

**Selectmen's Minutes**  
**TOHP Burnham Library**

**August 31, 2015**

Present: Chairman 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: Department of Public Works Superintendent Paul Goodwin, Board of Public Works members Scott DeWitt, Paul Rullo, and Brian Feener; Librarian Debbie French, Town Counsel Katharine Klein, Ralph Drinkwater, Dan Mayer, Attorney Mark Glovsky, Mr. Warren, Richard Tomaiolo, and Director of Programs and Operations at the North Shore Workforce Investment Board Ed O'Sullivan.

Chair Lisa J. O'Donnell called the meeting to order at 7:00 p.m. in the TOHP Burnham Library in the Town Hall on Martin Street and announced that the Board would hear Public Comment. No one offered any comment.

The Selectmen welcomed Ed O'Sullivan, Director of Programs and Operations at the North Shore Workforce Investment Board. Mr. O'Sullivan gave a brief synopsis regarding the creation and mission of the Workforce Investment Board which serves 19 communities on the North Shore. All of the 19 communities have been asked to sign a Memorandum of Agreement and he presented the Chief Elected Official *Memorandum of Agreement for the Workforce Innovation and Opportunity Act* for approval by the Selectmen and signature by the Chair. The Selectmen had already reviewed a draft of the Memorandum at a previous meeting which they had voted to approve at that time. The Chairman signed the final document. Mr. O'Sullivan thanked the Selectmen and left the meeting.

Town Counsel Katherine Klein joined the Selectmen, along with Attorney Mark Glovsky and Ralph Drinkwater to discuss right of access over Town property via Laurel Lane. Mr. Drinkwater owns property off Southern Avenue and Laurel Lane and would like to sell some of it. However, the deeds and the Assessors' records are extremely vague about rights of access which needs to be resolved before the property can be sold. Attorney Glovsky said that he would like permission to work with Town Counsel, to create a plan to resolve the matter. The plan will more than likely require final approval at a Town Meeting. Mr. Glovsky's client is willing to pay Town Counsel for her time spent on this project. The Selectmen were in favor of the idea and a motion was made, seconded, and unanimously voted to authorize Town Counsel to work with Mr. Glovsky, at his expense, to pursue a satisfactory solution to the access problem.

On another matter, Attorney Glovsky said that he also represents Mr. Warren, who now came before the Selectmen. Mr. Warren is the owner of property off Conomo Point Road. He said that the Assessors' maps show the property bounds to include only 3 acres, while the tax bills have been based on 7 acres since the 1940's. Mr. Warren is now seeking to resolve this discrepancy and would like the Town maps to acknowledge what he considers to be the correct boundaries on the 7-acre parcel. All, including Town Counsel, were in agreement that the first step towards resolution is for Mr. Warren to hire a professional surveyor to produce a plan of the property.

Attorney Klein, Attorney Glovsky, Mr. Drinkwater, Mr. Mayer, Mr. Tomaiolo, and Mr. Warren left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period August 8<sup>th</sup> through August 28<sup>th</sup>, 2015, regarding the following:

Potential Lease Via Unique Acquisition of 245 Western Avenue: Librarian Debbie French joined the Selectmen to discuss the recent Library Trustees meeting regarding temporary space for the Library during the Town Hall/Library renovation project. Selectman Gould-Coviello had also attended the meeting. The Trustees had voted to continue pursuing space at 245 Western Avenue, contingent upon resolution of a list of concerns regarding the space. The Selectmen were in agreement and Mr. Zubricki said that he would begin discussions with Mr. Ricker. The Trustees will meet with the Selectmen at their next meeting on September 14 for a continued discussion of this matter and potential signature of a lease. Mrs. French left the meeting.

Continued Discussion Regarding the Future Management of the Centennial Grove: Board of Public Works members Paul Rullo, Scott DeWitt, and Brian Feener, and Superintendent Paul Goodwin joined the Selectmen to discuss management at Centennial Grove now that it has become a popular North Shore weekend destination. The Selectmen reviewed the recent problems at the Grove. Temporary measures to deal with the Grove's recent over-population have included Special duty Police Officers on weekends and limiting parking. The DPW said that their biggest problem is the excessive amount of trash left behind which becomes a target for animals. All present agreed that a comprehensive plan needs to be formulated for next year's season. A public hearing was suggested to seek constructive comments from residents and the Chebacco Lake Association.

On a related matter, Chair O'Donnell (in her capacity as structural engineer) reported that she had inspected the Grove pavilion at the suggestion of the Building Inspector. She said that there are serious problems that need to be addressed before the summer camp reopens in 2016. In addition, she is recommending replacement of the pavilion's handicap ramp with a wooden structure, rather than a cement one. She will share her findings in detail with the Town Administrator and they will discuss options for repair/replacement at a future BOS meeting.

Engineering Evaluation of Memorial Park Tennis Court Replacement: Mr. Zubricki reported that the preliminary survey of the Memorial Park Tennis Courts is recommending more field work at the site. The additional work is estimated at about \$3,500. The additional field work would be followed by the execution of a design for the renovated site, and the last phase would be renovation/construction. Those present discussed whether there was a need to have tennis courts in Essex at all, and if so, whether Memorial Park is the best location for them. If the Town wants to go ahead with this project, Mr. Zubricki said that it may be possible to get grants for some of the funding. Mr. Zubricki will share the recent report with project proponents.

Survey of Memorial Park War Memorial Area: Mr. Zubricki asked the BPW members whether they would be interested in authorizing a partial survey of existing features at Memorial Park. The area to be surveyed would be bounded as follows: starting at the northeastern wall of the Town Hall, along Martin Street to Shepherd Memorial Drive, along Shepherd Memorial Drive to the backstop of the first ballfield, and back to the Town Hall. Mr. Zubricki said that this survey would cost about \$1,800 and be funded from the recent appropriation for Memorial Park. The survey could be used to develop a more attractive, cohesive, user-friendly plan to display and appreciate the Town's memorials. The Board of Public Works was in favor of the survey and gave their permission to Mr. Zubricki to accept the quote from the Farrell Company in the amount of \$1,800 to execute the survey. The Selectmen thanked the BPW members and the Superintendent for their comments and they left the meeting.

Adoption of Fuel Efficiency Vehicle Policy: Town Planner Matt Coogan joined the Selectmen to review his *draft of a Fuel Efficiency Vehicle Policy* for the Town. The Policy is one of the criteria to be met by the Town in order to achieve the designation of "Green Community". All of the Town's vehicles would be exempt from the policy except for the Shellfish Constable's vehicle and even that complies with the policy. The Selectmen asked Mr. Zubricki to forward the draft policy to the Fire Chief, the Police Chief, and the Board of Public Works for comment. The matter will be discussed again with the Town Planner at the next Selectmen's meeting on September 14.

Strategic Planning Committee Meeting: Both Mr. Zubricki and Mr. Coogan reported on the recent SPC meeting. The members have a lot of enthusiasm for the project and have been developing a chart of goals with associated milestones to achievement. It is anticipated that a comprehensive draft will be available for initial implementation in the fall of this year.

Those present were in favor of the appointment of alternate members from each of the representative committee members to the Strategic Planning Committee. Mr. Zubricki will ask each parent board to make those assignments.

Preliminary Analysis of Coastal FEMA Flood Maps: Mr. Zubricki reported that the Woods Hole Group has completed their review of the new FEMA maps for Essex. Based on their review, the Group believes that there is basis to successfully contest some areas of the new maps. Since preparation of this second stage, if feasible, was included in the initial Woods Hole contract and has already been funded, the Selectmen authorized Mr. Zubricki to give the Group the go-ahead to begin the second stage. A draft application for a Letter of Map Revision will be provided to the Board prior to being submitted on the Town's behalf.

Schedule for Release of On-Line Digital Parcel Maps: Mr. Zubricki reviewed a new software tool that is being developed that will allow individuals to research and print out maps of the Town on-line. The program will also offer several special features including different views and zoom-in/zoom-out options. Before being offered to the public, the map tool will need to be further synchronized with the Assessors' database..

FY16 Coastal Community Resilience Grant: Mr. Zubricki said that the Town, along with Newbury, Newburyport, Salisbury, Rowley, and Ipswich, has been awarded this grant in the amount of \$62,000. The grant will be implemented by the National Wildlife Federation and the Ipswich River Watershed Association as subcontractors to the Town. A motion was made, seconded, and unanimously voted to authorize the Chairman to sign the grant paperwork when it becomes available and to enter into subcontracts with NWF and IRWA. Also, a motion was made, seconded, and unanimously voted to authorize pledging this grant as a match to apply for another grant that is available for repairing damage inflicted by Hurricane Sandy.

Matt Coogan left the meeting.

Employee and Volunteer of the Year Awards: Those present reviewed Mr. Zubricki's draft of *guidelines for Employee and Volunteer of the Year Awards*. Submittals would be sent to the Selectmen for review and the awards (one of each) may be presented at the next Town Meeting.

Department of Revenue Financial Management Review Report: Mr. Zubricki reported that the DOR has completed their review of Town financial procedures, policies, and practices and issued their report. The DOR found no errors or wrong-doing in their audit. They found the Town to be understaffed and suggested several administrative items. The Selectmen asked Mr. Zubricki to prepare a prioritized summary of the suggestions, broken down by department. The summary would allow each department to focus on their department's items rather than sifting through the whole report.

Draft Topics for Fall Town Meeting: The Selectmen and Mr. Zubricki reviewed a draft list of potential topics for Town Meeting that is planned for November 16, 2015. Mr. Zubricki will be adding possible action on a Drinkwater easement off Laurel Lane and funding for repair/replacement of the Folsom Pavilion at Centennial Grove. The warrant for the Fall Town Meeting will be closed and signed on October 19, 2015.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$213,662.18.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's August 10<sup>th</sup>, 2015, and for the August 24<sup>th</sup>, 2015, Open Meetings.

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 8/13/15 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	7/24/15	\$ 992.30	Police
	Nieberle's	7/24/15	151.50	Shellfish

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 8/20/15 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	7/24/15	\$3,854.20	Fire
	Nieberle's	7/24/15	945.69	Highway
	Nieberle's	7/24/15	27.00	Water
	Nieberle's	7/24/15	54.30	Wastewater

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

Antiques License:

- The Essex Exchange (2), Katrina Haskell, at 166 Eastern Avenue.

One-Day Entertainment License:

- Cape Ann Chamber of Commerce, Kerry McKenna, for use on Saturday, October 24, 2015, between the hours of 11:00 a.m. and 4:00 p.m. within the confines of Memorial Park.

One-Day Wine and Malt License:

- Cape Ann Chamber of Commerce, Kerry McKenna, for use on Saturday, October 24, 2015, between the hours of 11:00 a.m. and 4:00 p.m. within the confines of Memorial Park.
- Woodman's Inc., Joan B. Houghton, for use on Tuesday, September 8, 2015, between the hours of 11:00 a.m. and 10:00 p.m. within the confines of the tented area at 119 Main Street.

The Selectmen were reminded that the Essex PTO is hosting a Welcome Back Night on Thursday, September 3, 2015, from 5:30 to 7:30 p.m. at the Essex Elementary Playground. None of the Selectmen will be able to attend.

The next regular Board of Selectmen's meeting will take place on Monday, September 14<sup>th</sup>, 2015, at 7:00 p.m. in the TOHP Library on Martin Street.

Mr. Zubricki announced that there were no new developments that required an Executive Session.

Chair O'Donnell reported that it will cost at least \$100,000 to \$150,000 to replace the causeway seawall with a see-through metal railing, including materials, labor, traffic control, etc. Mr. Zubricki agreed to add it to the capital plan for future consideration.

A motion was made, seconded, and unanimously voted to approve and sign the FY2015 Annual Report to the Executive Office of Elder Affairs for the Council on Aging.

It was agreed to discuss a potential drug take-back box at the Police Station at the next Selectmen's meeting on September 14, 2015.

A motion was made, seconded, and unanimously voted to approve and sign an application for collection of surplus medications, Massachusetts Department of Environmental Protection.

A motion was made, seconded, and unanimously voted to authorize the use of Code Red to alert residents on two separate dates regarding the prescription/medication collection day.

A motion was made, seconded, and unanimously voted to appoint David Gabor to serve as the Finance Committee's representative on the Strategic Planning Committee for the remainder of a 1-yr term, ending 6/30/16.

A motion was made, seconded, and unanimously voted to appoint John Bateman and Dustin Collupy as probationary firefighters, contingent upon passage of drug/medical testing and a CORI check.

A motion was made, seconded, and unanimously voted to authorize the purchase under the MAPC/FCAM Contract, of a 2016 Horton Ford E450 Model 553B equipped ambulance in the amount of \$185,966 from Greenwood Emergency Vehicles.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 9:55 p.m.

Documents used during this meeting include the following:

*Memorandum of Agreement for the Workforce Innovation and Opportunity Act*  
*Draft of a Fuel Efficiency Vehicle Policy*  
*Guidelines for Employee and Volunteer of the Year Awards*

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

Attested by: \_\_\_\_\_  
Susan Gould-Coviello