

**Selectmen's Minutes  
Senior Center**

**April 25, 2016**

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: Virginia Antell, Justin Bourgette, Dawn Burnham, Westley Burnham, Annie Cameron, Matt Coogan, Scott DeWitt, Fire Chief Daniel Doucette, Kim Drake, Deborah French, Paul Goodwin, Alva Ingaharro, Erin Kirchner, Billy Knovak, Tina Lane, Gloucester Times Reporter Dimitra Lavrakas, National Grid Representative Sibhita Mahabier-Sheehy, Ed Perkins, Amy Reilly, Police Chief Peter Silva, Christina St. Pierre, and Roxanne Tieri.

The Chairman called the meeting to order at 7:00 p.m. in the second floor meeting room of the Senior Center on Pickering Street and announced that the Board would hear Public Comment. No one offered any comment.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$670,617.06.

A motion was made, seconded, and unanimously voted to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 04-14-16 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	3/24/16	1,257.06	Snow Removal
Ernie Nieberle	Nieberle's	3/24/16	110.80	Wastewater
Ramie Reader	Reader Electric	3/24/16	75.00	Wastewater
Ramie Reader	Reader Electric	2/23/16	70.00	Highway

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's April 11, 2016, Open Meeting and Executive Session.

The Selectmen reviewed a request from resident Judith Thomson to rent Centennial Grove for a family reunion on Saturday, August 6, 2016 between the hours of 10:00 a.m. and 7:00 p.m., and a motion was made, seconded, and unanimously voted to approve the request. The Chairman signed the application and the parking pass.

A motion was made, seconded, and unanimously voted to approve the recommendation from the MERSD Director of Guidance and Counseling to award the 2016 Essex Selectmen's Citizenship Award to Isabella Hickey. The Selectmen signed the certificate.

A motion was made, seconded, and unanimously voted to approve a *request from Police Chief Silva to appoint Paul Albani* to the position of Assistant Harbormaster for a partial term ending 6/30/17, contingent upon favorable results from drug and medical screening. The Selectmen signed the appointment card.

The Selectmen reviewed a letter from Brad & Beth Story regarding storage of their dinghy during the summer months at Conomo Point. The Selectmen agreed to take the letter under advisement. Currently, the Conomo Point Planning Committee is working with a consultant regarding the design and construction of two public access areas at the Point, which may include a dinghy ramp. Mr. Zubricki will let Mr. and Mrs. Story know that it is unlikely that the situation will change this season and that rules for the ramp will be promulgated after it is improved.

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

All Alcohol Restaurant Transfer of License:

- Sign a revised Form 43 for MRG, Inc. to reflect a change in the transaction financing. (The original transfer request was already approved by the Selectmen, following a public hearing earlier in the year.)

Shellfish:

Student Commercial Permit and Waiver of the Application Deadline:

- Kevin Carter
- Adin Horrocks

Non-Resident Recreational and Waiver of the Application Deadline:

- Ryan Lynch, Wenham, MA, sponsored by Elaine Horrocks

A motion was made, seconded, and unanimously voted to sign the following Gasoline Storage License renewals outside of a meeting when they become available:

- Ernest T. Nieberle, Jr., Ernie's Service Station, 8 Main Street
- Michael Crowley, Gaybrook Garage, 152 Western Avenue

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, May 2, 2016, at 6:30 p.m. in the Teachers' Lounge at the Essex Elementary School on Story Street, followed by the Annual Town Meeting at 7:30 p.m. The Annual Election will take place on Monday, May 9, 2016 at the Memorial Fire Station.

At 7:05 p.m., the Chairman entertained a motion to open a Public Hearing regarding a National Grid petition to place a new pole on Wood Drive. The motion was moved and seconded. Selectmen's Assistant Pamela Witham briefly reviewed the National Grid request and National Grid Representative Sibhita Mahabier-Sheehy supplied details of the project. The Chairman asked if anyone else wished to speak for or against the petition and no one did. A motion was made, seconded, and unanimously voted to close the hearing. The Selectmen were in agreement and there was no discussion. A motion was made, seconded, and unanimously voted. The Selectmen signed three copies of the order for the stabilizing pole and were witnessed by the Town Clerk. Following notarization by the Town Clerk, the completed documents will be forwarded to National Grid and Verizon and placed on file with the Town Clerk. Ms. Mahabier-Sheehy thanked the Selectmen and left the meeting.

Mr. Zubricki informed the Selectmen that the Massachusetts Office on Disability had sent a package advocating that the Town establish a municipal commission on disability. The Selectmen said they would review the package and possibly discuss it at a later date.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period April 9<sup>th</sup> through April 22<sup>nd</sup>, 2016, regarding the following:

Conomo Point Planning Committee Update: Mr. Zubricki reviewed consultant Jim Heroux's draft plan for new public access areas at Conomo Point. He said that the CPPC will be meeting this Thursday to discuss and vote on the plan, which will be presented at Town Meeting (if approved).

Meeting with Essex Joint Cable Advisory Committee Representative: Mr. Zubricki said that he had met with our Cable Advisory Committee Representative recently, who had provided a summary of the Committee's progress to date. The Selectmen asked Mr. Zubricki to invite the representative, Barry O'Brien, to a future Selectmen's meeting for a discussion.

Continued AFSCME Collective Bargaining, Signature of Contract: Mr. Zubricki stated that this subject would be discussed in Executive Session.

Cost Proposal for Design Work Concerning Folsom Pavilion: Mr. Zubricki reported that a proposal had been received from McGinley Kalsow Associates offering two options for a cost of \$18,750: 1) Design Work for Repair of the Pavilion in place, or 2) Design Work for Replacement of the Pavilion with a new structure. The firm may be hired if the Town Meeting decides to fund this project.

Appraisal of Robbins Island Properties, for Purposes of Sale: Mr. Zubricki said that Mark Tyburski had completed his appraisal of the Robbins Island properties for sale purposes and his report is posted on the Town website. Each property was appraised for "land only" value and for "land and building" value.

Appraisal of Northern Conomo Point Properties, for Purposes of Lease: Mr. Tyburski expects to finish his appraisal of the northern Conomo Point properties soon. His work will be posted on the Town website this week.

Revision of Centennial Grove Regulations and Use of Attendants: Mr. Zubricki said that he has drafted revised regulations for the Grove, based on the Selectmen's decision to restrict use of the Grove to residents only with the exception of the summer camp, occasional rentals, and youth sports. He stated that he has been investigating three options regarding the provision of weekend attendants to enforce the residents only policy: 1) YMCA staffing, 2) Boy Scout staffing, or 3) Use of Town employees for staffing. The Selectmen were in favor of YMCA or Boy Scout staffing and asked Mr. Zubricki to ask each group for a cost proposal. Mr. Zubricki said that he has discussed funding with the Finance Committee and it will likely be provided by a year-end transfer for fiscal year 2016 and a Reserve Fund Transfer for fiscal year 2017. The attendants

would be responsible for checking to make sure users of the Grove are residents and keeping the trash barrels emptied. Residents will be able to obtain special wristbands for identification and hand stamps may also be used. The Selectmen said that they will review the revised regulations and vote on them at their May 2 meeting.

Future Potential Road or Walkway Connecting Conomo Pt. Rd. and Lane: Mr. Zubricki informed the Selectmen that the tenant of the lot where a future walkway or roadway is planned, is working with the Board of Health to install a new tight tank in that area. After review, it appears that there will be room for both the tight tank and the walkway/roadway and the Board was fine with that project proceeding.

Proposal to Clean Up Relocated Safe Doors: Mr. Zubricki said that it has not been decided whether the safe doors will be installed in the elevator lobby or the pedestrian lobby. The Town has received an estimate for cleaning and conservation of the doors and the old wall vault door from a professional conservationist. It was agreed by everyone to postpone a decision on this matter until after the building renovation project has been completed and the Town Hall reoccupied.

Mr. Zubricki and Librarian Deborah French also discussed with those present the fact that the current construction plans for the building do not include all of the built-in features recommended by the Library design consultant. Mr. Zubricki agreed to discuss the discrepancies with McGinley Kalsow. It appears that most items will be addressed using furniture and fixtures after the project is completed. He will update the Selectmen at their next meeting.

Great Marsh Resiliency Modeling Workshop: Mr. Zubricki reported that both he and Chairman O'Donnell had recently attended a symposium held on Plum Island regarding great marsh resiliency. Those present had an opportunity to listen to scientific speakers regarding the latest research and techniques for contending with sea level rise and climate change.

Study of Affixation of Structures, Robbins Island: Mr. Zubricki reported that the Horsley Witten Group has completed their study of whether or not thirteen structures on Town land at Robbins Island are affixed to the land, using a previous court determination for other Conomo Point structures as a guide. Only two of the thirteen have been found by Horsley Witten to be affixed. Horsley Witten's report has been made available to the public on the Town's website.

Parking Management Study Grant Update: Chairman O'Donnell, Town Planner Matt Coogan, Town Administrator Zubricki, Essex Merchants Group member Robert Coviello, and State officials met recently to discuss a scope of services regarding the formulation of a parking plan for the downtown Essex area to be funded with a \$10,000 technical assistance grant from the State.

On another matter, Chairman O'Donnell asked if the Department of Public Works could remove some bolts that are sticking out of the foundation remaining at 153 Conomo Point Road. She also asked if something could be done to make sure that the land did not settle where the structure had

been and create a large puddle of standing water. Mr. Zubricki said that he would forward her concerns to Superintendent Goodwin.

Mr. Zubricki said that the Governor has initiated a new program regarding community compacts that will provide municipalities with direct access to government assistance in several areas. The Town has already received approval for one compact with the State for help with global warming and its effect on coastal marshland. However, the State program allows each community to have as many as three focus areas. The Chairman stated that she would like the Town to participate in three compacts. She read an extensive list of additional possibilities and asked those present to go to the State website for this program and recommend additional options suitable for the Town. There will be a formal State ceremony on May 31 in Salem to award the compacts.

The Gloucester Times Reporter left the meeting.

Review of Draft Annual Town Meeting Motions: Mr. Zubricki reviewed and discussed each of the warrant articles and their order with those present.

Dawn Burnham, the Chair of the Bicentennial Committee, provided the Board with a list of events being planned for the 2019 celebration:

February 15:	Ice-cream Social – Artifacts & Old Post Card Display, Essex Elementary School
March:	Essexport – Historical Theme, Essex Elementary School
April:	Progressive Dinner – Involving All 5 Churches
May:	Madame Varney Tea – Historical Reenactment, Congregational Church Militia Group – Historical Reenactment
June 22:	Garden Tours – Private Homes
July:	Something at the Lake
August:	9 <sup>th</sup> Fireworks 10 <sup>th</sup> Parade/Food Trucks at Park 11 <sup>th</sup> Old Time Baseball Game Luncheon for 90 and up of the Town
September/October:	Graveyard Tours
November:	DAR Dedications of Monuments
December 22:	Winter Solstice - Bonfire

The Chairman thanked everyone for participating in the Quarterly meeting and all left except the Board, their Assistant, and the Town Administrator.

At 9:00 p.m., citing the need to discuss: 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; pending litigation concerning the case of the Town of Essex v. William Allen, Essex Superior Court C.A. Nos. ESCV2002-00352, ESCV2006-00313, and ESCV2007-02096; the lease, sale, and value of real property at Conomo Point; and, a successor collective bargaining agreement with AFSCME; 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, litigating, and bargaining strategies. She invited the Town Administrator to attend the Executive Session and 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 10:00 p.m.

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

Documents used during this meeting include the following:

*Request from Police Chief Silva to Appoint Paul Albani*

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

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