

**Selectmen's Minutes**  
**Senior Center, 17 Pickering Street**

**April 24, 2017**

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: Michael Burke, Dawn Burnham, Westley Burnham, Annie Cameron, Dan Doucette, Patricia Fallon, Debbie French, Paul Goodwin, Alva Ingaharro, Jeff Jones, William Knovak, Tina Lane, Rolf Madsen, Amy Reilly, Richard Ross, Julie Scofield, and Roxanne Tieri.

The Chairman called the meeting to order at 7:00 p.m. in the upstairs meeting room of the Senior Center at 17 Pickering Street, and announced that the Board would hear Public Comment. Tina Lane asked a question about who was included in the Town's Wage and Salary Scale and Mr. Zubricki explained that only non-contract, non-union employees are included. Union salaries are determined through union bargaining. Also, the employees with individual employment contracts with the Town are not included.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period April 8<sup>th</sup> through April 21<sup>st</sup>, 2017, regarding the following:

Repairs Requested to Farnsworth Pier: Mr. Zubricki said that it had been brought to the Board's attention that the Farnsworth Pier is in need of repair and Mr. Zubricki said that he had solicited and received an estimate in the amount of \$7,000 to \$7,500 for the repair work. The Board was in favor, and a motion was made, seconded, and unanimously voted to approve the work, which is not to exceed \$7,500, and award the contract to Mark Haskell. The repairs will be funded from the Conomo Point Management Fund.

Maintenance at Clammers' Beach: Mr. Zubricki said Clammers' Beach is in need of some general cleanup, as well as a replenishment of sand to the high water mark. He also said that the wall that is between a Conomo Point leased property and Clammers' Beach, is falling onto the beach, which may be a safety issue. Town Counsel has advised the Town to obtain a release from the tenant agreeing to the Department of Public Works removal of the unstable stones. The tenant has said that he would like to review the situation before making a commitment. A motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to work with the DPW and the Conservation Commission regarding the cleanup of the area and replacement of sand.

Signage at Conomo Point: Mr. Zubricki reported that some of the signage at the Point has disappeared. The sign at Front Beach regarding the regulations for launching of boats and parking was removed by the DPW for the winter and has been re-posted again for the 2017 season. Additional signage that has been suggested includes: 15 mph speed limit signs, one-way signs, children playing signs, and a stop sign at Town Farm Road. The Selectmen were in agreement and a motion was made, seconded, and unanimously voted to request the Department of Public Works and the Police Department to consider approving the purchase and installation of these signs. The Board will review the final, proposed sign locations prior to their installation.

Portable Restroom Facilities to Support New Park, Conomo Point: Mr. Zubricki reviewed the options available for placement of facilities at the new park at the very end of Conomo Point. The most applicable and affordable option is a standard unit and a handicap unit. The Board was in agreement and a motion was made, seconded, and unanimously voted to rent a handicap unit and a regular unit for the season. The units will be placed discreetly at 4 Conomo Lane.

Concerning other Conomo Point matters, a motion was made, seconded, and unanimously voted to sign the license to attach ramps and floats to the stone piers at Conomo Point, which includes waterfront regulations as Appendix 2, for the 2017 season.

A motion was made, seconded, and unanimously voted to approve a request for a building permit to replace deck boards on the front deck, where needed, for the property at 130 Conomo Point Road.

Conomo Point Association President Patricia Fallon left the meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$691,707.92.

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 4/13/17 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	3/24/17	\$1,045.50	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 4/20/17 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	4/20/17	\$ 80.60	Highway
Ernie Nieberle	Nieberle's	3/24/17	\$ 1,619.51	Snow Removal
Ernie Nieberle	Nieberle's	3/24/17	\$ 64.00	Wastewater

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's April 10, 2017 and April 18, 2017, Open Meetings and Executive Sessions.

A motion was made, seconded, and unanimously voted to approve a recommendation from Police Chief Silva to appoint Marc Cecilio to the position of Special Police Officer, and also, to the position of Assistant Harbormaster, pending completion of pre-employment drug and medical testing and psychological screening.

A motion was made, seconded, and unanimously voted to approve a request from Fire Chief Dan Doucette to pass over Essex roads during the annual Fireman's Memorial Sunday Parade on Sunday, June 11<sup>th</sup>, 2017. The Selectmen signed the State Parade Application.

The Selectmen discussed a letter from Chris Marano requesting a refund of the \$1,035 fee for her 2017 license renewals, since her licenses were transferred to another business before the end of 2016. The Selectmen agreed, and a motion was made, seconded, and unanimously voted to refund the \$1,035 to Mrs. Marano.

Acting in their capacity as Personnel Board, the Selectmen agreed to postpone discussion of a revised position description for the Council on Aging Van Driver, and also discussion of a revised position description for the Council on Aging Director, pending receipt.

The Selectmen reviewed the following two requests for One-Day Licenses:

One-Day Wine and Malt License:

- Cape Ann Rowing Club, Bob Blair, Annual Essex River Race, for use on Saturday, May 20, 2017, within the confines of 35 Dodge Street. (If received by meeting time.)

One-Day Entertainment License:

- Cape Ann Rowing Club, Bob Blair, Annual Essex River Race, for use on Saturday, May 20, 2017, within the confines of 35 Dodge Street. (If received by meeting time.)

The Selectmen had a number of questions regarding the requests and a motion was made, seconded, and unanimously voted to ask Mr. Blair, the President of the Cape Ann Rowing Club, to their meeting on Monday, May 1, at 6:00 p.m. at the Essex Elementary School, to provide additional information regarding these requests.

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

All Alcohol Restaurant License Renewal (Revised and approved by ABCC):

- Riversbend at Essex Marina, LLC, d/b/a Riversbend, Curt Bergeron, Manager, 35 Dodge Street.

One-Day Entertainment License:

- Historic New England, Bill Blanchfield, Gilmore Reception, for use on Saturday, May 27, 2017, between the hours of 10:00 a.m. and 10:00 p.m., within the confines of Cogswell Grant, 60 Spring Street.

One-Day Wine and Malt License:

- Historic New England, Bill Blanchfield, Gilmore Reception, for use on Saturday, May 27, 2017, between the hours of 10:00 a.m. and 10:00 p.m., within the confines of Cogswell Grant, 60 Spring Street.

Non-Resident Recreational Shellfish Permit and Application Deadline Waiver:

- Nicole Coles, Ipswich, MA, sponsored by Richard Tofuri
- Daniel Plasse, Woburn, MA, sponsored by Michelle French

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, May 1, 2017, at 6:00 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. in the gymnasium.

Mr. Zubricki resumed the presentation of his Town Administrator's report:

Advanced IT Support Planning: Mr. Zubricki reported that advanced IT support has previously been provided free of charge to the Town through the generosity of a town resident who owned the company. That resident has since moved to another company and the original company has offered to continue to provide IT support to the Town on an as-needed basis at \$168/Hr. Mr. Zubricki said that he is recommending continuing with this company, since the company is familiar with the Town's needs and the present system and is not proposing to charge a retainer. The Selectmen were in agreement, and a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to sign a contract to continue using Edgewater Technology, when necessary, for advanced IT support.

Change Order for Town Hall Clock Tower Lighting Solution: Mr. Zubricki said that the original fiber optic lighting specified and approved for the Town Hall Clock was inadequate, and the estimate for an appropriate fiber optic system is much more expensive than originally anticipated. The project architect has found an acceptable LED alternative that is within the Town's budget. The Historical Commission is in agreement with this new solution. However, an actual estimate has not been received as of this date. A motion was made, seconded, and unanimously voted to approve a change order in an amount not to exceed \$12,000, for the LED option to light the clock.

Change Order for Replacement Library Exterior Lighting: Mr. Zubricki said that pricing for this item has not yet been received and the Board agreed to continue discussion at a later date when the final pricing is known.

Change Orders, Town Hall Light Post Alignment & Paint Vent Pipe: It was agreed to continue discussion of this matter at a later date.

Change Orders, Town Hall Railing & Bulkhead, and Library Ramp Lattice: Mr. Zubricki said that the project architect has suggested that the railing to the Town Hall bell tower be replaced for safety reasons. The architect has also suggested that the broken lattice on the Library ramp be repaired, and the Town Hall Bulkhead be painted to match the rest of the building. The Board will also continue discussion of these matters at a later date when pricing becomes available.

Initial Exhibit for Third-Floor Town Hall Glass Display Cases: Mr. Zubricki said that the Shipbuilding Museum has offered to fill the display cases with a portion of their current exhibit entitled "Women of Essex". Selectman Gould-Coviello said that she would like to reserve one of the eight cases for historic Essex artifacts. Subsequently, a motion was made, seconded, and unanimously voted to approve the offer from the Essex Shipbuilding Museum to provide displays for 7 cases and for Selectman Gould-Coviello, Town Clerk Christina St. Pierre, and

Bicentennial Chair Dawn Burnham to provide items for the eighth case. The Town Hall/Library's grand reopening celebration is being planned for Essex River Day on June 24<sup>th</sup>, from 1 to 3 p.m. There will be a ribbon cutting, tours of the site, and light refreshments, as well as a singer, Becky Axelrod.

Sound System for Third-Floor Auditorium, Town Hall: Mr. Zubricki said that Barry O'Brien had recommended the type of projector and screen for use in the third floor auditorium and Mr. Zubricki would now like to ask him to specify a sound system as well for that meeting space. The system will be compatible with any future need to broadcast events from that location. A motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to ask Mr. O'Brien to recommend a sound system for the third floor auditorium.

Comparison of Two Options for Memorial School Project Timing: Mr. Zubricki said that Chairman O'Donnell had participated in a discussion with MERSD bankers and other MERSD financial officials regarding analysis of the project timing for the replacement of the Memorial School. Their analysis did not include replacement of the Essex Elementary School. The Selectmen and Mr. Zubricki agreed that the analysis of the debt burden for each of the two communities over the next several years should include an assumption regarding the impact of replacing both schools. The discussion in which Chairman O'Donnell participated determined that there would be no substantial cost savings if the Memorial School project was accelerated.

Proposed Coastal Camera System: Those present discussed the proposed State grant to fund placement of surveillance cameras at Conomo Point, Water Street, Woodman's Beach, and the inner harbor. The project manager for this project will be meeting with the Selectmen at their meeting on May 15<sup>th</sup> and the Selectmen were in favor of inviting the public to attend the project discussion. The Selectmen's meeting will be moved from the Senior Center to the Elementary School and Mr. Zubricki will send out a Code Red message to alert residents regarding the camera discussion.

A motion was made, seconded, and unanimously voted to approve and sign the Chapter 90 Highway Aid Contract for the next ten years with the State. Signing of the document was witnessed and notarized by Dawn Burnham.

Chairman O'Donnell announced the start of the Quarterly Department Head/Committee Chair discussion and asked Mr. Zubricki to review and summarize each of the warrant articles that will be presented at the Annual Town Meeting next Monday. Various aspects of the articles were discussed by those present during Mr. Zubricki's review.

Chairman O'Donnell provided an update on the progress made at Conomo Point.

The Chairman reminded everyone that we will be moving back to the renovated Town Hall in late May and that an opening ceremony is planned from 1-3 p.m. on Essex River Day, June 24, 2017.

Chair of the Bicentennial Committee Dawn Burnham said that she is excited to have a webpage for her Committee on the Town website. Planning for the celebration is moving along and they plan to begin collecting money from sponsors of the Bicentennial Calendar in the near future.

Acting in her capacity as Assistant Town Clerk, Dawn Burnham reported that preparations for the Town election on May 8<sup>th</sup> are proceeding on schedule.

Open Space Committee Julie Scofield reported that her committee is excited to have completed the updated Open Space Plan for the Town. The new plan will allow the Town to qualify and apply for various grants during the next seven years before another update will be required.

Shellfish Constable Billie Knovak reported that the truck is running well and the boat has been in for repairs. He is still having trouble with the boat motor. He also reported that the current wholesale price for clams is very low at only \$1.10. He said that he is continuing the search for additional Shellfish Advisory Commission members. Currently, there are only four members on the seven-person commission.

Library Director Deborah French reported that they are all excited to be moving back to the renovated Library space at the Town Hall. They have been busy planning and scheduling programs for the coming year. In addition, the Library is transitioning from its current software platform to a brand new one and they will be attending classes regarding the new software operating procedures.

Conservation Commission Chairman Michael Burke said that there may be a ruling soon to require that all properties that have designated land for conservation purposes be required to record that fact as part of that property's deed.

Town Moderator Rolf Madsen said that he is busy preparing for the Annual Town Meeting next Monday.

School Committee member Annie Cameron, along with fellow member Alva Ingaharro, reported that the Memorial School boiler has to be replaced now, even though there are plans to replace the entire building in the near future. She said that the discussion regarding repair/replacement/enhancement/removal of the school bridge that was damaged continues. She also requested that a representative from the Town's Finance Committee is desperately needed to attend the MERSD discussions. Finance Committee member Richard Ross said that his committee will be addressing that need.

Department of Public Works Superintendent Paul Goodwin reported that his department recently gave away saplings to Essex residents in honor of Earth Day. He said they are planning to pave Andrews Street and possibly Apple Street this year. He reported that a new person had been hired and that the summer help will be starting soon.

Planning Board Chairman Westley Burnham said they are looking forward to working with Town Planner Matt Coogan on the grant funded downtown initiative project and the mixed use project. He said his Board recently approved a renewal of the special permit for the cell tower at 12 Scot's Way for another 10 years. He reported that he has recently hired a new Planning Board Clerk.

Town Accountant Roxanne Tieri said that everything in her department is running smoothly. Last year's audit has been completed and there were no managerial comments made. She said that the Town is in a good position financially and cited the reserve funds and stabilization funds that have been established.

Finance Committee member Richard Ross reported that the Committee has three new members with very strong financial backgrounds, and may soon have a fourth new member. The new members are very enthusiastic and Committee plans to meet soon and elect a Chair.

As a member of the Community Preservation Committee, Richard Ross said that the Committee plans to fund the final phase of the completion of the Spring Street Cemetery fence and is actively seeking new projects. He reminded everyone that the Town voted last year to increase the CPA percentage, resulting in more money for projects. He said that the Committee would like to put together an easel display of their completed projects to be displayed in the new auditorium for the grand opening.

Animal Control Officer Amy Reilly reported that there had been another coyote attack on a dog off Southern Avenue. She is working with other towns to educate the public regarding coyotes. She has attended several training courses and currently is working to increase public awareness regarding the protection of baby seals.

Fire Chief Dan Doucette said that the Fire Station has several issues. The most important one is that the floor is collapsing. Steel sheets have been placed over the damaged areas temporarily so that equipment may still be parked in the building. The DPW is planning to excavate the damaged area to determine the extent of the repairs needed and eventually the floor will be replaced. Chief Doucette also reported that the roof repairs made about five years ago are failing and there is a big leak over the Police computers. Chief Doucette said that it is very important to continue to go forward with planning for a new public safety building.

Chairman O'Donnell thanked everyone for coming to the meeting. She said that Selectman Gould-Coviello is not running for Selectman again and she would like to thank her for serving as Selectman for the last six years, in addition to all the other committees she has served on in the past, including the Conomo Point Planning Committee and the School Committee. Those present gave a round of applause.

Citing the need to discuss pending litigation concerning the case of the City of Gloucester vs. the Town of Essex, Superior Court C.A. No. 17-310C, the Chairman entertained a motion to move to Executive Session. She stated that discussing this matter in Open Session would be detrimental

to the Selectmen's litigating strategy and invited the Town Administrator Brendhan Zubricki and Superintendent Paul Goodwin to attend the Executive Session. She said 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, the Town Administrator, the Superintendent, and the Selectmen's Assistant moved to Executive Session at 9:23 p.m. All others left the meeting.

The Board, their Assistant, the Town Administrator, and the Superintendent returned to Open Session at 9:35 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