by the Town, has applied for a building permit for internal renovations. A motion was made, seconded, and unanimously voted to approve the renovations to the Town's property and the Selectmen initialed their approval of the building permit.

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

Auction Permit:

- Richard DiFillipo, R.A. DiFillipo Antiques & Auctions, for use on Tuesday, June 26, 2012, between the hours of 8:30 a.m. and 10:30 p.m. within the confines of Woodman's Function Hall at 125 Main Street.

Non-Resident Recreational Shellfishing Permit and Waiver of Application Filing
Deadline:

- Paul Dredge, Arlington, MA sponsored by Barry Richard of Martin St

One-Day Wine and Malt License:

- Tia Schlaikjer, Essex Historical Society & Shipbuilding Museum, for use on Saturday, May 19, 2012, between the hours of 11:00 a.m. and 3:00 p.m. within the confines of the Waterline Center at the Essex Shipbuilding Museum at 66 Main Street.
- Frank McClelland, Apple Street Farm, for use on Saturday, May 26, 2012, between the hours of 10:00 a.m. and 4:00 p.m. within the confines of the Apple Street Farm at 35 Apple Street.

One-Day Entertainment License:

- Frank McClelland, Apple Street Farm, for use on Saturday, May 26, 2012, between the hours of 10:00 a.m. and 4:00 p.m. within the confines of the Apple Street Farm at 35 Apple Street.

The Selectmen were reminded that the next Board of Selectmen's meeting will take place on Monday, June 4th, 2012, at 7:00 p.m. in the T.O.H.P. Burnham Library on Martin Street.

There will be a Public Hearing relative to Flood Plain Bylaw Amendment on Wednesday, June 6th, 2012, at 8:00 p.m. at the Fire Station.

The Selectmen discussed a Chamber of Commerce Luncheon featuring a very well regarded speaker, Richard A. Davey, Secretary and Chief Executive Officer of MassDOT. Mr. Zubricki will be the only one able to attend on Wednesday, May 23rd, 2012.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period May 5th, 2012 through May 18th, 2012 regarding the following:

Ambulance Billing Contract Successor Agreement: Mr. Zubricki reported that the contract for ambulance services with Comstar is due for renewal. The company has provided good service over the past year. A motion was made, seconded, and unanimously voted to approve and sign the renewal contract for one year.

Route 133 Reconstruction Project Grand Opening Ceremony: Mr. Zubricki reviewed the status of the plans for the grand opening ceremony. Senator Tarr and Representative Ferrante are

expected to attend. There will be a luncheon at 12:00 p.m. which will be provided free to the official dignitaries, all others will be charged. A ribbon cutting ceremony is planned for 2:00 p.m.

Scope of Services for Waterfront Access Design and Planning: The Selectmen discussed their planned joint meeting with the Conomo Point Planning Committee next week. It was agreed that the Selectmen would meet one half hour before the CPPC in order to discuss the focus for the design services for northern Conomo Point.

Approval of Borrowing for Town Hall/Library Health and Safety: Mr. Zubricki reviewed his draft of a ***Request for Qualifications*** for improvements to the Town Hall working environment. A motion was made, seconded, and unanimously voted to release the request on June 6th. The proposals will be due on July 9th. The Town Building Committee will review the proposals, conduct interviews, and make a recommendation to the Selectmen by the end of July. It is anticipated that the design development will cost about 10% of the total improvement budget.

Water/Sewer Betterment Accounting Policy: Mr. Zubricki reviewed the Town's recently drafted ***Betterment Accounting Policy***. A motion was made, seconded, and unanimously voted to approve and sign the document which will now be forwarded to the Department of Public Works for their signature.

Draft Public Facility Naming Policy: The Selectmen reviewed Draft 2 of the Town's ***Public Property Naming Policy***. A motion was made, seconded, and unanimously voted to approve the policy. The Selectmen asked Mr. Zubricki to place the policy on the Town's website.

Potential Licensure of Town Property for Commercial Purposes: Mr. Zubricki discussed a ***sample licensing permit*** that was prepared by Town Counsel. One of the restaurant owners in Town has requested permission to lease Town land adjacent to his business to use for an outdoor café. The Selectmen said that they would like to take the matter under advisement until their next meeting and asked Mr. Zubricki to have a discussion with the restaurant owner in the meantime about the advantages/drawbacks and requirements of such a license.

Approval of Revisions to Cape Ann TV Bylaws: Mr. Zubricki reported that he had recently met with Mr. Barry O'Brien of the Cape Ann TV Board, who has requested that the Selectmen approve changes to that organization's bylaws which will improve their administration procedures. Gloucester and Manchester have already approved the changes. Subsequently, a motion was made, seconded, and unanimously voted to approve the changes.

At 9:06 p.m., citing the need to discuss the value and sale of real property at Conomo Point and the Second Modified Final Judgment, acting Chair Lisa O'Donnell entertained a motion to move to Executive Session. She stated that discussing this matter in Open Session would be detrimental to the Town's negotiating position and detrimental to the Town's litigating strategy.

She invited the Town Administrator to attend the session and said that the Board would only be returning to Open Session to adjourn the meeting. 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 9:30 p.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 from Attorney Michael Foley

Massachusetts Cultural Council Website Cultural District Information

Request for Qualifications for Design of Town Hall

Betterment Accounting Policy

Public Property Naming Policy

Sample Licensing Permit for Town Property

Prepared by: _____
Pamela J. Witham

Attested by: _____
Lisa J. O'Donnell