

Selectmen's Minutes
TOHP Burnham Library

December 7, 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: Thayer Adams, Adam Bediz, John Bediz, Bill Febiger, Tina Lane, Gloucester Times Reporter Dimitra Lavrakas, Dan Mayer, Steven Sloan, and several others.

The Chairman called the meeting to order at 7:00 p.m. in the TOHP Burnham Library and asked if there was any Public Comment. No one offered any comment.

Dan Mayer joined the Selectmen to ask if there was any more information that the Selectmen would like him to provide in addition to his preliminary business plan for development of the 153 Conomo Point Road property. He said that he would be happy to provide architectural drawings and more detailed plans. The Selectmen thanked him and said they would be voting on the matter at 7:10 this evening.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$324,632.12.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's November 30th, 2015, Open Meeting and Executive Session.

A motion was made, seconded, and unanimously voted to accept the resignation of Meg Nelson from the Bicentennial Committee.

A motion was made, seconded, and unanimously voted to approve a request from JT Farnham's to limit their hours during the month of December 2015 to four days per week, Thursday through Sunday, from 12:00 noon to 7:00 p.m.

A motion was made, seconded, and unanimously voted to approve a request from JT Farnham's to close for cleaning and renovations during the months of January and February 2016.

A motion was made, seconded, and unanimously voted to grant permission to YuKanRun.com to pass over Essex roads during their annual YuKanRun.com Road Race Series on Sunday, May 15, 2016.

A motion was made, seconded, and unanimously voted to approve a request to begin preparation of an informational tax bill insert regarding upcoming elections.

A motion was made, seconded, and unanimously voted to approve and sign an attestation regarding the estimated temporary increased resident population for the Town as of July 10, 2016.

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, December 21st, 2015, at 7:00 p.m. in the Library on Martin Street.

A motion was made, seconded, and unanimously voted to approve the following renewals and permits by the Licensing Board:

Alcoholic Beverage License Renewal-Package Store-All Alcohol:

- Chebacco Liquor Mart, Inc., d/b/a Chebacco Liquor Mart, John D. Chisholm, Manager, 201 Western Avenue, contingent upon completion of TIPS training in person.
- CPM Investment Group, Inc., d/b/a Essex Wine & Spirits, Vincent Marano, Manager, 65 Eastern Avenue, contingent upon completion of TIPS training in person.

Alcoholic Beverage License Renewal-Package Store-Wine & Malt:

- Devonshire Wine, LLC, d/b/a Boston Wine Exchange, Eamon Keating, Manager, 91 Main Street, contingent upon completion of TIPS training in person.
- Energy North, Inc., d/b/a Energy Liquors, Abdessamad Madkour, Manager, 156 Main Street, contingent upon completion of TIPS training in person.
- Fenisha Corporation, d/b/a Schooner's Market, Bhavikaben J. Patel, Manager, 121 Eastern Avenue, contingent upon completion of TIPS training in person.

Alcoholic Beverage License Renewal-Restaurant-Wine & Malt:

- Eben Creek Corporation, d/b/a JT Farnhams, Joseph K. Cellucci, Manager, 88 Eastern Avenue, contingent upon completion of ServSafe Alcohol Server Training in person.

Alcoholic Beverage License Renewal-Restaurant-All Alcohol:

- Blue Marlin Grille, Inc., d/b/a Blue Marlin Grille, Cory Matthews, Manager, 63 Eastern Avenue, contingent upon completion of ServSafe Alcohol Server Training in person and an Inspection Certificate from the Fire Department and Building Department.
- Cape Ann Golf Course Corp., d/b/a Fairway Pub, James N. Stavros, Manager, 99 John Wise Avenue, contingent upon completion of ServSafe Alcohol Server Training in person.
- Diamond 4 Cookhouse LLC, d/b/a Castle Kreek Cookhouse & Bar, Kelly A. Roach, Manager, 234 John Wise Avenue, contingent upon completion of ServSafe Alcohol Server Training in person.
- Essex Fortune Palace, d/b/a Fortune Palace, Fang M. Liaw, Manager, 99 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.
- BN Farm LLC, d/b/a Farm, The, Bradley Atkinson, Manager, 233 Western Avenue, contingent upon completion of ServSafe Alcohol Server Training in person.
- Greenbow Corporation, d/b/a Shea's Riverside Restaurant & Bar, Carol e. Shepard, Manager, 122 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.

- Hog Island Inc., d/b/a C.K. Pearl, Patrick Shea, Manager, 112 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.
- Tides at Essex Marina, LLC, d/b/a Tides, Frank McClelland, Manager, 35 Dodge Street, contingent upon completion of ServSafe Alcohol Server Training in person and an Inspection Certificate from the Fire Department and Building Department.
- Towne Landing, Inc., d/b/a Periwinkles, Thomas L. Guertner, Manager, 74 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.
- Village Restaurant of Essex, Inc., d/b/a Village Restaurant, Kevin Ricci, Manager, 55 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.
- Windward Grill LLC, d/b/a Windward Grille, Timothy Kennefick, Manager, 109 Eastern Avenue, contingent upon completion of ServSafe Alcohol Server Training in person and a Certificate of Liquor Liability Insurance.
- Woodman's Inc., d/b/a Woodman's Lobster Pool, Stephen B. Woodman, Manager, 119 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.
- Woodman's, Inc., d/b/a Woodman's Function Hall & Lobster Trap Pub, Stephen B. Woodman, Manager, 125 Main Street, contingent upon completion of ServSafe Alcohol Server Training in person.

Antiques License Renewals:

- Michael Bider, Bider's Antiques, Home, Camp & Cottage, 67 Main Street
- Debbie & Alfred Brosch, Brosch Antiques, 143 Main Street
- Vincent W. Caravella, All Prints and Maps, 34 Main Street
- Robert Coviello, Main Street Antiques, 44 Main Street
- Robert Coviello, Robert C. Coviello Antiques, 155 Main Street
- Joseph Danna, Conomo Point Antiques, 166 R Eastern Avenue
- Dana Guarnera, Ro-Dan Antiques, 69 Main Street
- Robert W. Hanlon, Walker Creek Furniture, Inc., 57 Eastern Avenue
- Channing Howard, Howard's Visual Merchandise, 165 Eastern Avenue
- Edwin M. & Laura B. Howard, Howard's Flying Dragon Antiques, 136 Main Street
- Robert Landry, L.A. Landry Antiques, 164 Main Street
- Michael March, Blackwood March Antiques, 3 Southern Avenue
- Shelagh Schylling, Prezona Design, 72 Belcher Street
- Andrew Spindler, Andrew Spindler Antiques, 163 Main Street
- Allen Waller, APH Waller & Son, 140 Main Street
- Alexander Westerhoff, Alexander Westerhoff, 18 Eastern Avenue

Automatic Amusement Device License Renewal:

- Cape Ann Golf Course Corp., d/b/a Fairway Pub, James N. Stavros, Manager, 99 John Wise Avenue (two machines)

Class II License Renewals:

- Steven Pascucci, Cape Ann Auto Body, Inc., 19 Grove Street

- John Heath, Essex Falls Auto Body, 1 Moses Lane
- Eric Holdsworth, Portside Auto, 166 Eastern Avenue
- Scott Woodward, Pike Marine, Inc., 80 Main Street
- Scott Savory, Scott's Auto Clinic, Inc., 6 Scot's Way
- Paul Wright, Wright Industries Inc., 22 Western Avenue

Common Victualler's License Renewals:

- Stephen Gersh, Essex Conference & Recreational Center, 1 Conomo Point Road
- Howard Lane, Essex Seafood, 143 R Eastern Avenue
- Leandro Gomes, Leandro's Bakery and Café, 65 Eastern Avenue
- Roy Serpa, MAIA LLC, d/b/a Dunkin Donuts, 125 Main Street
- Laura Wright, The Essex Village Market Co., d/b/a Village Market, 1 Martin Street
- Chebacco Liquor Mart, Inc., d/b/a Chebacco Liquor Mart, John D. Chisholm, Manager, 201 Western Avenue
- CPM Investment Group, Inc., d/b/a Essex Wine & Spirits, Vincent Marano, Manager, 65 Eastern Avenue
- Devonshire Wine, LLC, d/b/a Boston Wine Exchange, Eamon Keating, Manager, 91 Main Street
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Innholder's License Renewal:

- Stephen Gersh, Essex Conference & Recreational Center, 1 Conomo Point Road

One-Day Wine & Malt License:

- Georgeanne Richards, Sea Meadow Gifts, for use on Tuesday, December 15, 2015, between the hours of 5:00 and 9:00 p.m. within the confines of 7 Main Street.

Sunday Entertainment License Renewal:

- Hog Island Inc., d/b/a C.K. Pearl, Patrick Shea, Manager, 112 Main Street
- Woodman's, Inc., d/b/a Woodman's Function Hall & Lobster Trap Pub, Stephen B. Woodman, Manager, 125 Main Street

Weekday Entertainment License Renewal:

- Blue Marlin Grille, Inc., d/b/a Blue Marlin Grille, Cory Matthews, Manager, 63 Eastern Avenue
- Cape Ann Golf Course Corp., d/b/a Fairway Pub, James N. Stavros, Manager, 99 John Wise Avenue
- BN Farm LLC, d/b/a Farm, The, Bradley Atkinson, Manager, 233 Western Avenue
- Greenbow Corporation, d/b/a Shea's Riverside Restaurant & Bar, Carol e. Shepard, Manager, 122 Main Street
- Hog Island Inc., d/b/a C.K. Pearl, Patrick Shea, Manager, 112 Main Street
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The Selectmen reviewed a draft letter that the Conservation Commission would like to send to all residents relative to storage of items on the marsh. The Selectmen had no comments to make on the draft.

Following a brief statement by Chairman O'Donnell and one by Selectman Gould-Coviello, a motion was made and seconded to demolish the structure located at 153 Conomo Point Road. Chairman O'Donnell and Selectman Doane voted in favor of the demolition and Selectman Gould-Coviello abstained. The motion was carried. Due to the lateness of the season, the building will be removed in early spring of 2016.

Thayer Adams, Adam Bediz, John Bediz, Tina Lane, Gloucester Times Reporter Dimitra Lavrakas, Dan Mayer, and several others left the meeting.

Mr. Zubricki reviewed a list from the Town Hall/Library Renovation Project Architect of suggested items to remove from the project scope and to add to the list of alternate items. A motion was made, seconded, and unanimously voted to approve keeping selective repointing in the base project scope and to add 100% repointing to Alternate #5 (a savings of about \$50,000).

Stephen Sloan of Cambridge Consulting and Bill Febiger joined the Selectmen to discuss a proposed Conservation Restriction to Essex County Greenbelt on land located on Forest Avenue which is owned by Mr. Febiger. Mr. Sloan began by reviewing the location of the property and talking about the plans for the restriction. Subsequently, a motion was made, seconded, and unanimously voted to sign the finalized documents outside of a Selectmen's meeting when they become available contingent upon the approval of the Executive Office of Energy and Environmental Affairs. Mr. Sloan and Mr. Febiger thanked the Selectmen and they left the meeting.

Mr. Zubricki said that the deed for the property at 13 Town Farm Road is ready to sign and the closing on the property is scheduled for tomorrow. A motion was made, seconded, and unanimously voted to sign the deed. Chairman O'Donnell and Selectman Gould-Coviello signed the document. Selectman Doane will sign the document tomorrow in the presence of a notary.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period November 28th through December 4th, 2015, regarding the following:

Town Administrator's Performance Review and Goal Setting: Mr. Zubricki asked the Selectmen to review a draft of his proposed goals for the next year. He also gave them a report of his accomplishments from the past year. Following the Board's review of the material, the Chairman will gather the Board's comments and discuss those comments with Mr. Zubricki at a future time.

Selectman Doane reported that he had met with Chief Silva recently and the Chief had agreed to compile a report of Police activities and duties during a sample period for the Selectmen's review.

Continued Discussion of Management Options for Centennial Grove: Mr. Zubricki reminded the Selectmen of their resolve to work out an acceptable management plan for Centennial Grove before the start of the new season in 2016. The Selectmen asked Mr. Zubricki to investigate and draft a Request for Proposals from an entity that would assume management and/or rental of the entire Grove facility.

Preliminary Review of FY17 Personnel/Capital Plan: Mr. Zubricki reviewed and discussed each of the items on the initial draft of the FY17 Personnel/Capital Plan. Mr. Zubricki will update the

plan based on the Selectmen's comments. Final discussion of the plan will take place on January 11, 2016 and it will be submitted to the Finance Committee on January 12, 2016.

Revision of Town Landing and Municipal Parking Lot Regulations: Mr. Zubricki reviewed an updated draft of parking regulations for the Town Landing and the Municipal Parking Lot and discussed comments from Chief Silva and the Town Clerk. A motion was made, seconded, and unanimously voted to change the violation fine for parking in certain areas from \$300 to \$100. Mr. Zubricki said that he would incorporate the other changes suggested by the Selectmen and work with Selectman Gould-Coviello regarding new signage based on the revised regulations.

Revision of Town of Essex Alcoholic Beverage Licensing Regulations: The Selectmen reviewed a draft of the new Town Alcohol Regulations based on the Selectmen's vote at their last meeting to allow on-premise alcohol licensees to use TIPS training to meet one of the requirements for annual licensing renewal. A motion was made, seconded, and unanimously voted to approve the new regulations as amended.

At 8:45 p.m., citing the need to discuss the lease, sale, and value of real property at Conomo Point; 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 negotiating strategy and invited the Town Administrator to attend the Executive Session. She 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 9:30 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