

Selectmen's Minutes
TOHP Burnham Library

June 15, 2015

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

Also Present: Kristin Crockett, Sarah Cushing, Steve Cuthbertson, Augustus J. and Karen E. Gomes, Roger and Susan King, William Knovak, and Keith Symmes.

Chair O'Donnell called the meeting to order at 7:00 p.m. in the TOHP Burnham Library on Martin Street and announced that the Board would hear Public Comment. Sarah Cushing said that she would like to ask what the Selectmen planned for the now vacant lot at 138 Conomo Point Road and when it's current appearance would be improved. She stated that the Selectmen should lease the vacant lots at the Point so that they could be maintained by the tenants and that she had a lot of ideas on how the lots could be improved. Chair O'Donnell said that the lots are on hold for the time being until the plans for the northern area of the Point become more defined. The lots have been graded and left in a manner that will enable the Town to have options for their use in the future. Mrs. Cushing was invited to put her comments in writing and submit them to the Selectmen who have taken the matter under advisement. Steve Cuthbertson said that he had not been in favor of demolishing the cottage at 138 Conomo Point Road and thought that it should have been saved, refurbished, and re-leased. Both Mrs. Cushing and Mr. Cuthbertson also suggested that the Selectmen should lease the house at 153 Conomo Point Road. The Selectmen agreed that the Board would take their comments under advisement.

Council on Aging Director Kristin Crockett and Council on Aging Chair Keith Symmes joined the meeting to request the Selectmen's signature on a Senior Care grant application for funding an Essex Outreach Project that will be targeting all the seniors in the area over a two year period. A motion was made, seconded, and unanimously voted to approve and sign the application for the outreach grant from SeniorCare for the Council on Aging in the amount of \$1,200. Mr. Symmes and Mrs. Crockett left the meeting.

Shellfish Constable Knovak said that he would like to recommend that the Selectmen close the clam flat known as the Spit because it is full of seed clams. He said that non-commercial diggers have been digging it looking for clams and have destroyed large quantities of the seed. He would like the flat protected to allow the seed there to grow into harvestable size. The Selectmen were in agreement that they would like the Shellfish Advisory Commission's comments on the matter which will now be discussed at the next Selectmen's meeting with the Commission, after being posted on the agenda. Mr. Knovak left the meeting.

Roger King and Augustus J. and Karen E. Gomes joined the Selectmen to request a lease transfer for the property at 25 Robbins Island Road, Map 19, Lot 78 from Roger H. King to Augustus J. and Karen E. Gomes. Those present acknowledged that the property is a seasonal property. The Selectmen pointed out that, at present, the assignment only carries the promise of a bridge lease through December 31, 2015, which may or may not be renewed for another year. Mr. King and Mr. and Mrs. Gomes said that they were aware of the terms of the bridge lease. Therefore,

Selectman Gould-Coviello entertained a motion to approve a written request for the transfer of all interests in the leasehold for the property at 25 Robbins Island Road (Map 19, Lot 78) from Roger H. King, to Augustus J. Gomes and Karen E. Gomes at 37 Taft Avenue, Beverly, MA 01915; and further, that nothing in this approval is intended to convey or imply any right, title or interest in the subject property, or any portion thereof that was not already held by Roger H. King. The motion was moved, seconded, and unanimously voted. Mr. and Mrs. King and Mr. and Mrs. Gomes thanked the Selectmen and left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period June 1st through June 12th, 2015, regarding the following:

Initial Meeting of the Essex Strategic Planning Committee and Long Term Planning Committee Draft Final Report: Mr. Zubricki reported on the initial meeting of the Strategic Planning Committee which he had attended with Chair O'Donnell and Planner Matt Coogan. The new committee is looking forward to receiving the Long Term Planning Committee's final report and intend to use it as their starting point. Chair O'Donnell and Mr. Zubricki have reviewed a draft of the plan and said that it is a very comprehensive and detailed analysis of the Town's resources. LTPC Chair St. John intends to finalize the plan in the near future.

Contract for Promotion of Town Resources: Mr. Zubricki reported that he had sent out three requests for quotations to promote Town resources and had only received one back from the Essex Merchants Group, which is now a non-profit 501c corporation. Selectman Gould-Coviello recused herself from the discussion and subsequent vote. Mr. Zubricki reviewed the points in the Merchants Group proposal against the criteria in the request and said that this group has had the contract for the last couple of years. The Town has been very satisfied with their performance to date. Chair O'Donnell and Selectman Doane were in agreement and a motion was made, seconded, and unanimously voted to ask Mr. Zubricki to draft a contract with the Merchants Group that can be reviewed and approved at the next Selectmen's meeting on Monday.

Selection of Engineering Firm for Letter of Map Revision Process: Mr. Zubricki said that he had contacted Applied Coastal Engineering to request a proposal, but they will not be submitting a proposal due to a heavy workload at present. Mr. Zubricki reminded the Selectmen that the three proposals that were received have also been reviewed by other professionals in this field, and all but one has recommended the Woods Hole Group. The Selectmen were in agreement and a motion was made, seconded, and unanimously voted to select the Woods Hole Group to assist the Town in preparing a letter of map revision application to FEMA.

Survey and Master Plan for Memorial Park and Engineering Review of Tennis Court Renovation: Mr. Zubricki said that a question had been asked at the recent meeting of the Strategic Planning Committee regarding the status of Memorial Park. The Town had voted at the November 2014 Town Meeting to approve Community Preservation Funds to commission a master plan and survey for improvements at Memorial Park. The improvements would include veterans' memorials and the tennis courts. Those present reviewed the status of the two citizens' groups that had worked on the project in the past: The Tennis Committee and the Veterans'

Group. Mr. Zubricki will make contact with members of the two committees and others to discuss the scope of services necessary and also seek comments from the Department of Public Works. He will report back on his findings at the next Selectmen's meeting.

Selectman Gould-Coviello announced that Conomo Point Planning Committee Chairman Mark Lynch would not be joining the Selectmen tonight to discuss the potential role of the Conomo Point Planning Committee concerning the formulation of long-term northern Conomo Point leases. It was agreed that he would be rescheduled for the Selectmen's next meeting on Monday.

Mrs. Cushing and Mr. Cuthbertson left the meeting.

Potential Demolition of Structure at 153 Conomo Point Road: The Selectmen were in agreement that they would like to remove the structure at 153 Conomo Point Road and a motion was made, seconded, and unanimously voted to ask Mr. Zubricki to begin the lengthy permitting process.

Review of Street Light Status: Mr. Zubricki reported that he has received a report from National Grid regarding the status of the Town's streetlights. They reported that there are a total of eight lights that have been repaired and eleven that have been turned off at the Town's request.

Selectman Doane reported that Winter Harbor, Maine, has passive solar decorative street lights which cost approximately \$3,000 each. He was told that the Town could expect a 9-year payback after the lights are purchased and installed. Mr. Zubricki will raise this issue for the Fall Town Meeting, with an eye toward deploying these lights on the causeway.

A motion was made, seconded, and unanimously voted to ratify the approval of last week's warrant in the amount of \$131,816.52, and further, to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within that warrant pursuant to subsection (d) of said Section.

<u>NAME</u>	<u>VENDOR</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>DEPT'S BILL</u>
Ernie Nieberle	Nieberle's	5/24/15	\$ 65.70	Shellfish
	Nieberle's	5/24/15	\$ 830.20	Police
	Nieberle's	5/24/15	\$ 1,530.05	Fire
	Nieberle's	5/24/15	\$ 11.10	Harbormaster
	Nieberle's	5/24/15	\$ 514.90	Highway
	Nieberle's	5/24/15	\$ 35.00	Water

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$77,953.75.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's June 1st, 2015, Open Meeting and Executive Session.

A motion was made, seconded, and unanimously voted to approve and authorize the Chairman's signature of various encumbrances for year-end salary adjustments.

A motion was made, seconded, and unanimously voted to approve a line item transfer in the amount of \$450 from Blanket Insurance to Selectmen's Telephone.

A motion was made, seconded, and unanimously voted to approve a line item transfer in the amount of \$30 from Building Inspector – Misc. Expenses to Building Inspector – Telephone.

A motion was made, seconded, and unanimously voted to approve a line item transfer in the amount of \$1,000 from Blanket Insurance to Street Lighting.

The Selectmen signed the encumbrances and line item transfers.

Mr. Zubricki reported that the Chair of the Public Safety Study Committee is working on compiling the final components of the Public Safety Study Committee's report regarding the needs of the Town for the Police and Fire Departments.

A motion was made, seconded, and unanimously voted to ratify the approval and Chairman's signature on the contract documents for the 2015 Volunteer Fire Assistance Grant Program for the Fire Department.

A motion was made, seconded, and unanimously voted to approve a request from the Essex Elementary PTO to hold their annual Happy as a Clam 5k and Fun Run on Friday, September 18, 2015.

Mr. Zubricki reported that only one proposal had been received for the Legion Hall Lease and it was from the Essex Historical Society and Shipbuilding Museum, the current tenant. Mr. Zubricki reviewed the criteria specified in the request against the Museum's proposal. The Selectmen and Mr. Zubricki were in agreement that the proposal should be ranked "highly advantageous". The Selectmen asked Mr. Zubricki to work on a lease to be offered to the Museum for review at their next meeting. Mr. Zubricki said that it had been brought to his attention that the correct name of the building at 28 Main Street is the Central Grammar School, not the Legion Hall. The building began its life as a school and over the years has had many other uses, including that as a Legion Hall. Mr. Zubricki said that future references will reflect the corrected name of the building.

The Selectmen reviewed comments from an individual regarding the proposed placement of an old shoe shop between the Central Grammar School and the White Elephant Shop. The person has commented that the building should be placed somewhere in the Waterline Center complex. The person also stated that the building in question is not an Essex shoe shop and was originally in Topsfield. It has since been moved to many other locations before arriving at its present location in Beverly. The Selectmen said that they would like to talk to Kurt Wilhelm, the original advocate for the project, and asked Mr. Zubricki to invite him to comment on the project.

A motion was made, seconded, and unanimously voted to approve a request to rent Centennial Grove for the First Presbyterian Church of Ipswich's annual picnic on Sunday, August 2, 2015.

A motion was made, seconded, and unanimously voted to approve a request to rent Centennial Grove for a wedding on Saturday, July 11, 2015 from Kristen Woodman & Michael Harvey.

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

One-Day Auction Permit:

- Michael March, Blackwood March Antiques, for use on Tuesday, June 30, 2015, between the hours of 4:00 and 10:00 p.m. within the confines of 125 R Main Street.

One-Day Wine and Malt Permit:

- Woodman's Inc., Joan Houghton, for use on Saturday, June 27, 2015, between the hours of 12:00 noon and 10:00 p.m. within the confines of 125 R Main Street.
- Woodman's Inc., Joan Houghton, for use on Thursday, July 9, 2015, between the hours of 12:00 noon and 10:00 p.m. within the confines of 125 R Main Street.
- Woodman Wedding, Michael Harvey, for use on Saturday, July 15, 2015, between the hours of 12:00 noon and 9:00 p.m. within the confines of Centennial Grove.
- Chebacco Liquor Mart, Jack Chisholm, for use on Essex River Day, Saturday, June 20, 2015, between the hours of 3:00 and 10:00 p.m. within the confines of Memorial Park (pending receipt of certificate of liability insurance).

The Selectman were reminded that the next regular Board of Selectmen's meeting will take place on Monday, June 22nd, 2015, at 7:00 p.m. in the TOHP Burnham Library on Martin Street.

A motion was made, seconded, and unanimously voted to approve the following appointments or reappointments commencing 7/1/15:

ADA Coordinator – 1 year: William Sanborn

Animal Control Officer – 1 year: Amelia Reilly

Board of Registrars – 3 years: Suzanne Lynch

Building Inspector – 1 year: William Sanborn

Assistant Building Inspector – 1 year: L. William Holton

Burial Agent – 1 year: Blake Story

CATC Representative – 1 year: Robert Cameron

Conservation Commission – 3 years: Bob Brophy
Ted Marshall

Council on Aging – 3 years: Jessica Webb, pending a successful CORI check
Paul Nameche, pending a successful CORI check
Kay Joseph
Arlene Pizzo

Eight Towns & the Great Marsh Coalition Representative – 1 year: Matt Coogan

Electrical Inspector – 1 year: Ramie Reader

Assistant Electrical Inspector – 1 year: John Shields

Finance Committee – 3 years: Ken Riehl

Emergency Management Director – 1 year: Daniel Doucette

Fire Engineers Board, Fire Chief 1 year: Daniel Doucette

Forest Fire Warden – 1 year: Daniel Doucette

REPC Emergency Response Coordinator – 1 year: Daniel Doucette

Fire Engineers Board, Deputy Chief – 1 year: Keith Carter
Ramie Reader

Firefighter/Arson Investigator – 1 year: Michael French

Firefighter, Captain – 1 year: Ernest Nieberle, Jr.

Firefighter, Lieutenant – 1 year: Travis Good
Cory Jackson
Joseph Lafata
David Pereen
David Thompson

Firefighter 1 year: James Albani
Daniel Ball
David Barrett
Westley Burnham
Robert Cavender
Samuel Sturgis Crocker V
Richard Dort, Jr.
Daniel Fialho
Ronald Gallant
Warren Grant, III
Jason Heath
Peter Hoare
Barry Leeds
James McNeilly
Ivan Muise
Edward S. Neal
Jonathan O'Bryan
Nicholas Ouellette
Joan Perrigo
Anthony Pizzo
Ryan Reed
Sean Reed
Scott Savory
Nicholas Silva
Michael Soucy
George Stavros
Eian Woodman

Firefighter, Probationary – 1 year: Kent Parsons
Amy Price
Andrew Ray

Harbormaster's Assistants – 3 years: Ryan Devaney
David Kent

Harbormaster's Deputy – 3 years: Daniel C. Fialho

Historical Commission – 3 years: Joseph Bourneuf
Richard Stevens

Local Emergency Planning Committee – 1 year: Dan Doucette
Elaine Wozny
Peter Silva
Paul Goodwin

Open Space Committee – 1 year: Julie Scofield
Leslie Burns
Lysa Leland
Tamson Gardner

Plumbing & Gas Inspector – 1 year: Richard Corriere

Assistant Plumbing & Gas Inspector – 1 year: David Pereen

Police Officers, Part-time – 1 year: David Kent
Mark Brewer
Chad Lipinski
Paul C. Peoples
Melissa Cennami
David Vangelist
Katrina C. Ewing

Police Officers, Special – 1 year: David Landry
Robert Wheway
Greg Williams
Michael C. Juliano
Tom Shute

Shellfish Advisory Commission – 3 years: William Knovak

Shellfish Warden's Deputy – 3 years: David Sargent

Town Counsel – 1 year: Kopelman and Paige, P.C.

Selectman Doane recused himself and a motion was made, seconded, and unanimously voted by the Chair and Selectman Gould-Coviello to appoint Dexter Doane to the position of Firefighter: for the term of 1 year commencing 7/1/15.

Chair O'Donnell recused herself and a motion was made, seconded, and unanimously voted by Selectman Gould-Coviello and Selectman Doane to appoint Jimmy O'Donnell to the Board of Registrars, for a partial term of 1 year commencing 7/1/15; and also, Lisa O'Donnell, to the Local Emergency Planning Committee, for a term of 1 year commencing 7/1/15.

Mr. Zubricki reported that two weekends ago, the Harbormaster had begun charging a \$20 fee to launch at the Town Landing. The fee will be charged on weekends for the season between Memorial Day and Labor Day.

At 8:27 p.m., Chair O'Donnell entertained a motion to move to Executive Session 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, strategy regarding pending and potential litigation concerning payroll taxes. She stated that discussing these matters in Open Session would be detrimental to the Town's litigating and negotiating strategies and invited Town Administrator Zubricki to attend the Session. She further stated 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 8:40 p.m.

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

Documents used during this meeting include the following: None.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Susan Gould-Coviello