

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

**September 16, 2013**

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: Virginia Boutchie, Helen Brown, Amy Crimmins, Steve Cuthbertson, Jane Ginn, Ken Riehl, and Aude Sisk.

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

Mr. Zubricki presented the documents that will allow the Town to receive Federal reimbursement of costs associated with the February 8-9, 2013 blizzard (\$20,798.47). A motion was made, seconded, and unanimously voted to approve and sign the paperwork. The signing was witnessed by Treasurer/Tax Collector Virginia Boutchie in her capacity as a notary public. Following the signing, Ms. Boutchie left the meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$749,238.76.

Mr. Zubricki reviewed the Superior Court's recent judgment concerning the Pratt vs. Town of Essex legal suit. Selectman Gould-Coviello commented that it is very important to the Town to finally have this issue settled. The Selectmen discussed the likelihood of the decision being covered by the local press in the near future.

Mr. Zubricki reviewed a *communication from Police Chief Silva* requesting the Selectmen to approve the cost of two officers special detail for the Clam Fest on October 26, 2013, to be funded from the Special Events Fund. Subsequently, a motion was made, seconded, and unanimously voted to approve Chief Silva's request.

The Selectmen were in agreement that it was Selectman Gould-Coviello's turn to act as judge at this year's Clam Fest.

The Selectmen were reminded that they have an appointment with the Planning Board this coming Wednesday, September 18<sup>th</sup>, at 8:30 p.m. to discuss creating a potential marijuana facility moratorium zoning bylaw.

The next regular Board of Selectmen's meeting will take place on Monday, September 23<sup>th</sup>, 2013, at 7:00 p.m. in the Library on Martin Street.

At 7:11 p.m., citing the need to discuss the lease, sale, and value of real property at Conomo Point, and pending litigation concerning the case of Walker et al. v. The Town of Essex, Essex Superior Court C.A. No. ESCV2012-02221, the Chairman entertained a motion to move to Executive Session. He stated that discussing these matters in Open Session would be detrimental to the Town's negotiating and litigating strategies and invited Mr. Zubricki to attend the session. He said that the Board would be returning to Open Session to meet with the newly formed Public Safety Committee at 7:30 p.m. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, and Mr. Zubricki moved to Executive Session. All others left the meeting.

The Board returned to Open Session at 7:30 p.m.

The Board was joined by the members of the Public Safety Committee: Amy Crimmins, Robert Jerin, Stuart Pratt, Ken Riehl, and Donna Roy. Mike Dyer and James Lewiecki, also members of the committee, could not be present at tonight's meeting. The Selectmen were also rejoined by members of the public Helen Brown, Steve Cuthbertson, Jane Ginn, and Aude Sisk.

A motion was made, seconded, and unanimously voted to approve and sign a letter to Leah Maher regarding the property at 13 Town Farm Road. The letter denies approval of the building application for this property and asking that Ms. Maher vacate the property. Her lease for this property was terminated January 31, 2013. Ms. Maher has paid no rent for this property in 2013.

The Selectmen welcomed the members of the new Public Safety Committee and everyone introduced themselves. Chairman Jones briefly reviewed the responsibilities of the Committee while Mr. Zubricki passed around copies of the charge to the Committee. The Committee was advised that the Town could be asked to fund a consultant to assist them if they wished, either at the Special Town Meeting this fall or at the Annual Town Meeting next May. The Committee members were also advised that they should elect a Chair and a Secretary, that they are required to post their meetings, that they must comply with the Open Meeting Law, and that they are required to compile minutes of their meetings which may be posted on line. Selectman O'Donnell spoke about why the Committee was created and the research that the Town Building Committee has already performed to date. It was also suggested that the Committee meet with both Fire Chief Dan Doucette and Police Chief Silva regarding their views on the needs of both departments and also arrange to take a tour of the existing facilities. The Committee will be investigating the legal requirements for both departments for a town the size of Essex, as well as reviewing various alternative possibilities such as regionalization. The Selectmen thanked the Committee members for volunteering and wished them well.

Steve Cuthbertson and Aude Sisk left the meeting.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:04 p.m. The Board, the Selectmen's Assistant, and the Town Administrator left the Committee members and others from the public in the Library to continue their meeting and elect a chairman and a secretary.

Documents used during this meeting include the following:  
*Communication from Police Chief Silva*

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
Lisa J. O'Donnell