

Minutes

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

Also present: Helen Brown, Richard Ross, Tina Lane, Lee Bresnahan, Keith Symmes, Amy Robinson, Jignesh Patel, and wife Patel.

Chairman O'Donnell called the meeting to order at 7 p.m. and asked for public comment. Richard Ross requested there be a concerted effort for a call to action to get more volunteers involved in Town government. The Finance Committee, for example, is down by three members. Mr. Ross suggested using social media and the Town web site. Mr. Zubricki stated the Strategic Planning Committee is putting together a survey to be handed out at the Town Hall and Library. One of the questions is would you like to volunteer? If not, why? Mr. Zubricki suggested we could use the Town Clerk's Facebook page. Through the clerk's office, the Committee already has a list of citizens with certain skill sets who could be approached to serve. He also brought up that referencing the need for volunteers could be added to the Code Red call for the Town Meeting. The board discussed this and agreed to add a statement asking people to be sure to take a copy of the Strategic Planning Committees Survey.

Paul Fitzpatrick, Edward Lynch, Jeanne Lynch, Nathaniel Crosby, Kurt Wilhelm, and Bob Coviello joined the meeting. Edward Lynch, Jeanne Lynch and Paul Fitzpatrick approached the board. The board discussed a written request for transfer of 122 Conomo Point Road. This transfer will not change the seasonal restriction. A motion was made, seconded and unanimously passed to approve the written request for the transfer of all interests in the leasehold for the property at 122 Conomo Point Road, Map 108, Lot 68 from **Edward & Jeanne Lynch** to **Paul & Charlotte Fitzpatrick**; and further, that nothing in this approval is intended to convey or imply any right, title or interest in the subject property, or any portion thereof that was not already held by **Edward & Jeanne Lynch**.

Mr. Fitzpatrick and the Lynches left the meeting.

Motion was made, seconded and unanimously passed to ratify the warrant in the amount of \$90,235.98.

Motion was made, seconded and passed unanimously Vote to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 10-11-16 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	09/24/16	234.70	Fire
Ernie Nieberle	Nieberle's	09/24/16	679.24	Highway
Ernie Nieberle	Nieberle's	09/24/16	53.60	Wastewater
James McNeilly	McNeilly EMS	09/07/16	10.00	Police
Dave Pereen	Pereen Plumbing	09/25/16	127.50	Water

A motion was made, seconded and passed unanimously to accept the minutes for the Selectmen's October 3, 2016, Open Meeting.

A motion was made, seconded and passed unanimously to sign the warrant for November 8, 2016 State Election.

A motion was made, seconded and passed unanimously for Chairman O'Donnell to sign and cast the absentee ballot for municipal seats on Boston Regional Metropolitan Planning Organization (MPO) board.

A motion was made, seconded and passed unanimously to approve a One-day Wine and Malt and One-day Entertainment Licenses for Ales Over ALS event to be held at the Essex Shipbuilding Museum, 66 Main Street, on October 22, 2016 between 1:00 p.m. and 6:00 p.m.

Motion was made, seconded and passed unanimously to appoint James Trudeau (4 Eastern Avenue), Ann Trudeau (4 Eastern Avenue), Louis Irwin (6 Turtleback Road) to the Essex Cultural Council with appreciation.

Mr. Zubricki presented a request from Mr. Edward A. Marshall III to transfer the Bridge Lease due to his resignation as Trustee. He explained he has discussed this transfer with Town Counsel and it would not change the year round status of this property. Tracy Marshall and Peter Marshall are currently part of the Betty Crossen Trust and are stepping up as Trustees to replace Edward Marshall III. A motion was made, seconded and unanimously passed to approve a written request for the change of Trustee in the leasehold for the property at 142 Conomo Point Road, Map 108, Lot 60 from **Edward A. Marshall III** to **Tracy Marshall and Peter Marshall**, with the understanding that no parties are being added as leaseholders; and further, that nothing in this approval is intended to convey or imply any right, title or interest in the subject property,

or any portion thereof that was not already held by **the Betty Crossen Revocable Trust, a/k/a the Betty Crossen Trust of 01-28-99.**

At 7:15 p.m., a motion was made, seconded and passed unanimously to open the Public Hearing regarding the transfer of an All Alcoholic Beverages License from CPM Investment Group, Inc. to Fenisha Corp. Joel Favazza of Seaside Legal Solutions and the Patels joined the Board. Mr. Zubricki explained this was not just a simple transfer, since the transaction also included a change in location and a change in license type. Schooner's currently has a Malt and Wine license that will be forfeited in favor of the transferred license. The Board members asked various questions and there was no public comment. The Public Hearing was closed. Motion was made, seconded and passed unanimously to transfer an All Alcoholic Beverages License from CPM Investment Group, Inc., d/b/a Essex Wine & Spirits, Vincent Marano, Manager, at 65 Eastern Avenue to Fenisha Corp., d/b/a Schooner's Market, Bhavikaben Jignesh Patel, Manager, at 121 Eastern Avenue and concerning a change in the form of license currently held by Fenisha Corp. at 121 Eastern Avenue from a Wines and Malt Beverages License to said All Alcoholic Beverages License. Mr. Zubricki stated the Board will send the locally-approved paperwork to the ABCC, for State review and approval.

The Historical Commission; Robert Coviello, Nathaniel Crosby, Keith Symmes, Kurt Wilhelm and Richard Stevens joined the Board. Chairman Richard Stevens explained the difference between restoration and structural repairs. He felt the "Restoration" estimate was labeled incorrectly. He feels if the repairs are done the building will have a "Frankensteinish" appearance with metal supports and bolts visible. Mr. Stevens stated his board has not met yet to discuss the two proposals. Chairman O'Donnell stated she was surprised at the cost for an open air building (about \$485,000, inclusive of design and oversight costs). Both the Board and Commission were uncomfortable asking the Town meeting for this amount of money. It was discussed that the repairs that have been done should be fine for a few years. Mr. Stevens asked if it would be better to develop a master plan to make the Grove more inviting, to bring it back to what it was 150 years ago. There was discussion about improving the beach area, installing toilet facilities and working on the cottage. The Grove is a 48 acre piece of Town property. It was decided to leave the Article on the November Warrant to gather public opinion.

The Commission left the meeting room and reconvened on the first floor to discuss the proposals. Mr. Stevens later returned to the meeting stating the Commission voted to someday demolish the structure and rebuild similar to the original style. That action would be part of some future Master Plan for the Grove and no action is recommended in the near future.

Amy Robinson joined the board. Mr. Zubricki reported to the Board that Town Counsel did not recommend an extended lease to the Goldsberrys in regards to 168 Conomo Point Road, Map 108, Lot 46, given the uncertainty of the situation. Mr. Zubricki recommended that, with all the variables at Conomo Point in developing Public Access and many unknowns regarding the future

of the septic system, the lease should remain year-to-year. Gregg Corbo, Town Counsel suggested the following section be added to the lease:

5. The parties acknowledge and agree that as long as the Premises contain a septic system serving the Primary Premises, this Lease will not be terminated by the Town or not renewed unless the Lessees are given a reasonable period of time to abandon said septic system and install a new system on the Primary Premises if the lease for the Primary Premises is going to remain in effect; provided, however, that the Lessees acknowledge and agree that certain discretionary permits, licenses and approvals will be required to install a septic system on the Primary Premises and that nothing herein shall be deemed to waive their obligation to apply for and comply with all such permits, approvals and conditions governing the installation of a septic system and related site and utility work, and the Town does not hereby guarantee that any such permits, licenses or approvals will be granted.

The Board discussed the fact the steel septic tank on this lot needs to be replaced by the end of 2018. The Board will review the lease of this property on a yearly basis. Ms. Robinson stated that, in two years, they will bring proposed septic plans to the board. The board felt this was a good solution, since neither the Board nor the tenant know what will be necessary for certain at this point. A motion was made, seconded and passed unanimously to offer to add this section to the lease. Chairman O'Donnell asked Ms. Robinson to bring this to the family and to choose between the original language and this amended language. Ms. Robinson felt the family would be in agreement. Mr. Zubricki will have the lease rewritten with the addition of section 5 should the family desire its inclusion.

Barry O'Brien and Erich Archer joined the Board. The contract with Comcast is up for renewal. Ten years ago Comcast turned the local access TV station over to CATV, a non-profit group. Mr. Archer presented a letter including key points of the terms the committee is looking for. Mr. Zubricki explained how Comcast could better connect our facilities by replacing the outdated I-Net with a new, fiber optic municipal network. This could be accomplished through a proposed grant from Comcast for about \$150,000. The Town would have to pay for a maintenance contract in order to ensure that any new system could be repaired rapidly in case of a service outage. Other items important to the Committee's proposal include:

- 5% franchise fee (1.75% increase from the previous contract)
- 3.75% to CATV operations
- 1.25% for Essex's cable-related technology fund
- \$1,168,000 for CATV capital needs over the next 10 years
- High Definition Capability
- Electronic Programming Guide Capability

Mr. Archer feels these changes will only add \$2.50 to the bill of the average subscriber. The Board agreed with the Committee's desired contract outcome and the Board and Mr. Zubricki thanked the committee for all their hard work. Mr. Zubricki suggested a few changes to the letter of support that the Committee is seeking from the Board. The Board agreed with the letter, as revised, and a motion was made and seconded and it was unanimously voted for Chairman O'Donnell to sign the revised letter after Mr. Zubricki prepares it in final form.

Brendhan Zubricki: Presentation of his Town Administrator's Report for the period October 1st through October 14th, 2016, regarding the following:

Change Order Proposal for the Repair and Repainting of Post Lights

Mr. Zubricki explained that the Board had already approved this work involving the restoration of the post lights outside of Town Hall. The Board was expecting a price of \$2,000 but the work came in at \$1,420.42, potentially allowing the savings to be spent on the replacement of the second-floor bubbler (rather than relocating an old bubbler to that location). The Board did agree that the age of the old bubbler would make it difficult to repair in the future. Mr. Zubricki expects the cost of a new bubbler to be less than \$1,000.

Change Order Proposal for Installation of Bathroom Cabinet/Brackets

The point of use hot water heater in the new, first-floor restroom that is directly off of the Town Hall lobby must be located under the sink in an area that will be visible from the lobby. As such, the Town's architect is recommending the installation of a cabinet to conceal the heater and its associated piping. Also, all of the new bathroom sinks must have new support brackets installed due to a recent change in code. The cost of these items will be \$1,952.

Change Order Proposal for Installation of Exterior Hose Spigot

The former hose spigot for Town Hall was actually coming out through a boarded-up window. As such, a new spigot needs to be installed in a proper location for future watering needs and will require core drilling through the stone foundation. The cost of this work will be \$1,668.94.

Following discussion of the above Town Hall/Library renovation project proposed change orders, a motion was made and seconded and the Board voted unanimously to authorize the light post work, the replacement bubbler, the bathroom items, and the new hose spigot. The Board was also in agreement that Chairman O'Donnell should approve under her previous authorization for third-floor work a third-party contractor to restore the third-floor chandelier off site.

Pricing for Replacement of Library Lighting Fixtures

At the last meeting, the Selectmen and the Board of Library Trustees agreed that the Library would solicit an industry estimate for the potential replacement of the Library lighting fixtures

after the general contractor completes the renovation project. It will also be possible to get a quotation through our general contractor as a potential change order. Mr. Zubricki explained that the industry estimate was not available. The Board will take the matter up again at another time.

Schedule for Upcoming Northern Conomo Point Permitting

Mr. Zubricki explained that he had submitted through the Town Clerk, on behalf of the Board (under his signature), a complete Special Permit application package for the Planning Board Special Permits that are needed for the public waterfront access improvement project that is proposed for 138 and 153 Conomo Point Road. The public hearing for the Special Permits will be held on November 16, 2016 and the Planning Board will perform a completeness review on the application at its meeting of October 19, 2016. Also, he explained that, on October 18, 2016, the Town's engineering consultant submitted on behalf of the Board (under Mr. Zubricki's signature) a complete Notice of Intent to the Essex Conservation Commission regarding the project. The public hearing regarding that filing is expected to occur on November 1, 2016. Mr. Zubricki mentioned in passing that he had learned from the Conservation Agent that the proposed demolition projects for both 4 and 8 Conomo Point Lane are outside of the Conservation Commission's jurisdiction. The Board briefly discussed both permit application processes and plans to be present for each of the hearings.

Cost Proposal for Engineering Study Concerning 24-30 Martin Street

Mr. Zubricki explained that he and Chairman O'Donnell met with engineer John MacMillan of Reinhardt Associates, the Police Chief, and the Fire Chief on October 6, 2016. The meeting was held outside, in the vicinity of 24 and 30 Martin Street so that Mr. MacMillan could get an idea of the services necessary to study various possible building envelope and street configurations associated with the future siting of the Fire and Police Headquarters building. Mr. MacMillan made various suggestions and provided the Town with a cost proposal for the necessary engineering services. The cost for the work will be just under \$10,000 and Mr. Zubricki suggested that some contingency funds be carried in the event additional work is desired once the various options are provided. The Board agreed that \$12,500 should be sought at the Fall Town Meeting.

State Dredge Team Meeting

Mr. Zubricki explained that he had attended the State Dredge Team meeting in Boston on October 13, 2016. The meeting included representatives from Massachusetts Coastal Zone Management, the Massachusetts Department of Environmental Protection, the US Army Corps of Engineers, MassPort, and others. At the meeting, Mr. Zubricki presented the Town's current status with respect to dredging needs and the group discussed the potential for the Army Corps to conduct a Beneficial Use Study for the re-use of materials that may be dredged from the Essex River. If it goes forward, it is possible that the study will point back to traditional land or

offshore disposal from a cost perspective and it will be important to determine if Federal funding for coastal resiliency implementation will be available in time for our needs.

Official Close-out of the Essex Consent Decree

The only aspect of the original Consent Decree (Final Judgment), signed in 1996, that remains active is the Conomo Point Plan. Each quarter, the Town still develops a report that is sent to the DEP concerning progress in that area. Recently, Mr. David Ferris of the DEP contacted Mr. Zubricki to indicate that the Town has made sufficient progress in this last area to allow the Department and the Office of the Attorney General to consider formally dismissing the case. The Board of Health has promulgated a Northern Conomo Point Wastewater Management District Local Regulation that will continue to require inspections and upgrades in the leased portion of Conomo Point to the far north. As such, the Department is satisfied that the property will be managed properly going forward. The Board agreed that Mr. Zubricki should work with Town Counsel to have a letter developed asking the Office of the Attorney General to formally dismiss the case on the grounds that all requirements have been met. The Board asked Mr. Zubricki to reach out to former Selectmen and Board of Health members to inform them about how this matter has reached a conclusion and to thank them for the role each of them played.

Fall Town Meeting Warrant

Mr. Zubricki reviewed each of the proposed warrant articles on a final draft of the warrant that reflected the Board's guidance from the previous meeting.

A motion was made, seconded and passed unanimously to include the articles as they appeared on the final draft.

A motion was made, seconded and passed unanimously to close the warrant.

A motion was made, seconded and passed unanimously to approve the warrant.

A motion was made, seconded and passed unanimously to sign the warrant as presented (warrant appears below).

2016
Commonwealth of Massachusetts
Town of Essex
Warrant for Special Town Meeting

Essex, ss:

To either of the Constables of the Town of Essex;

GREETINGS:

In name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, to meet in said Essex at the Essex Elementary School on Monday, November 14, 2016 at 7:30 p.m. and there and then to act on the following Articles, viz:

ARTICLE 1

To see if the Town will vote to amend the Town of Essex Bylaws, Section 2-20 Conomo Point Planning Committee by reducing the number of members from twelve (12) to seven (7); provided that the members serving on the Committee at the time of passage of this amendment shall continue to serve until the conclusion of the May 1, 2017 Annual Town Meeting, or their sooner resignation or removal, at which time their appointments shall expire and a new slate of members may be appointed at said meeting; or take any other action relating thereto.

ARTICLE 2

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the management of property at Conomo Point including but not limited to renovation, demolition, and contents management of structures and maintenance and outfitting of all outdoor areas; or take any other action relating thereto.

ARTICLE 3

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow including, without limitation, funds under the Community Preservation Act, or any combination thereof, a sum of money to be added to an existing appropriation made via Article 14 of the May 4, 2015 Annual Town Meeting to make further renovations to the Town Hall and Library building at 30 Martin Street including but not limited to full exterior renovation, addition of an elevator, addition of a fire suppression system, and any improvements required by the Americans

with Disabilities Act; and also including costs of design, project management and construction oversight/administration, temporary relocation, furnished temporary office space, temporary office utilities, insurance, and all other costs incidental or related to the project; and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all documents as may be necessary or convenient to effectuate the purposes of this Article; or to take any other action relating thereto.

ARTICLE 4

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be added to an existing appropriation made via Article 25 of the May 2, 2016 Annual Town Meeting to purchase furnishings and fixtures for the Town Hall/Library at 30 Martin Street; or take any other action relating thereto.

ARTICLE 5

To see if the Town will vote to authorize the Board of Selectmen to convey an easement to National Grid, or its nominee or assignee, upon certain property, hereinafter described, for the purpose of anchoring electric transmission poles, including, but not limited to, push braces and leads, said easement shown on the easement sketch entitled "Centennial Grove Rd Essex, MA" dated August 24, 2016, on file with the Town Clerk, said property being those premises located on Centennial Grove Road, being Assessors Map 143, Lot 36 and Assessors Map 146, Lot 20, and described in a deed recorded with the Essex South District Registry of Deeds in Book 6132, Page 100, on such terms and conditions and for such consideration, including nominal consideration, as the Board of Selectmen shall deem appropriate, or take any other action relating thereto.

ARTICLE 6

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money including, without limitation, funds under the Community Preservation Act, or any combination thereof, to retain the services of a designer to develop final design plans for the preservation and/or repair and/or the demolition and replacement of the Folsom Pavilion at the Centennial Grove and to assist with the preparation bid documents, the oversight of actual construction, and any work incidental or related thereto; and further, to fund the construction of said preservation and/or repair and/or demolition and replacement, and any work incidental thereto; or take any other action relating thereto.

ARTICLE 7

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting the existing definition of "sign" in Section 6-2.2, Definitions, and inserting in its place the following new definition:

SIGN Any two or three dimensional fabrication, or assembly, including its supporting structure, consisting of any letter, figure, character, symbol, emblem, mark, design, pictorial representation, stripe, line, trademark, reading matter or illuminating device, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, business, public performance, article, machine or merchandise whatsoever, and displayed in any manner for recognized identification or advertising purposes.

; or to take any other action relating thereto

ARTICLE 8

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting the existing requirements for RESIDENTIAL STRUCTURES located in Section 6-6.1.1, Table of Parking Requirements, and inserting in its place the following new requirement:

Two parking spaces for each dwelling unit

; or to take any other action relating thereto.

ARTICLE 9

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting the existing Section 6-6.3, Driveways, paragraph c., and inserting in its place the following new Section 6-6.3, Driveways, paragraph c.:

c. Minimum driveway standards for driveways.

1. Driveway access to the dwelling or other building site shall be indicated on the plans submitted to the building inspector at the time of building permit application.
2. Such a driveway shall provide access for vehicles including moving vans, ambulance, fire and police vehicles and shall have:

- A. Width of at least 12 feet, but shall be cleared to a width of at least 14 feet, applicable to the portion used by more than one lot.
- B. Maximum grade of 10 percent.
- C. Adequate clearing at the intersection of the public way to provide a minimum of 30 foot sight lines.
- D. Shall be cleared to maintain 14 feet vertical clearance.

; or to take any other action relating thereto.

ARTICLE 10

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting Section 6-10.3.3.a.13., Water Resource Protection Overlay District, Use Regulations, and inserting in its place the following new Section 6-10.3.3.a.13., Water Resource Protection Overlay District, Use Regulations:

- 13. Land use which renders impervious more than 15 percent or 2,500 sq. ft. of a building lot, except as allowed by Section 6-10.3.3.b.7.

; or to take any other action relating thereto.

ARTICLE 11

To see if the Town will vote to amend the Essex Zoning Bylaw Section 6-10.3.2, first paragraph, Water Resource Protection Overlay District, as shown below with additions shown in **bold** and deletions shown in ~~strikethrough~~:

For the purpose of this Bylaw there is hereby established a Water Protection District, ~~which comprises~~ **to include** all areas within Essex which are within ~~the drainage basins of either Chebacco Lake or Cedar Swamp, as illustrated on the map "Water Resource Protection District" dated December 15, 1990,~~ **the designated Massachusetts Department of Environmental Protection approved Wellhead Protection Areas (Zone II), as stated in 310 CMR 22.02, as may be amended from time-to-time. A map is** on file in the Offices of the Town Clerk **and Department of Public Works,** and **is** hereby made a part of this Bylaw.

; or to take any other action relating thereto.

ARTICLE 12

To see if the Town will vote to amend the Essex Zoning Bylaw to correct the following scrivener errors:

1. Amend the title of the Essex Zoning Bylaw by deleting the title and inserting in its place "Chapter VI, ZONING, The power of the Town to adopt acts concerning zoning as contained in M.G.L. 40A et seq.";
 2. Amend the definition of "Use, Change of" by deleting the word "entitled" and inserting in its place "titled";
 3. Amend the definition of "Structure" by deleting "(780 CMR Section 110.3 Exemptions)";
 4. Amend Section 6-10.2.1.a. by deleting "(currently 780 CMR)"; and
 5. Amending Section 6-5.11.b. by deleting the number "3" and inserting in its place the letter "c"
- ; or to take any other action relating thereto.

ARTICLE 13

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase and equip a police cruiser and to authorize the Board of Selectmen to dispose of the cruiser being replaced by the purchase by sale or trade; or take any other action relating thereto.

ARTICLE 14

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to fund the Town's Other Post-Employment Benefits (OPEB) Trust Fund; or take any other action relating thereto.

ARTICLE 15

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase automatic electronic defibrillator devices for Town buildings; or take any other action relating thereto.

ARTICLE 16

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be used to update the Town's Hazard Mitigation Plan, which amount shall be a match to a grant received or to be received for such purposes; or take any other action relating thereto.

ARTICLE 17

To see if the Town will vote to accept the provisions of Section 53F $\frac{3}{4}$ of Chapter 44 of the General Laws, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2018, which begins on July 1, 2017; or take any other action relating thereto.

ARTICLE 18

To see if the Town will vote to transfer the balance of an appropriation made pursuant to Article 34 of the May 6 and 7, 2013 Annual Town Meeting to design, construct, equip and furnish a safe vestibule within the Essex Police and Fire Headquarters, to a new special appropriation – the updating of any aspect of physical building security at the Police and Fire Headquarters at 24 Martin Street; or take any other action relating thereto.

ARTICLE 19

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to retain the services of an engineer to study potential changes to the location and/or footprint size of the existing Police and Fire Headquarters and/or to the layout of Shepard Memorial Drive and/or to the layout of Memorial Park; or take any other action relating thereto.

ARTICLE 20

To see if the Town will vote to amend the Town of Essex Bylaws, Section 3-3 Personnel Board, by deleting the text of Section 3-3.1 in its entirety and replacing it with the following:

3-3.1 *BOARD OF SELECTMEN TO SERVE AS.* The duly elected Selectmen of the Town, by virtue of their election as Selectmen, shall constitute the members of the Personnel Board, and their terms of membership on said Personnel Board shall be conterminous with their respective terms on the Board of Selectmen.

; or take any other action relating thereto.

ARTICLE 21

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be added to the Water Enterprise Fund Chemicals and Electricity line items for fiscal year 2017; or take any other action relating thereto.

ARTICLE 22

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum or sums of money to be added to the Town's building capital improvements fund, and/or recreational capital improvements fund, and/or purchase of vehicles and major equipment that qualify as capital purchases fund; or take any other action related thereto.

ARTICLE 23

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to replenish the Finance Committee's Reserve Fund for fiscal year 2017; or take any other action relating thereto.

ARTICLE 24

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be added to the Town's Stabilization Fund; or take any other action relating thereto.

ARTICLE 25

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to pay unpaid bills from past fiscal years; or take any other action relating thereto.

And you are hereby directed to serve this Warrant by posting attested copies; one at the Post Office, one at the Town Hall, and one at the Essex Elementary School, in said Essex, fourteen days at least before the time for holding said meeting.

Given under our hand this 18th day of October, two thousand sixteen.

Nominees for Employee/Volunteer of the Year

Mr. Zubricki had nominations numbered for discussion purposes. There was one person nominated for Employee the year and the Board agreed that the award should be made to that person. There were three people nominated for Volunteer of the Year. Chairman O'Donnell felt all three nominees deserved recognition. The Board decided this year there would be three recipients of a Distinguished Volunteer Award for 2016.

Mr. Zubricki received the engineers report on the seating for Riversbend Restaurant. The review shows the Restaurant can, in fact, accommodate all 98 permitted seats inside the establishment. Chairman O'Donnell feels the restaurant should be held to the restrictions they received their license with. The board discussed allowing moving seating inside for the winter. The board agreed that any chairs that are replicated from the deck inside the dining room during inclement weather or during the off-season must be physically absent from the deck (by moving inside or storing deck chairs when other interior chairs are set up). The total number of chairs visible at the premises must not exceed 98 and the deck must never have more than 31 chairs on it. The Board agreed that the Restaurant will have to return to the Board and have another hearing if they wish to increase the number of seats or change the existing restrictions. Mr. Zubricki will relay the Board's decision to the Restaurant.

All former tenants and the proposed recipient of the structures at 9 Beach Circle have signed off on the removal agreement that Town Counsel had proposed and that the Board had offered to the parties.

Chairman O'Donnell asked if Mr. Zubricki had a final number for the third floor yet. Mr. Zubricki has his meeting with Campbell tomorrow and hopes to get numbers soon.

Prepared by: Dawn Burnham

Date

Attest: _____
Susan Gould-Coviello, Clerk

Date