

**Selectmen's Minutes  
Senior Center**

**May 9, 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: Tina Lane

The Chairman called the meeting to order at 7:00 p.m. in the upstairs meeting room of the Senior Center on Pickering Street and announced that the Board would hear Public Comment. Tina Lane asked about the Personnel Board and Mr. Zubricki briefly reviewed the establishment and function of the Board, which would be discussed later in the meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$130,856.36.

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 5/12/16 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	4/24/16	567.20	Fire
Ernie Nieberle	Nieberle's	4/24/16	862.10	Highway
Ernie Nieberle	Nieberle's	4/24/16	39.00	Water
James McNeilly	McNeilly EMS	5/04/16	18.00	Police
James McNeilly	McNeilly EMS	4/14/16	145.00	Fire

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 5/5/2016 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	4/24/16	1,249.31	Police
Ernie Nieberle	Nieberle's	4/24/16	77.00	Council on Aging
Dave Pereen	Pereen Plumbing	4/16/16	170.00	Highway
Dave Pereen	Pereen Plumbing	4/10/16	2,875.00	Water

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's May 2, 2016, Open Meeting.

A motion was made, seconded, and unanimously voted to approve a 33B transfer in the amount of \$5,000 for the Council on Aging from Van Driver Wages to Operating Expenses.

A motion was made, seconded, and unanimously voted to renew the Police and Fire injured on-duty insurance policies. The Chairman signed the paperwork.

The Selectmen were reminded that the Lt. Governor's signing of community compacts with various municipalities, including Essex, has been postponed from 5/10/16 to a future date yet to be determined.

The next regular Board of Selectmen's meeting will take place on Monday, May 23rd, 2016, at 7:00 p.m. in the second floor meeting room at the Senior Center on Pickering Street.

On Thursday, May 26, 2016, starting at 6:00 p.m., Chairman O'Donnell will present the Essex citizenship award to an Essex student in the MERSD auditorium.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period April 30<sup>th</sup> through May 6<sup>th</sup>, 2016, regarding the following:

Successor Agreement for City Hall Systems Software Services: Mr. Zubricki said that the Tax Collector/Treasurer is recommending that the Town continue with City Hall Systems and sign a three-year contract. A motion was made, seconded, and unanimously voted to sign the contract.

Successor Agreement for ADP Payroll Services: Mr. Zubricki said that the Tax Collector/Treasurer is also recommending that the Town sign a three-year contract with ADP. He stated that ADP held the price of the Town's former vendor for the past 18 months, and will hold that price again for the first two years of this successor contract, at which time, the price will increase by 2%. He further stated that ADP provides a \$10,000,000 bond protecting the Town against fraud. And, a motion was made, seconded, and unanimously voted to sign the contract.

Renewal of Third-Party Ambulance Billing Agreement: Mr. Zubricki reported that the contract with Comstar will expire on June 30, 2016, and recommended signing a one-year renewal contract. Subsequently, a motion was made, seconded, and unanimously voted to approve and sign the contract.

Contract for Installation of Sprinkler Water Service Line: Mr. Zubricki reported that four bids had been received, with the low bid from Zanelli Construction at \$19,240. This price is slightly lower than the budgeted figure of \$20,000. A motion was made, seconded, and unanimously voted to approve and sign the contract with Zanelli Construction outside of a meeting, once all bonding and insurance paperwork is in order.

Selectman Gould-Coviello joined the meeting.

Consideration of Future Youth Commission or Recreation Department: The Selectmen said that they would like to ask the Strategic Planning Committee to formulate a focus for a new Youth Commission and develop a list of corresponding action items. Selectman Gould-Coviello was also in favor of considering hiring a part-time director to organize events.

Reconstitution or Dissolution of the Essex Personnel Board: Mr. Zubricki suggested that it may be time to consider dissolving the Personnel Board. He said the Select Board had been performing the duties of the Personnel Board for several years now due to an inability to fill the vacancies on the Board. After a short discussion, all were in agreement that Mr. Zubricki will confer with Town Counsel David Jenkins regarding current practices in other towns.

Consideration of Renewal of Contract with Chief of Police: Mr. Zubricki reminded the Selectmen that it is a State law that a town must notify the Police Chief one year in advance if they are considering non-renewal of his contract. If a town fails to meet the one-year notice stipulation, the Chief's contract would automatically be extended for one year. The Selectmen were in agreement that they had no current notion of not negotiating for a successor contract.

Northern Conomo Point Waterfront Improvement Design and Permitting: Mr. Zubricki reported that now that Town Meeting has voted to fund permitting, design, and construction of this project in the amount of \$450,000, consultant Jim Heroux is preparing a cost breakdown of the various elements. The focus of this project will be the properties located at 153 and 138 Conomo Point Road.

The Selectmen were in favor of having a public forum to gather input from residents regarding the formulation of the design concepts for these two properties. Additionally, they thought that the forum could also include discussion regarding the possible formation of a Youth Commission, disposition or renovation of the Centennial Grove Cottage, and vacancies on Town boards and committees.

Contract for Design Services, Folsom Pavilion: Mr. Zubricki said that the McGinley Kalsow and Associates bid had received top ranking, and the recent Town Meeting had funded the project. A motion was made, seconded, and unanimously voted to sign the contract with McGinley Kalsow and Associates.

Review of FEMA Flood Maps, Additional Requirement and Cost: Mr. Zubricki reported that FEMA has requested additional information regarding the Town's appeal of the recently reformulated flood maps. Mr. Zubricki said that there is money left over from the initial funding of the appeal to cover the cost of procuring the additional information. A motion was made, seconded, and unanimously voted to authorize the Wood Hole Group to prepare and run a two-dimensional model for a cost of \$4,200.

Future Use and Ownership of the Centennial Grove Cottage: Those present discussed the current condition of the Grove Cottage, which is in need of repair and renovation. There has been little interest in renting the property for functions due to its lack of amenities. The Selectmen agreed to ask for suggestions from residents regarding the future of the building.

Installation of Stone Bounds within Robbins Island Subdivision: Mr. Zubricki said that the Horsley Witten Group has offered to place the necessary 25 stone bounds for the Robbins Island Subdivision, and a motion was made, seconded, and unanimously voted to sign their contract in the amount of \$13,000.

Preparation for Residents-Only Enforcement at Centennial Grove: Mr. Zubricki updated the Selectmen on the progress to date for implementation of the new residents-only regulations at the Grove. The new regulations have been posted on the Town website. Resident ID tags have been

ordered and should arrive on or before Memorial Day. An order for signage has been placed which will describe the new use regulations. An order will also be placed for reflective vests to be worn by Grove Attendants. Mr. Zubricki has drafted a field guide for the attendants, describing their duties and responsibilities and procedures available for enforcing the regulations. He will be sending out a Code Red message announcing the new regulations in late May and the Police Chief will be asked to increase patrols at the Grove during the coming season. Mr. Zubricki reported that the YMCA has decided that they will not be able to supply the attendants, but he is optimistic that the Boy Scouts may provide this service. An additional option may be finding interested local kids.

Successor License for the Town's Use of Paglia Park: Mr. Zubricki said that he has submitted a successor license to the Paglias, and that he expects it to be signed and returned soon. A motion was made, seconded, and unanimously voted to sign the two-year license renewal when it becomes available.

Formation of a Wastewater Management District for Northern Conomo Point: Mr. Zubricki said that the Department of Environmental Protection has indicated that they will require the formation of a Wastewater Management District for the northern Conomo Point leases and have offered some suggestions and guidelines. Mr. Zubricki has drafted preliminary regulations for the District. A conference call will be held in the future, including DEP officials, the Board of Health Administrator, and the Town Administrator, to discuss the final regulations for the District.

Development of Purchase & Sale Agreements for Robbins Island: Mr. Zubricki reported that Town Counsel Katie Klein will be working with the Town to draft purchase and sale agreements for the properties at Robbins Island, and a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to work with Attorney Klein to provide offers of sale to twelve current leaseholders on Robbins Island.

Chairman O'Donnell asked Mr. Zubricki to prepare a timeline for procedures necessary to effect the sale of the Robbins Island properties. The timeline will help the tenants who wish to purchase their leased properties with planning for financing, etc.

Development of Leases for Northern Conomo Point: Mr. Zubricki said that there will be a total of 58 leases offered for northern Conomo Point properties and he is working with Town Counsel Gregg Corbo to formulate leases that will be based on many different conditions, such as seasonality, accessory lots, etc., depending upon each property's circumstances.

Preparation for Demolition of Garage at 5 Southern Avenue: Mr. Zubricki said that he has filed a Request for Determination of Applicability with the Conservation Commission, since the property borders on the wetland. He is due to meet with the ConCom on May 24<sup>th</sup> to discuss the matter. He said that the Town will be seeking permission from the court receiver for access to the property to test for asbestos.

On an unrelated matter, Mr. Zubricki said that the Planning Board has suggested two names for the three-year position on the Board of Public Works, which will commence June 30, 2016: the incumbent, Brian Feener, and Scott Woodward. The Selectmen agreed and Mr. Zubricki will ask both candidates to interview with the Selectmen at their June 6<sup>th</sup> meeting.

At 8:11 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 this matter in Open Session would be detrimental to the Town's negotiating and litigating strategies. She said that the Board would only be returning to Open Session to adjourn the meeting and invited the Town Administrator to attend the session. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, and the Town Administrator moved to Executive Session. Tina Lane left the meeting.

The Board, their Assistant, and the Town Administrator returned to Open Session at 8:25 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