

Selectmen's Minutes
TOHP Burnham Library

July 13, 2015

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

Also Present: Thayer Adams, Virginia Antell, Officer Daniel Bruce, Dawn Burnham, Annie Cameron, Sarah Cushing, Steve Cuthbertson, Officer Ryan Davis, Ralph Doucette, Sergeant Paul Francis, Officer Rob Gilardi, Past Police Chief Dave Harrell, Gloucester Times Reporter Dimitra Lavrakas, Ted Marshall, Victoria Marshall, Barbie Muise, Officer Shamshak, Police Chief Peter G. Silva, Sally Soucy, and several others.

The Chair 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. Thayer Adams said that she would like to commend the Town for the paving work recently completed at Conomo Point and thank the DPW for the great job. Mr. Zubricki acknowledged that there are still a couple of shoulder leveling areas that the DPW is working on. She said that she would also like to comment on the proposed demolition of 153 Conomo Point Road. She showed pictures of the properties at 138 Conomo Point Road and 1 Robbins Island Road where structures have been removed by the Town, saying that these properties are now an eyesore. She advocated not tearing down the building at 153 Conomo Point Road until there was a plan and funding to complete renovation of the site. Sarah Cushing also came forward and spoke in favor of saving the building at 153 Conomo Point Road. The Selectmen thanked Thayer Adams and Sarah Cushing for their comments.

Treasurer/Tax Collector Virginia Antell and acting Town Clerk Dawn Burnham joined the Selectmen to request refunding of a permanent Water Loan in the amount of \$101,652 with Century Bank at .65 basis points. Eastern Bank and Unibank were the other two bidders, each at .75 basis points. A motion was made, seconded, and unanimously voted to approve the request and the Selectmen signed the documents which were notarized by Mrs. Burnham. Mrs. Antell and Mrs. Burnham thanked the Selectmen and left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period June 20th through July 10th, 2015, regarding the following:

Release of Public Safety Study Committee Report: Mr. Zubricki announced that the Final Report of the Public Safety Study Committee has been completed and placed on that Committee's webpage at the Town's website.

Release of Long-Term Planning Committee Report: Mr. Zubricki also announced that the Long Term Planning Committee has completed their final report defining the best and most valued characteristics of the Town. The report will be used as a starting point for the new Strategic Planning Committee and has been placed on the LTPC's webpage.

Strategic Planning Committee Update: Chair O'Donnell and Town Administrator Zubricki said that the second meeting of the Strategic Planning Committee occurred on June 29, 2015. The new committee is still getting organized and plans to elect a chair at their next meeting.

Award of Contract for Town Hall/Library Renovation Design Work: Mr. Zubricki reported that after interviewing the three, short-listed firms that submitted proposals, the Town Building Committee has recommended McGinley Kalsow as the top-ranked candidate for the project. The next step is for the Board to award the contract to McGinley Kalsow pending successful negotiation of the contract price. A motion was made, seconded, and unanimously voted to authorize the Chair and Mr. Zubricki to conduct cost negotiations with McGinley Kalsow, in consultation with the Town's Project Manager, and to sign the contract outside of a meeting, assuming the parties come to terms.

Lease of Temporary Quarters for Town Offices during Renovation: Mr. Zubricki said that the lower level of the Lahey Building on Martin Street is available and he believes that it can spatially accommodate all the Town Offices. He said that the Town should consider negotiating for the space as soon as possible so as not to lose the opportunity. The Selectmen were in agreement that the space has unique attributes that meet the needs of the Town for temporary office space and that advertising for a lease of temporary building space during the term of the project will not benefit the Town's interest. The Board voted unanimously to declare that this is a unique situation and would not benefit from formal advertising. A motion was also made, seconded, and unanimously voted to authorize Mr. Zubricki to begin negotiations for the space and to authorize the Chairman to sign a lease recommended by Town Counsel, provided that rent of \$2,000 or less per month does not begin to accrue until at least Jan 1, 2016. Space will still have to be found for the Library, and Mr. Zubricki has been investigating some alternatives with Library personnel.

Police Chief Peter G. Silva came before the Selectmen to present former Police Sergeant Ralph Doucette with a long overdue retirement award. The room was filled with police personnel, including former Chief Dave Harrell, and many family members and friends of Mr. Doucette. Chief Silva said that Mr. Doucette began his career in 1960 and retired from the force thirty-one years later after a long, successful, and respected career. Mr. Doucette was presented with a handsome clock that was inscribed appropriately and an honorary police badge. Those present congratulated Mr. Doucette and he gave a brief speech. Pictures were taken and then everyone left to take more pictures outside.

The Selectmen, Mr. Zubricki, Town Counsel, the Selectmen's Assistant, Sarah Cushing, Steve Cuthbertson, Ted Marshall, and Victoria Marshall remained in the Library.

Mr. Zubricki continued with the items in his Town Administrator's report:

Purchase of Used Office Furniture for Temporary Quarters: Mr. Zubricki said that he has located second-hand office furniture to be used at the Lahey Building at a good price and a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to negotiate for the purchase of the furniture and to sign any necessary order and delivery paperwork. The furniture could either be stored on the stage of the Town Hall until it is needed at the Lahey building or the seller could store it for a nominal fee until needed. However, Mr. Zubricki will attempt to simply take delivery directly to Lahey when the space becomes vacant at no extra charge from the furniture company or the building owner.

Coordination of Regional Dredging Initiative: The Selectmen reviewed a letter of encouragement to Senator Tarr prepared by Mr. Zubricki with input from Chairman O'Donnell and Harbormaster Peter G. Silva regarding future dredging. A motion was made, seconded, and unanimously voted to approve and sign the letter.

Potential Solar Installation with Virtual Net Metering Agreement: Mr. Zubricki said that the Town has received an invitation to enter into a memorandum agreement with a solar energy company. After some discussion, the Selectmen agreed with Mr. Zubricki and the Town Planner's recommendation to take the matter under advisement until the Town receives its designation as a green community.

Asbestos Survey/Conservation Commission Hearing, 153 Conomo Point Road: Mr. Zubricki reported that the Historical Commission has reviewed the Town's application for a permit to demolish the building at 153 Conomo Point Road. The Historical Commission said that the building is less than 100 years old, and therefore, the demolition delay bylaw does not apply and their commission has no jurisdiction over the building. Mr. Zubricki also attended a hearing held by the Conservation Commission regarding a Request for Determination of Applicability for the demolition. During the hearing, the ConCom had many questions and it was agreed by all that more information was needed and the hearing was continued until September 22nd. Mr. Zubricki also reported that he has received a cost estimate from the Town's professional asbestos consultant to prepare a study and evaluation of possible asbestos at the property site. The Selectmen were in agreement that Mr. Zubricki should postpone proceeding with the study until additional discussion is held.

Potential Beautification or Modification of Causeway Seawall: Mr. Zubricki reported that he had approached MassDOT regarding potential modifications to the causeway seawall. He said that MassDOT has indicated that they may be agreeable to the Town's proposed changes, however, all costs would have to be borne by the Town. Chairman O'Donnell said that she would provide a cost estimate for discussion at the next Selectmen's meeting. The estimate will be for replacing a portion of the current seawall structure with an industry standard bridge rail.

Intermunicipal Agreement - Harbormaster/Police Powers, Chebacco Lake: The Selectmen reviewed a draft of an Intermunicipal Agreement regarding Harbor and Police Services for

Chebacco Lake. Mr. Zubricki has also sent a draft of the agreement to the Hamilton Town Manager for review.

MIIA Loss Control and Risk Management Grant Applications: Mr. Zubricki reminded the Selectmen of two grants that are offered by the Town's insurer: a Loss Control Grant in the amount of \$5,000 and a Risk Management Grant in the amount of \$10,000. He said that the Police Department is planning to use the Loss Control Grant to provide de-escalation training to department officers. The Risk Management Grant will be used to obtain GIS mapping of Town storm drains and other various utilities for the Department of Public Works. A motion was made, seconded, and unanimously voted to sign both grant applications.

Signature of Revised Continuity of Operations Plan: Mr. Zubricki said that the Town's current Continuity of Operations Plan had become obsolete and he has updated it to reflect the Town's present circumstances. The updated plan has since been reviewed and approved by all department heads. A motion was made, seconded, and unanimously voted to approve and adopt the revisions to the agreement and the Chairman signed the agreement.

Police Chief Peter Silva and Sergeant Paul Francis rejoined the meeting to participate in a discussion regarding the parking situation at Centennial Grove on weekends. Those present discussed a variety of options available including: towing illegally parked vehicles, raising the cost of a parking ticket to \$300, and having a uniformed policer officer present on the weekends. The Chief agreed to meet with the Town Administrator and the Selectmen this week at the site to review the problem locations and discuss possible solutions.

On another matter, the Chief reported that the Town Landing is very popular for boat launching now that the marinas will only allow launching for their regular customers.

The Selectmen thanked the Chief and the Sergeant and they left the meeting.

The Selectmen acknowledged receipt of a letter from a resident commenting against the proposed demolition of the building at 153 Conomo Point Road. After a short discussion, all agreed that the Finance Committee and the Conomo Point Planning Committee should be asked for their opinions regarding options for the site and associated costs before the process moves along any further.

At 8:12 p.m., citing the need to discuss the lease, sale, and value of real property at Conomo Point; and, strategy regarding pending and potential litigation concerning payroll taxes; the Chair entertained a motion to move to Executive Session. The Chair stated that discussing these matters in Open Session would be detrimental to the Town's negotiating and litigating strategies and invited Town Counsel Gregg Corbo and Town Administrator Brendhan Zubricki to attend the session. She also said that the Board would be returning to Open Session in about one hour to finish discussion of the other business on tonight's agenda. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, the Town Administrator, and Town Counsel moved to Executive Session. All others left the meeting.

The Board, their Assistant, the Town Administrator, and Town Counsel returned to Open Session at 9:30 p.m. The Selectmen thanked Town Counsel for coming to their meeting and he left the meeting.

In other business, a motion was made, seconded, and unanimously voted to ratify last week's warrant in the amount of \$108,669.96, 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	6/24/15	\$ 116.20	Shellfish
	Nieberle's	6/24/15	818.17	Police
	Nieberle's	6/24/15	74.60	Sewer
	Nieberle's	6/24/15	905.65	Highway
	Nieberle's	6/24/15	31.20	Water

A motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$233,618.50.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's June 22nd, 2015, Open Meeting and Executive Session.

The Selectmen reviewed a *letter from Jack Chisholm* requesting the addition of a phrase in the description of the public hearing that was contained in the minutes for the June 22, 2015 Selectmen's meeting, and a motion was made, seconded, and unanimously voted to amend the minutes as suggested. The Selectmen also considered a verbal request to change the minutes for their June 15 meeting and were not inclined to make the change.

A motion was made, seconded, and unanimously voted to approve *Chief Silva's recommendation* to appoint Brian Buck to the position of Assistant Harbormaster for a partial one-year term ending 6/30/2016, pending favorable drug and medical testing. The Selectmen signed the appointment card.

The Selectmen reviewed the Federal Highway Administration Title VI/Nondiscrimination Assurances, and a motion was made, seconded, and unanimously voted to approve and sign the document.

A motion was made, seconded, and unanimously voted to ratify the approval of a Line Item Transfer in the amount of \$1,000 from Selectmen's Temporary Help to Shellfish Deputy Wages.

A motion was made, seconded, and unanimously voted to acknowledge withdrawal of Paul Nameche's interest in joining the Council on Aging.

A motion was made, seconded, and unanimously voted to ratify the approval of the Extension of the Keep Moving Grant for the Council on Aging.

The Selectmen reviewed a draft sent to them by the Mayor of Salem. The draft is the Chief Elected Official Memorandum of Agreement for the Workforce Innovation and Opportunity Act. The Selectmen were in favor of the agreement and had no comments for alterations.

A motion was made, seconded, and unanimously voted to approve and sign a Certificate of Appointment for the Town Clerk as Christina St. Pierre (her married name).

The Board discussed use of the signboard at Town Hall and requests for use by private parties. Mr. Zubricki said that he receives numerous request by private parties to use the signboard at Town Hall to advertise their events, but the Town presently has no policy with respect to such use. After some discussion, a motion was made, seconded, and unanimously voted to limit use of the sign to only town government entities.

The Selectmen, acting in their capacity as Licensing Board, made a motion, seconded it, and voted unanimously to approve the following requests for licenses and permits:

Antiques License:

- The Essex Exchange, Katrina Haskell, at 235 John Wise Avenue.

One-Day Entertainment License:

- Essex County Greenbelt Association, Shelley Raymond, for use on Sunday, September 13, 2015, between the hours of 11:00 a.m. and 3:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.

One-Day Wine & Malt License:

- Essex County Greenbelt Association, Shelley Raymond, for use on Sunday, September 13, 2015, between the hours of 11:00 a.m. and 3:00 p.m. within the confines of the Cox Reservation at 82 Eastern Avenue.
- Woodman's Inc., Joan B. Houghton, for use on Wednesday, August 12, 2015, between the hours of 12:00 noon and 10:00 p.m. within the confines of 125 R Main Street.

The Selectmen were reminded that the next regular Board of Selectmen's meeting will take place on Monday, July 27th, 2015, at 7:00 p.m. in the Senior Center on Pickering Street.

Mr. Zubricki reported that he had received an email from a resident suggesting that the Selectmen add an "At-Large" member to the membership of the new Strategic Planning Committee. Upon reflection, the Selectmen were in agreement that the committee is large enough and that they had deliberately not included an "At-Large" category in the membership when they formulated the committee.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 9:47 p.m.

Documents used during this meeting include the following:

Letter from Jack Chisholm

Chief Silva's Recommendation for Assistant Harbormaster

Prepared by: _____
Pamela J. Witham

Attested by: _____
Susan Gould-Coviello