

Selectmen's Minutes
TOHP Burnham Library

May 18, 2015

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

Acting Chairman O'Donnell called the meeting to order at 7:00 p.m. in the TOHP Burnham Library and announced that the Board would hear Public Comment. No one offered any comment.

Selectman O'Donnell said that Board Chairman Jeff Jones had not sought re-election and a new person, David A. Doane, has been elected to the Board last week. The Chairman entertained a motion to reorganize the Board. The motion was moved, seconded, and unanimously voted. Selectman Gould-Coviello said that she would like to nominate Selectman O'Donnell to serve as Chair of the Board. Selectman Doane seconded the nomination and the vote was unanimous. Selectman Gould-Coviello was nominated, and the motion was moved, seconded, and unanimously voted to elect Selectman Gould-Coviello to fill the position of Clerk for the Board.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period May 2nd through May 16th, 2015, regarding the following:

Public Safety Patrols on Chebacco Lake: Mr. Zubricki reported that he has spoken to the Hamilton Town Manager regarding an effort to have both towns share the responsibilities of patrolling Chebacco Lake. At present, Hamilton does not own a suitable watercraft, but is looking into acquiring something from government surplus. Hamilton has offered to ride along with the Essex patrolmen on the Lake, but Harbormaster/Chief Silva is not in favor of that idea. Mr. Zubricki said that he would continue to keep in touch with Hamilton on this matter.

Preparation for Lease Appraisals for Northern Conomo Point: Mr. Zubricki said that he has begun to work on organizing the process of getting lease appraisals for the northern Conomo Point properties. He said that if the fifth-year leases are expected to be renewed at the end of 2016, the best time to perform the appraisals would be in April 2016. The Selectmen were in agreement that all the properties in the northern area should be appraised. Mr. Zubricki said that he would begin work on an updated Request for Proposals to be reviewed by Town Counsel.

Project Manager Services, Town Hall/Library Renovation Design Work: Chairman O'Donnell asked Mr. Zubricki to investigate the possible advantages of using a design/build approach for the Town Hall/Library Renovation Project. She said that she had heard from a designer it had been possible to save as much as 30% on some projects using this approach. Mr. Zubricki said that he would look into the matter, but that he did not think that design/build or Project Manager At-Risk would be applicable to this situation. He said that the Town's Project Manager for the renovation project, Netco, has submitted a *proposal for the next stage of the project*. Subsequently, a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki

to issue a Notice to Proceed to Netco after confirming whether design/build or Project Manager At-Risk were available and would provide a benefit.

Mr. Zubricki reported that George Harvey had mentioned that the North Shore Vocational School had used office trailers at the old school site and that the trailers had been very comfortable and affordable. Mr. Zubricki said that he would get more information on the trailers (which were sold to a developer when the old building was sold) in order to determine if they might be a viable option for the Town Offices and Library during the renovation project.

Roland Adams and John Guerin joined the Selectmen at the table for a discussion regarding the Town's interest in asking FEMA, via a Letter of Map Revision, to review the manner in which their new flood maps were developed. Mr. Adams, an Essex resident and former Finance Committee member, is the G.I.S. Manager for the Engineering Department of the City of Beverly and has been working with FEMA regarding Beverly's flood maps. He said that he has reviewed each of the proposals that Essex received from firms seeking to assist with the Letter of Map Revision and explained the points that FEMA looks for when reviewing a request. Attorney John Guerin said that he had also reviewed the proposals. He said that he had spoken to Ransom Engineering regarding the fact that the proposal that they had submitted to the Town was more than twice as high as the estimate that they had originally given him. Ransom has prepared a new proposal that is closer to the original estimate and Attorney Guerin asked the Selectmen to review it. Mr. Adams suggested seeking a proposal from Applied Coastal Engineering of Beverly. The Selectmen were in agreement that they would ask Applied for a proposal and then review all the proposals again, including the new one from Ransom. The Selectmen thanked Mr. Adams and Attorney Guerin and they left the meeting.

Metropolitan Area Planning Council Representative Mark Fine and Town Planner Matt Coogan joined the Selectmen. Mr. Coogan has been successful in obtaining a grant for the Town in the amount of \$15,000 from MAPC, to be used to provide professional assistance for the creation of a strategic plan. A new Strategic Planning Committee will be formed and its first meeting is planned for June 8th, 2015. Mr. Fine has been working with Mr. Coogan to draft the suggested goals for the new committee and a list of items to address at the first meeting. He has also prepared an initial draft of a suggested timeline for their first project. Mr. Zubricki has been corresponding with Town boards and committees seeking representatives to the first SPC meeting. The Selectmen agreed that there should be one liaison from each board/committee who will advocate for the viewpoint of the board/committee and bring back information from the SPC to the board/committee. Mr. Fine said the he would continue to work on talking points for the June meeting and asked the Selectmen for their suggestions or comments. He left the meeting.

EDSAT Survey Update: Mr. Zubricki reported that he and Mr. Coogan had spoken to personnel from Northeastern University and the Town of Rockport regarding the EDSAT. The cost for the Economic Development Self-Assessment Tool (EDSAT) is the same for every town or city, big or small, and it is not customized to any particular town or city. It is the same set of approximately 200 questions for every municipality. He also indicated that the University does not provide any assistance in completing the questionnaire or any consulting after the fact. Mr.

Coogan and Mr. Zubricki did not recommend the use of EDSAT at this time. Everyone was in agreement that this may be a useful tool to use in the future.

Final Analysis of LED Conversion Life Cycle Costs: Mr. Zubricki said that National Grid will not convert the town's street lights to energy saving LED lights and then manage them. The Town would have to buy the existing 115 lights from National Grid for \$13,000 and pay for their conversion. Based on a recent analysis, the lights would cost more initially and would not begin to save the Town money until many years from now. Selectman Doane said that the town of Winter Harbor, Maine has solar street lights and they are very attractive. Mr. Zubricki said that LED lighting can be very harsh and some people object to it, but there are many grades of LEDs and there are also filters that can alter the light quality. Those present agreed to take the matter under advisement pending more research regarding alternative options such as solar lighting. Mr. Coogan suggested that Essex learn from other communities and then potentially use Green Community funding for the conversion.

Essex County Greenbelt Potential Land Acquisition and Protection: Mr. Zubricki said he had met with Chris LaPointe, Greenbelt's Director of Land Conservation, who is interested in exploring whether Community Preservation funding can be used to help with the purchase of an area of land that straddles the Essex-Hamilton border. Greenbelt is in the process of acquiring this area through a compilation of grant funding, private donations, and possibly Hamilton Community Preservation funds. Mr. LaPointe hopes to work with the Open Space Committee towards obtaining even a small amount of CPA funding to help the project.

On a related matter, Selectman Gould-Coviello said that she would like the Community Preservation Committee to consider asking the Town to vote to increase the annual Community Preservation contribution. Mr. Zubricki will bring the matter back up in the fall.

Next Steps for Green Communities Grant Application: The Selectmen congratulated Matt Coogan on his successful efforts to get the Stretch Energy Code adopted at the Annual Town Meeting. He said he is continuing to work on the project. One of the steps involves formulating a 5-year energy reduction plan for the Town which would attempt to reduce the Town's energy consumption by 15%. Another step will be the adoption of a fuel-efficient vehicle policy.

Coastal Resiliency Grants: Mr. Zubricki said that Chris Hilke from National Wildlife would like to have a conference call tomorrow to discuss new grants to be offered by the State that could complement NWF's current work. Matt Coogan and Chairman O'Donnell agreed that 12:30 p.m. would be a good time to begin the call.

Mr. Coogan left the meeting.

Successor Lease of Town Property to the Greenbow Corp. (Shea's): Mr. Zubricki reported that Town Meeting had approved the renewal of a ten-year lease to Shea's for a small portion of Town Land that a corner of the restaurant building sits on. Mr. Zubricki has updated the old lease with Town Counsel. A motion was made, seconded, and unanimously voted to send the revised

lease renewal to Shea's owner, David Brown, for signature, and to countersign the signed lease outside of a meeting when it is returned.

Lease-Purchase Contract for Front End Loader: Mr. Zubricki has been working with DPW Superintendent Paul Goodwin and the leasing company to develop the paperwork for a lease-purchase from the State contract of a front end loader that was recently approved at the Annual Town Meeting. Subsequently, a motion was made, seconded, and unanimously voted to approve the order of the front end loader. A second motion was made, seconded, and unanimously voted to approve and sign the lease-purchase paperwork.

Successor Third-Party Ambulance Billing Contract: Mr. Zubricki said that the contract with Comstar is due for renewal and that the Town has used Comstar for a number of years and continues to be very satisfied with their performance. A motion was made, seconded, and unanimously voted to approve and sign the renewal contract for another year.

Follow-up Regarding Sense of Town Meeting Vote, Northern Conomo Point: Mr. Zubricki reported that, based on the sense of the Town Meeting vote, it appears that the Town is in favor of the Selectmen's position regarding the future of Conomo Point. The Board agreed and asked Mr. Zubricki to reach out to Conomo Point Planning Committee Chairman Mark Lynch for input concerning how the upcoming year may be used to prepare for the 2016 Annual Town Meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$92,171.28.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's May 4, 2015, Open Meeting and the Selectmen's May 13, 2015, Open Meeting.

A motion was made, seconded, and unanimously voted to ratify the exemption from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the May 7th, 2015 warrant pursuant to subsection (d) of said Section:

<u>NAME</u>	<u>VENDOR DATE</u>	<u>AMOUNT</u>	<u>DEPT'S BILL</u>
Ernie Nieberle	Nieberle's 4/24/15	\$ 2,118.04	Police
	Nieberle's 4/24/15	\$ 643.05	Fire
	Nieberle's 4/24/15	\$ 69.95	Council on Aging

The Selectmen reviewed an invitation from the Memorial Day Committee to participate in the Memorial Day observances. Chairman O'Donnell, Selectman Gould-Coviello, and Selectman David Doane said that they would like to participate in the observances.

Regarding Council on Aging matters, a motion was made, seconded, and unanimously voted to accept the resignation of Harold Addison from the COA Board; and also, to accept the resignation of Effie Andrews from the COA Board. A letter of thanks will be sent to Mr. Addison and Mrs. Andrews for their much appreciated contributions to the Council on Aging

over the past years. A motion was made, seconded, and unanimously voted to appoint Ralph Hawley to the COA Board pending the successful completion of a CORI check, for a partial term ending 6/30/15. The Selectmen signed the appointment card.

A motion was made, seconded, and unanimously voted to approve an application to rent Centennial Grove for a picnic by the members of NS Women on Wheels on Saturday, June 6, 2015, between the hours of 10:00 a.m. and 4:00 p.m.

A motion was made, seconded, and unanimously voted to waive the rental fee and approve the application to use Centennial Grove for the 50-year anniversary reunion of the Essex Elementary School Class of 1965 on Sunday, July 26, 2015 between the hours of 1:00 and 6:00 p.m.

A motion was made, seconded, and unanimously voted to authorize Police Chief Peter Silva as the signatory for the following grant applications:

- FFY2016 Pedestrian and Bicycle Safety Enforcement and Equipment Grant
- FFY2016 Underage Alcohol Enforcement Grant Program
- FFY2016 Child Passenger Safety (CPS) Equipment Grant Program

A motion was made, seconded, and unanimously voted to sign the renewal applications for the Town's public officials' and police professional liability insurance policies.

A motion was made, seconded, and unanimously voted to sign the renewal paperwork for the Town's marine insurance policies.

A motion was made, seconded, and unanimously voted to sign a contract with CAI Technologies for GIS Internet Services in the amount of \$4,300.00.

A motion was made, seconded, and unanimously voted to sign a *letter to His Excellency Governor Charles Baker* concerning his sponsorship of a governor's bill pertaining to the public posting of the recent Annual Town Meeting.

The Selectmen reviewed a *letter from the Library Trustees* regarding the Town Hall/Library Renovation Project. The Selectmen and Mr. Zubricki agreed that they will plan an informational meeting with all inhabitants of the Town Hall and Library and the design team (once it is chosen), to discuss each department's needs and desires. It was agreed that the Town Building Committee would review the proposals submitted by design/architectural firms for the project and submit their recommendations to the Selectmen for final review, approval, and selection.

Conomo Point Items: A motion was made, seconded, and unanimously voted to approve and sign a demolition contract with George Ricker, Jr., Inc. for the structure at 1 Robbins Island Road in the amount of \$3,340.

A motion was made, seconded, and unanimously voted to approve an electrical permit to remove and reattach the meter for siding repair at 34A Robbins Island Road, Map 19, Lot 67.

A motion was made, seconded, and unanimously voted to approve and sign a Settlement Agreement and Release to the Town's claims against Dominic Olivo in Town of Essex v. Leah Maher, et al. Essex Superior Court, C.A. No., ESCV2014-00522-D.

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

Waiver of Application Deadline and Approval of Non-Resident Recreational Clamming Permit:

- Steven Landers, South Hamilton, sponsored by William Knovak

Commercial Clamming Permit (Filed before filing deadline):

- Benn Ferriero

Student Clamming Permit (Filed before filing deadline):

- Nathan Ferriero

Farmers Market License:

- Far From the Tree LLC

One-Day Entertainment License:

- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Friday, June 12, 2015, between the hours of 5:30 and 9:00 p.m. within the confines of 82 Eastern Avenue
- Michael Dyer for use on Saturday, May 30, 2015, between the hours of 6:00 and 11:00 p.m. within the confines of the Waterline Center at the Essex Shipbuilding Museum at 66 Main Street.

One-Day Wine and Malt License:

- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Thursday, May 21, 2015, between the hours of 6:00 and 8:30 p.m. within the confines of 82 Eastern Avenue
- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Thursday, June 11, 2015, between the hours of 5:00 and 8:00 p.m. within the confines of 82 Eastern Avenue
- Essex County Greenbelt Association, Inc., Shelley Raymond, for use on Friday, June 12, 2015, between the hours of 5:30 and 9:00 p.m. within the confines of 82 Eastern Avenue
- Cape Ann Trail Stewards, Nicholas Holland, for use on Friday, May 29, 2015, between the hours of 5:00 and 7:00 p.m. within the confines of 82 Eastern Avenue.
- Mike Dyer, for use on Saturday, May 30, 2015, between the hours of 6:00 and 11:00 p.m. within the confines of the Waterline Center at 66 Main Street.

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, June 1st, 2015, at 7:00 p.m. in the TOHP Burnham Library on Martin Street.

At 9:38 p.m., citing the need to discuss pending litigation concerning the case of the Town of Essex v. Leah Maher, et al., Essex Superior Court C.A. No. ESCV2014-00522D; pending litigation concerning the case of the City of Beverly vs. the Essex County Sheriff, et al., Essex Superior Court C.A. No. ESCV2015-00350A; the lease, sale, and value of real property at Conomo Point; and, to conduct a strategy session for negotiations with non-union police personnel regarding Memorandum of Agreement; the Chairman entertained a motion to move to Executive Session. She stated that discussing these matters in Open Session would be detrimental to the Town's litigating, negotiating, and bargaining positions. She invited the Town Administrator to attend the Executive Session and said that the Board would only be returning to Open Session to adjourn the meeting. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, and the Town Administrator moved to Executive Session.

The Board, their Assistant, and the Town Administrator returned to Open Session at 10:00 p.m.

A motion was made, seconded, and unanimously voted to adjourn the meeting.

Documents used during this meeting include the following:

Proposal for the Next Stage of the Project from Netco
Letter to His Excellency Governor Charles Baker
Letter from the Library Trustees

Prepared by: _____
Pamela J. Witham

Attested by: _____
Susan Gould-Coviello