

Selectmen's Minutes
TOHP Burnham Library

October 5, 2015

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

Also Present: Madeline Albani.

The Chairman called the meeting to order in the TOHP Burnham Library at 7:00 p.m. and announced that the Board would hear Public Comment. Madeline Albani came before the Selectmen to continue the discussion regarding possible changes to the Town's Firearm Bylaws. Mr. Zubricki compared firearms bylaws from other towns to the State statute and the Town bylaw. The Essex bylaw was the one of the most specific ones, while the bylaws from other towns mostly reiterated the State statute. Those present discussed various ways that the Town's bylaw could be strengthened; i.e. by adding language limiting the times of day a firearm may be discharged, by limiting the duration of firing to a certain number of hours at any one time, and by increasing the distance from a dwelling that a firearm may be discharged. The Selectmen asked Mr. Zubricki to ask Town Counsel for an opinion regarding a proposed amendment to the Town's bylaw that would limit the discharge of firearms in Town to occur between dawn and 6:00 p.m. and for a maximum duration of two hours. If Town Counsel is in favor of this amendment, it would have to be voted at a Town Meeting and subsequently approved by the State Attorney General before it could go into effect. Madeline Albani thanked the Selectmen for their assistance in this matter and left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period September 26th through October 2nd, 2015, regarding the following:

Employee and Volunteer of the Year Nominations: Mr. Zubricki reported that one nomination for employee of the year had been received and that two nominations for volunteer of the year had been received, both volunteer nominations were for the same person. The Selectmen very much approved each nomination. The awards will be made at the Fall Town Meeting and Mr. Zubricki said that he would also like to give out longevity awards at that time to those who have served the Town for 20 and 25 years. Those present discussed what the awards would be and Mr. Zubricki agreed to put together a list of suggestions for discussion at the next Selectmen's meeting.

Potential Removal of Evergreen Trees at Town Hall/Library: Mr. Zubricki said that it will be necessary to have a public hearing before the two evergreen trees on the Town Hall property can be removed. If the removal is approved, it would occur early next year at the start of the Town Hall renovation project and the replacement trees would be planted after the project is completed.

Recommendation for Decorative Street Lamps: Mr. Zubricki updated the Selectmen on the additional information that he had gathered concerning the possibility of installing solar powered streetlights on the causeway. Based on his research, it appears that the cost for the solar powered lamps would be prohibitive and the lamps equipped with the correct size solar collectors for this

climate would not be attractive. Regular lamps that use LED lights would be much less expensive. Chair O'Donnell suggested that bollard lights might be an option and Mr. Zubricki agreed to research that idea for future discussion.

Additional Investigation of Folsom Pavilion State of Repair: Mr. Zubricki reported that he had met with a contractor at Centennial Grove recently to assess the state of the Folsom Pavilion and discuss options for repair/replacement. The structural supports of the roof are in extremely bad shape. The floor is OK for now, but is not great. Mr. Zubricki also got estimates on replacing the structure with a new modular structure. There are many options to consider and some of them are very expensive. The Selectmen were in agreement that they would like to think about the matter some more. They asked Mr. Zubricki to request that the Historical Commission look over the structure, since it is believed to be at least a hundred years old and would be affected by the Town's demolition delay bylaw.

Continued Review of Draft Fall Town Meeting Warrant: Mr. Zubricki reviewed a summary of the monetary articles proposed for the November 16, 2015, Fall Town Meeting, and each of the articles presently on the latest draft of that Warrant.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$201,624.52.

A motion was made, seconded, and unanimously voted to ratify the approval of the 10/1/2015 vendor warrant in the amount of \$133,447.78, 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>
James McNeilly	McNeilly EMS	9/14/15	\$ 586.00	Fire Dept.

The Selectmen acknowledged a notification from Kopelman and Paige, P.C. of a proposed \$5.00 increase in their hourly legal billing rate.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's September 28th, 2015, Open Meeting.

It was agreed to table the request to alter private way, Lot A, Riverview Hill Road.

A motion was made, seconded, and unanimously voted to authorize the creation of an EZ Pass account for use with the Council on Aging van.

Regarding Conomo Point matters, the Selectmen considered a request from Judith Riggs to sublet her leased property from 10/1/15 through 6/1/16. Subsequently, a motion was made to approve the request from Judith Riggs to sublet the property at 42 Robbins Island Road, Map 19, Lots 71 & 75, from 10/1/15 through 6/1/16, and that the Board acknowledged that nothing in this

approval is intended to waive any rights that the Town has in the structure on said property as set forth in the Appeals Court's judgment in the case Brian M. Touher, et al. v. Town of Essex, Massachusetts Appeals Court, Massachusetts Appeals Court, C.A. No. 14-P-796. The motion was moved, seconded, and unanimously voted.

The next regular Board of Selectmen's meeting will take place on Monday, October 19th, 2015, at 7:00 p.m. in the Senior Center on Pickering Street.

Mr. Zubricki said that he has received no new information concerning any matters that would require an Executive Session this evening.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:38 p.m.

Documents used during this meeting include the following: None.

Prepared by: _____
Pamela J. Witham

Attested by: _____
David A. Doane