

**Selectmen's Meeting Minutes
Senior Center**

September 26, 2016

Present: Chairman Lisa O'Donnell, Selectman Susan Gould-Coviello, Selectman David Doane, Town Administrator Brendhan Zubricki, Acting Administrative Assistant Dawn Burnham.

Also present: Diane Kotch, Paula Newton, Stacie Capotosto, Julie Carborn, Beth Cairns, Ingrid Renzi, Jennifer Mayer, Marcia Savory.

The Chairman called the meeting to order at 7 pm in the Senior Center meeting room on the second floor and announced that the Board would hear Public Comment. Stacie Capotosto stated she was at the meeting to support the library. Julie Carborn spoke about the library welcoming her & helping her when she did not have a computer. She stated the library is not just about literature.

A motion was made, seconded and unanimously voted to approve the weekly warrant in the amount of \$695,375.41.

A motion was made, seconded and voted unanimously to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 09-22-16 warrant pursuant to subsection (d) of said Section.

NAME	VENDOR DATE	AMOUNT	DEPT'S BILL
Ernie Nieberle	Nieberle's 08/24/16	366.03	Highway
Ernie Nieberle	Nieberle's 08/24/16	500.00	Cemetery
Ernie Nieberle	Nieberle's 08/24/16	124.40	Council on Aging
Ernie Nieberle	Nieberle's 08/24/16	32.00	Water

A motion was made, seconded and voted unanimously to approve the minutes of the Selectmen's September 12, 2016 meeting.

The Board and Mr. Zubricki discussed the schedule for upcoming meetings. Due to Columbus Day the Board will not be meeting on October 10, 2016. Selectman Coviello has a conflict on the 17th so the Board will meet on Tuesday, October 18th. The warrant will be signed on the 18th. The Board will also meet on October 3 and October 31, 2016. The October 31 meeting will be relocated due to the fact Pickering Street is closed on Halloween for Trick or Treating. The Board will look into meeting at the library.

Mr. Zubricki stated Riversbend has not provided the occupancy paperwork yet. The Board will wait to discuss this at a later meeting.

A motion was made, seconded and voted unanimously to accept the \$1,000.00 donation from William Taylor. This donation is to be used for landscaping of Public Properties. Mr. Zubricki told the Board the Essex Merchants' Group is interested in this money (the Group had written to him). He stated the Board could vote to utilize the services of the Merchants' Group because the amount is less than the competitive quote threshold. The Merchants' Group intends to use this money for the maintenance of 8 areas, including pocket parks, bench areas, and gardens. They intend to subcontract the work to a private landscaper to weed and maintain these areas from May to October. A motion was made, seconded and voted by Selectman Doane and the chairman. Selectman Gould-Coviello abstained.

Motion was made, seconded and unanimously voted to hold the Special Town Meeting known as the Fall Town Meeting on November 14, 2016 at 7:30 p.m. at the Essex Elementary School and open the warrant.

Mr. Zubricki discussed the prospect of continuing with the Town's present auditor for an additional three-year engagement with the Board. He stated the Treasurer and the Town Accountant are pleased with the auditing firm, Clifton, Larsen, Allen (CLA). Chairman O'Donnell requested that the Town Accountant solicit a proposal from the firm and that the Finance Committee weight in on the potential continuing relationship. A motion was made, seconded and voted to have Mr. Zubricki ask the Accountant to request a proposal for a 3 year engagement.

Nathaniel Crosby, Keith Symmes, John Wathne, Wendell Kalsow joined the meeting.

Mr. Zubricki presented a letter from John R. Goldsberry of 11 Middle Road, Conomo Point. John Goldsberry requesting that the year-to-year lease offered for Map 108, Lot 46 be adjusted to a twenty-year lease based upon the claim that septic system components for the primary dwelling lot at Map 108, Lot 57 exist on Lot 46. The Board asked Mr. Zubricki to make arrangements with the tenant to view the site so that the Board can discuss the matter further at the next meeting.

A motion was made, seconded and unanimously voted to sign deeds associated with the sale of the following properties:

- Robbins Island:
 - Ryan, 46 Robbins Island Road, Map 108, Lot 14
 - Pratt, 41 Robbins Island Road, Map 108, Lot 16
- Conomo Point sales at Southern Conomo Point:
 - McInnes, 24 Cogswell Road, Map 110, Lot 21
 - MacDonald, 7 Cogswell Road, Map 110, Lot 29

The Library Trustees, Diane Kotch, Jennifer Mayer and Beth Cairns, and Mr. Kalsow of McGinley, Kalsow & Associates joined the Board. Mr. Zubricki stated the quote for the custom items for the Library from Campbell Construction is \$19, 891.56. This includes 4 pieces: rear

counter with shelving, custom Librarian desk for two, curved bench for rear turret area, and curved computer workstation for two for front turret area. Diane Kotch asked if this would come out of the furniture budget or the capital project budget. Mr. Zubricki has spoken with Town Counsel who had stated previously, based on the Town's architect's preliminary discussion, that this would come out of the furniture budget. Mr. Zubricki explained the service counter/circulation desk was part of the capital project because it is an integral part building. Mr. Kalsow said that, on further study, custom pieces of this nature are routinely funded via the capital project and may also be considered integral to the building, because they are mechanically connected to the building and are not likely to be useable in some other setting (like a typical desk or table would be).

Mr. Zubricki will bring this up again with Town Counsel to verify the legality and with the project architect to verify that the scope of items desired by the Library matches what has been priced in the proposed change order. The Trustees also presented a bid they received for a local craftsman to construct these custom pieces, which was approximately \$17,000.00. Given the advantage of the General Contractor's knowledge of the site and their excellent reputation with respect to woodworking, the Board was comfortable with Campbell's change order pricing. The Board and the Trustees discussed the fact there are discounts when dealing with State Contracted Companies, which may be helpful as to the procurement of the general furnishings of the building, using a separate Town Meeting appropriation. When using State Contracted companies there is no bid process. Mr. Zubricki stated when the sheetrock is up he will invite vendors in to take measurements and bring back bids for custom furniture and that the bid pricing can be compared to State Contract pricing, to the extent that comparable items exist. A motion was made, seconded, and unanimously voted to accept the custom built-in item change order in the amount of \$19,891.56 on the condition that Mr. Zubricki gets agreement from Town Counsel relative to the use of the capital project budget and verifies that all desired items are included.

The Trustees have been in touch with Ramie Reader. He is getting prices from his supplier regarding the replacement of Library lighting fixtures. They have not heard back from him and the Trustees will meet with the Board again on October 3, 2016 to review this topic further.

Marcia Savory left the meeting.

Mr. Zubricki began his presentation of his Town Administrator's Report for the period September 10th, through September 23rd, 2016, regarding the following:

Town Hall Exterior Light Post/Lamp Restoration Change Order

The total restoration of the lamps would be \$8,018.89. Mr. Kalsow explained the high cost. The posts are leaning and need a new cement base. He stated most of the excavation around the posts would have to be done by hand. The alternative would be to just paint the posts, repair and clean the lamps, and wire the system to the Town Hall photocell, which would only cost around \$2,000. Motion was made, seconded and voted unanimously to accept the alternative change order for approximately \$2,000.

Server Room Change order

Mr. Zubricki stated a piece of Lexan/Plexiglas needs to be placed against the window in the server room. This would protect the electronics from damage should the window be damaged. A motion was made, seconded, and voted unanimously to approve a change order in the amount of \$257.15 to complete this work.

Replacement of Town Hall bubbler

Mr. Zubricki indicated that the present contract specifications require the existing first floor bubbler to be moved to the second floor, with a new bubbler being installed on the first floor. Installing a new bubbler instead of the old one would be less than \$1,000.00 additional. Mr. Kalsow stated is a Massachusetts state law to have bubblers on each floor. The Board decided not to opt for the replacement unit at this time. Mr. Zubricki will get an actual price and will bring it back before the Board for the next meeting.

Elevator Lockout Service Change Order

There needs to be a key system in the elevator to prevent the public from accessing the basement. A motion was made, seconded and voted unanimously to approve a change order in the amount of \$2,403 for this work.

Janitor's Sink Piping to 3rd Floor Change Order

With the addition of the kitchenette on the third floor, piping to the third floor from the second floor sink drain needs to be modified to accommodate the extra fixtures. Mr. Zubricki said this could be paid with money from the Ryder Trust once Mr. Kalsow explained that the entire change order is a result of the decision to proceed with a finished third floor. A motion was made, seconded and voted unanimously to approve a change order in the amount of \$4,824.31, using funding from the Ryder Trust, to accomplish this work.

Plumbing Vent Pipe Change Order

An existing plumbing vent pipe was found to be capped inside a wall. This was unforeseen as it was covered by the wall until the wall was removed. A motion was made, seconded and voted unanimously to approve a change order in the amount of \$3,870.13 for extending the capped pipe, to meet code.

Change of color in Town Clerk's Office

Town Clerk, Christina St. Pierre was on maternity leave when interior wall colors were chosen. She would like to change the proposed color for her office. Mr. Zubricki has discussed this with the contractor and architect. They are fine with the change to a light green at no additional cost. The Historical Commission also agreed to the change. A motion was made, seconded, and unanimously voted to allow the change to match the color chip Mr. Zubricki had been provided by Ms. St. Pierre (superseding the Board's previous vote for that office).

Wendall Kalsow's update on Third Floor Project

Mr. Kalsow presented updated drawings of the third floor of the Town Hall. He stated the kitchenette and egress are symmetrical in the meeting end of the room. There is a 3 paneled window being put in the west wall. Mr. Kalsow pointed out that there are 4 very structural trusses which must remain. The display cases will be below them. The ceiling over the meeting/kitchenette end of the third floor will be a flat roof. They will not have to add an additional condensing unit to cool this area (the units specified for the rest of the project will suffice). Historical Commission member, Richard Stevens, asked what the texture of the ceiling would be. Mr. Kalsow said he was thinking a sand texture. Mr. Stevens felt it should have more texture. Robert Coviello of the Historical Commission asked if the chandelier was going to be used. Mr. Kalsow stated the chandelier will be used. It will be removed and sent to a specialty contractor to be cleaned and refurbished. The third floor is not required to have a handicap bathroom.

Mr. Kalsow stated they would be going to the Architectural Board for two variances.

- on the height of clearance in corners of the archway
- width of the display cases for clearance by the trusses

The Historical commission agreed to both of these variance requests. If the variance for the truss clearance is not approved, the display cases will have to be 8 inches wider. If the arch variance is not approved, barriers will have to be put in place.

Drawings for the third floor are being priced by the subcontractors and by Campbell Construction. Mr. Kalsow hopes to have pricing in 2 weeks. Mr. Zubricki asked if the contractors are alright with the extension of the project. The project will now be extended to April. Mr. Kalsow felt they would be fine and will likely work out a way to stay on the project, despite future work they are committed to elsewhere.

Diane Kotch, Jennifer Mayer, Beth Cairns, Paula Newton, Stacie Capotosto, Julie Carborn and Ingrid Renzi left the meeting.

The Historical Commission, Richard Stevens, Robert Coviello, Nathaniel Crosby, Keith Symmes and Kurt Wilhelm, and John Wathne joined the Board to discuss the Folsom Pavilion. Mr. Wathne stated the repairs that were made to the pavilion floor were under framed. There stones under the floor holding some of it up. The inspection showed there are signs of rot and the rotation and failure of some posts.

Mr. Kalsow and Mr. Wathne stated the cost of renovation or replication would be about the same, although they won't have comparative budgets for another three weeks. Code requirements are the same for both. If the building is renovated, the rounded end will remain. If the building is replicated, the original rectangular-shaped end would be built. The Historical Commission said it was their hope it could be restored. Mr. Zubricki will word the warrant article such that both renovation and replication can be discussed.

The Historical Commissioners, John Wathne and Wendall Kalsow left the meeting.

Mr. Zubricki presented a request for a d/b/a name change for Sand Castles Restaurant. All the paper work is in to change the name to Boat House Grille. Once the Board approves the change it must go to the ABCC. A motion was made, seconded and voted unanimously to approve the change in the restaurant's d/b/a (Sand Castles) to Boat House Grille.

Mr. Zubricki presented a request from Michael Fitzgerald of West Springfield for a non-resident Annual Clamming License. A motion was made, seconded and voted unanimously to grant Michael Fitzgerald a Non-Resident Annual Clamming License, waiving the application deadline based on extenuating circumstances.

Mr. Zubricki presented a report from Chief Silva regarding seven alcohol licensees who served alcohol to minors as part of recent police compliance checks: Fortune Palace, Shea's Riverside Restaurant, Blue Marlin Grille, Essex Wine Exchange, Periwinkles Restaurant, Riversbend Restaurant, and JT Farnham's Restaurant. Mr. Zubricki stated this was a first violation for each of these licensees. He recommended letters of warning. A motion was made, seconded and voted unanimously to send warning letters to Fortune Palace, Shea's Riverside Restaurant, Blue Marlin Grille, Essex Wine Exchange, Periwinkles Restaurant, Riversbend Restaurant and JT Farnham's Restaurant.

Mr. Zubricki resumed his report.

Building Committee Update

The committee would like to study various engineering options using the present site (from the Town Hall to the present far side of the Fire Station) for municipal potential new public safety building. Mr. Zubricki said he could look into the costs of such a study by soliciting a scope of work and cost proposal from Reinhardt Associates, the engineering firm which has already studied building options for the Town. Motion was made, seconded and voted unanimously to contact Reinhardt for potential implementation of the desired study if the Fall Town Meeting votes to fund the study cost. Engineering services are exempt from competitive procurement under Chapter 30B.

Contract for Provision of Heating Fuel, Fire and Police Headquarters

Old Yankee's bid came in at an index of 28 cents above the low daily Boston wholesale price of oil. Fox Hill came in 30 cents. A motion was made, seconded and voted unanimously to give the contract to Old Yankee for the upcoming heating season.

Potential Municipal Fiber Optic Network, Cable Contract Renewal

The Cape Ann Regional Cable Advisory committee would like to look into a grant for \$150,000.00 for a fiber optic network for future municipal use. The Town would need a utility contract to maintain the network. The Board agreed to let the committee pursue this.

Department of Environmental Protection Consent Decree Quarterly Report

Mr. Zubricki presented the Quarterly Report to the DEP concerning the Consent Decree. A motion was made, seconded and voted unanimously to transmit the report.

Mr. Zubricki discussed the environmental review of the Allen property on Southern Avenue. He feels there are too many gaps for the Town to pursue ownership at this time. The Board agreed to postpone the discussion of this property until the spring.

Mr. Zubricki discussed The Southern Conomo Point project. Moving the ramp and the floats to the riverside was discussed. Having a removable Kayak ramp is being looked into. There is some thought that this will streamline the permitting process. A motion was made, seconded and voted unanimously to move forward with Jim Heroux's plan, as revised. Mr. Zubricki will obtain revised documents from Mr. Heroux for the next meeting.

The Board was reminded that the next regular Board of Selectmen's meeting will take place on Monday, October 3, 2016, at 7:00 p.m. in the second floor meeting room at the Senior Center on Pickering Street.

Prepared by Dawn Burnham

September 27, 2016

Attested by Susan Gould-Coviello

Date