

**Selectmen's Minutes
Town Hall Stage Conference Area, 2nd Floor**

November 27, 2017

Present: Chairman Lisa J. O'Donnell, Selectman David A. Doane, Selectman Andrew C. Spinney, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also Present: Tina Lane, Dan Nadeau, Keith Schollard, John and Milly Sisk, Robert Sisk, and Kurt Wilhelm.

The Chairman called the meeting to order at 6:00 p.m. in the stage conference area on the second floor of the Town Hall at 30 Martin Street and announced that the Board would hear Public Comment. Tina Lane asked a question about how Community Preservation money was allocated and spent. Mr. Zubricki explained that the CPA money collected each year is allocated 5% to administrative and operating expenses, 10% to Open Space, 10% to Historic Preservation, 10% to Affordable Housing, and the remainder is held in an unallocated account that can be used for any CPA purpose. The money remains in each designated category from year to year until it is spent on a Community Preservation Committee and Town Meeting approved project.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$696,262.36.

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 11/16/2017 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>
Dave Pereen	Pereen Plumbing	11/05/17	\$ 205.00	Police Dept.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's November 13th, 2017, Open Meeting.

A motion was made, seconded, and unanimously voted to approve a request from James Stavros to close the Fairway Pub from December 1, 2017 to March 15, 2018 for cleaning and general maintenance.

A motion was made, seconded, and unanimously voted to accept the gift of a decorative painted oar, donated by Sam Nigro, for display in the Town Hall.

Robert Sisk, and his son, John, and daughter-in-law, Milly, joined the Selectmen to discuss a possible tax map discrepancy with respect to a leased parcel at 113 Conomo Point Road, Map 108, Lot 75. Mr. Zubricki reviewed various maps from before and after the new tax map revisions, as well as data from the Assessors' Office and the Conomo Point Appraiser. All present at the meeting agreed that there appeared to be a mapping discrepancy between the old and the new maps. Subsequently, a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to work with Mr. Sisk and the Town's Tax Mapper to redraw and establish a more accurate boundary line. Mr. Zubricki will bring the final new boundaries back to the Board and will inform the Board of Assessors. The Sisks thanked the Selectmen and left the meeting.

The Selectmen reviewed a letter from Alison Taylor stating that she is interested in serving on the Community Preservation Committee as their at-large candidate. Mr. Zubricki said that Ms. Taylor was unable to be present at tonight's meeting; and, since there are two people who have expressed an interest in the open position, the Selectmen were in agreement that they would like to schedule a time to meet with Alison Taylor. They will interview the second candidate at 6:45 tonight.

Mr. Zubricki said that the Memorandum of Agreement with AFSCME regarding employee reimbursement and/or payment for acquisition, renewals, and maintenance of required Department of Public Works licenses was now available and a motion was made, seconded, and unanimously voted to countersign the Memorandum.

Kurt Wilhelm from the Board of Assessors joined the Selectmen at 6:30 p.m. A motion was made, seconded, and unanimously voted by the Selectmen to open the public hearing regarding the adoption of a Residential Factor for this year. Kurt Wilhelm explained that, in Essex, in order to make any meaningful difference to residential taxpayers (which comprise 90% of taxpayers), the commercial rate would have to be unreasonably high. As such, as in past years, the Board of Assessors is recommending a residential factor of 1.0. There were no additional comments, and a motion was made, seconded, and unanimously voted to close the hearing.

Selectman Doane moved to set the residential factor for fiscal year 2018 at 1.0, and also, that Mr. Zubricki be authorized to sign any and all paperwork or DLS Gateway forms on behalf of the Selectmen with regard to the setting of the fiscal year 2018 tax rate. The motion was seconded and unanimously voted. Kurt Wilhelm left the meeting.

Concerning Conomo Point matters, a motion was made, seconded, and unanimously voted to countersign a lease for use of 168 Conomo Point Road (Map 108, Lot 46) for a potential septic system leaching facility on a long-term basis.

On another Conomo Point matter, Selectman Spinney asked that discussion of possible repairs to the large stone pier at Conomo Point be added to the agenda for the next Selectmen's meeting on December 11.

Chairman O'Donnell also asked that consideration of a new Board of Selectmen's representative to the Strategic Planning Committee be placed on the Selectmen's agenda for December 11.

Dan Nadeau joined the Selectmen and introduced himself. He said that he is very interested in filling the vacancy on the Community Preservation Committee. Mr. Zubricki and the Selectmen discussed the CPC and its responsibilities. The Board said thanked Mr. Nadeau and said there

was one other person also interested in joining the Committee that they would like to meet with before making a decision. Mr. Nadeau thanked the Selectmen and left the meeting.

The Selectmen were reminded of the following events:

- The Selectmen will attend a Manchester Essex Regional School operating budget review meeting at the Manchester Essex Regional High School on November 29, 2017, starting at 7:00 p.m.
- The next regular Board of Selectmen's meeting will take place on Monday, December 11, 2017, at 6:00 p.m. in the Town Hall Stage Conference Area on the second floor at 30 Martin Street.
- The Selectmen will attend a Public Hearing concerning the Manchester Essex Regional School District FY2019 tentative Operating Budget at the Manchester Essex Regional High School on December 13, 2017, starting at 7:00 p.m.
- Senator Tarr's Annual Toy Drive will take place on Thursday, December 14, 2017, at Woodman's between the hours of 1:15 and 2:15 p.m.
- There will be a Zoning Public Forum on Thursday, December 14, 2017, starting at 7:00 p.m. in the Town Hall Auditorium on the 3rd Floor.
- The Selectmen will attend a Manchester Essex Regional School capital budget review meeting at the Manchester Essex Regional High School on December 19, 2017, starting at 7:00 p.m.
- The Selectmen will attend a Public Hearing concerning the Manchester Essex Regional School District FY2019 final Operating Budget at the Manchester Essex Regional High School on January 30, 2018, starting at 7:00 p.m.

Keith Schollard, from PowerSecure, came before the Selectmen to discuss an alternative LED street light conversion plan. Mr. Schollard said that there are different options possibly available. One option would be for the Town to purchase the streetlights and make the conversion to LED. PowerSecure would then maintain the lights. A second option would be for the Town to purchase the lights and for PowerSecure to make the conversion and maintain them. And a third option would be for PowerSecure to buy the lights, make the conversion, and maintain them. Contracts are typically structured as a subscription for 120 months or ten years. The company is also flexible as to the choices of different LED lighting and would be agreeable to increased lighting in problem areas, like crosswalks. Everyone agreed that they would like to continue this discussion and Mr. Schollard said that he would work with Mr. Zubricki to revise their offer with all possible options, based on tonight's comments. Mr. Schollard left the meeting.

Acting in their capacity as Personnel Board, a motion was made, seconded, and unanimously voted to approve a request from the Library Trustees to allow Debbie French to carry two weeks of vacation time from fiscal year 2017 to fiscal year 2018.

Mr. Zubricki said that there are two existing job descriptions for a part-time position of Town Custodian. One is for the Town Property Custodian and one is for the Town Hall/Library Custodian. He said that the Town Property Custodian position is currently filled and he recommended not revising that description until such time as that position becomes vacant in the future. Town Meeting recently approved funding for another part-time position for a custodian to take care of only the Town Hall/Library. Mr. Zubricki has reviewed and revised that position description to reflect the present needs for upkeep, cleaning, and light maintenance of the newly renovated Town Hall/Library building. Once someone is hired for the Town Hall/Library position, the Town Property position will only be responsible for the Senior Center, the Fire Station, the Police Facility, and the Memorial Park restrooms. A motion was made, seconded, and unanimously voted to approve the revised description for the Town Hall/Library Custodian position and for an ad to be placed in the Gloucester Daily Times and on Facebook.

Acting in their capacity as Licensing Board, the Selectmen reviewed a statement from the Riversbend restaurant that they will close for cleaning and renovations between January 15 and April 6, 2018. After a short discussion, since the restaurant is already closed to the public except for special/private functions, the Selectmen were in agreement that they would like a new letter, requesting permission to close, etc., based on the actual date that the restaurant closed to the public. A business is required to request permission from the local licensing authority (Selectmen) for any deviation from the hours of operation listed on its license.

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

All Alcoholic Restaurant License Renewal:

- Fang Liaw, Essex Fortune Palace, 99 Main Street

All Alcohol Package Store Renewal:

- Bhavikaben K. Patel, Fenisha Corp., d/b/a Schooner's Market, 121 Eastern Avenue

Antiques License Renewal:

- Debbie & Alfred Brosch, Brosch Antiques, 143 Main Street
- Vincent W. Caravella, The Scrapbook, 34 Main Street
- Joseph Danna, Conomo Point Antiques, 166 R Eastern Avenue
- Fred Grobe, White Elephant Shop, 32 Main Street
- Dana Guarnera, Ro-Dan Antiques, 69 Main Street
- Edwin & Laura Howard, Howard's Flying Dragon Antiques, 136 Main Street
- Christopher Larson, Rivers & Roads, LLC, 57 Eastern Avenue
- James Lower, New England Joinery, 85 Southern Avenue
- Michael March, Blackwood March Antiques, 3 Southern Avenue
- Shelagh Schyilling, Prezona Design, 72 Belcher Street

Class II License Renewal:

- John Heath, Essex Falls Auto Body, 1 Moses Lane

- Scott Savory, Scott's Auto Clinic, Inc., 6 Scot's Way
 - Scott Woodward, Pike Marine, Inc., 80 Main Street
- Common Victualler's License Renewal:
- Abdessamad Madkour, Energy North, Inc., 156 Main Street
 - Fang Liaw, Essex Fortune Palace, 99 Main Street
 - Eric Vennerbeck, Essex River Dogs, 162 Main Street
 - Bhavikaben K. Patel, Fenisha Corp., d/b/a Schooner's Market, 121 Eastern Avenue
 - Roy Serpa, MAIA LLC, d/b/a Dunkin Donuts, 125 Main Street
- Wine and Malt Package Store Renewal:
- Abdessamad Madkour, Energy North, Inc., 156 Main Street

Mr. Zubricki began the presentation of his Town Administrator's Report for the period November 10th through November 22nd, 2017, regarding the following:

Construction of Fiber Optic Municipal Network: Mr. Zubricki said that he has been working with Town Counsel to reach an understanding with National Grid and Verizon that the Town already has a right to hang fiber optic cables on the utility poles. The utilities have declined to acknowledge this and have announced that our existing agreements with them guaranteeing the Town rights to use a portion of space on the poles for Town needs are no longer valid. Mr. Zubricki and Town Counsel are in the process of drafting a letter to the utilities, declaring the Town's intention to use the reserved space on the poles for the new fiber optic municipal network. The Selectmen were in agreement, and a motion was made, seconded, and unanimously voted to authorize signature and sending of the letter to National Grid as soon as it becomes available from Town Counsel.

Contract for Restoration of Decorative Safe Doors: Mr. Zubricki reported that he has a revised contract with Mehlin Restoration and Lisa Mehlin is ready to begin work on weekends, once the agreement is signed. She prefers to work during the weekend when the Town Hall is closed, since she will be working with solvents. The restoration will be funded from Community Preservation money that was approved at Town Meeting. The Selectmen were in agreement and the document was signed.

Contract for Straightening of Town Hall Historic Lamp Posts: Mr. Zubricki reported that, upon investigation by the Department of Public Works and Mark Haskell, the two lamp posts outside the Town Hall could be straightened by hand and held in position by placing crushed stone around them. The lamp posts have now been straightened at no cost to the Town.

School Budget Coordination Group Meeting: Mr. Zubricki said that he will present to a joint assembly of Town and School District Officials, the Town's five-year operating budget

prediction model on November 29th. The Finance Committee will subsequently recommend appropriate annual escalation factors for the model.

Continued Review of Draft Fiscal Year 2019 Capital Budget Update: Mr. Zubricki reviewed an updated draft of the Selectmen's Capital Budget. The proposed Capital Budget and the proposed Operating Budget will be voted at the next Selectmen's meeting.

Petitioning of Legislature for Retiree Police Detail Special Legislation: The Selectmen reviewed a letter to Senator Tarr and to Ann Margaret Ferrante requesting petitioning the State Legislature for special legislation for retiree police details, and a motion was made, seconded, and unanimously voted to approve and sign the letter.

Status of Revised Harbor Regulations: Mr. Zubricki said that the regulations have been reviewed by Town Counsel and the Police Chief is in agreement with Town Counsel's suggested revisions. Mr. Zubricki also said that Town Counsel has opined that it is OK for the Harbormaster to enforce the regulations through non-criminal disposition. The Board said that they would like to review a non-annotated version of the revised regulations before giving their final approval at the next Selectmen's meeting.

On a related matter, the Selectmen were in agreement that they would like the Police Chief to provide two additional make/model options for the purchase of a new police cruiser in addition to the one for a ford vehicle at their next meeting.

Results of Noise Control Bylaw Survey: Mr. Zubricki reported that only 7 people had completed and returned the noise control survey that was given out to attendees at the Fall Town Meeting. Based on the minimal response, the Selectmen agreed to take the matter under advisement for now.

Green Communities Grant, Fiscal Year 2018: Mr. Zubricki said that Matt Coogan is beginning to work on a grant application for the coming round of grant funding and would like suggestions. Suggestions so far include the street light purchase, school items, water/sewer pumps, and general plant items.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:36 p.m.

Documents used during this meeting include the following: None.

Attested by: _____ Prepared by: _____
Andrew C. Spinney Pamela J. Witham