

**Selectmen's Minutes**  
**Town Hall, 2<sup>nd</sup> Floor Stage Conference Area**

**July 16, 2018**

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

Also Present: Tina Lane, Steel Workers Union Representative Keith Rice, and Treasurer Collector Jeff Soulard.

Chairman O'Donnell called the meeting to order at 6:00 p.m. and announced that the Board would hear Public Comment.

Steel Workers Union Representative Keith Rice introduced himself and informed the Board that the union workers have been bargaining with National Grid. In late June, National Grid ceased negotiations and locked them out. The union is requesting that municipalities put a moratorium on all non-emergency work from National Grid until the union matters can be resolved. The Board said they would take his request under advisement and consult with Town Counsel. Mr. Zubricki took Mr. Rice's contact information and he left the meeting.

Treasurer/Collector Jeff Soulard came before the Selectmen to request their approval to refund the Water Note in the amount of \$65,000.00. Following a brief discussion, a motion was made, seconded, and unanimously voted to approve the refunding and sign the documents. Mr. Soulard left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period June 30<sup>th</sup> through July 13<sup>th</sup>, 2018, regarding the following:

Dog Waste Bag Dispenser/Receptacle Units Update: Mr. Zubricki reported that he has checked with the Board of Public Works and that they will not agree to be responsible for emptying the receptacles and replenishing the bags. The Board did not have any other suggestions, and it was agreed that installation of the receptacles would not be feasible at this time.

No Through Truck Traffic, Apple Street: Mr. Zubricki said that the Board of Public Works is agreeable to placing signage limiting Apple Street to local traffic and deliveries only. They have suggested that in addition to signs at each end of Apple Street, that there be two signs on Southern Avenue approaching Apple Street, two signs on Western Avenue approaching Apple Street, for a total of six signs. The BPW will order the signs as soon as the wording is approved by the Board.

Future Possible Uses for Centennial Grove Cottage and Environs: Mr. Zubricki announced that there is a site visit at the Grove scheduled for Thursday, July 19<sup>th</sup> at 11:00 a.m. In addition to Mr. Zubricki, Chairman O'Donnell, Selectman Spinney, Youth Director Suzanne Slater, Building Inspector Sanborn, and representatives from the Pingree School and the YMCA will attend.

Process for Procurement of Project Manager for Public Safety Building and Process for Solicitation of Proposals for Acquisition of Real Property: Mr. Zubricki briefly reviewed the timeline and the process for reviewing all responses to the Town's recent advertisements for proposals. He reported that, to date, he has received four requests for the proposal for acquisition of property, and twenty-seven requests for the procurement of a project management company.

Possible Assistance with Renovation of Memorial Park Tennis Courts: Mr. Zubricki said that he was approached by a representative from East Coast Management regarding their offer of a donation to cover the cost of renovating the Memorial Park Tennis Courts. East Coast Management would also be willing to hire a company to perform the renovation as a gift to the Town. Mr. Zubricki said that he had referred the matter to the Board of Public Works, which has agreed to start talking to East Coast Management regarding the proposed project.

Route 133 Causeway Bridge Repair Update: Chairman O'Donnell reported on her recent attendance, with Mr. Zubricki, at a MassDOT meeting regarding the causeway bridge repairs. Work is scheduled to begin July 29<sup>th</sup>, although mobilization of materials will begin earlier. The repairs, which should serve to keep two-way traffic moving until the bridge actually gets replaced, are expected to be completed by August 15.

Draft Warrant for Special Town Meeting, August 27, 2018: Mr. Zubricki reviewed the first draft of the proposed warrant for the August 27, 2018 Special Town Meeting. He has also updated the list of items to be included on the warrants for the October 16, 2018 Fall Town Meeting, and the May 6, 2019 Annual Town Meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the FY2018 weekly warrant in the amount of \$51,842.06, and the FY2019 warrant in the amount of \$92,356.81.

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 7/12/18 FY18 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>
Ramie Reader	Reader Electric	6/30/18	\$4,800.00	Board of Selectmen
Ernie Nieberle	Nieberle's	6/24/18	\$ 125.00	Police
Ernie Nieberle	Nieberle's	6/24/18	\$ 112.70	Fire
Ernie Nieberle	Nieberle's	6/24/18	\$ 175.00	Harbormaster
David Pereen	Pereen Plumbing	6/21/18	\$ 380.00	Water

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's June 18, 2018 Open Meeting, and for the July 2, 2018 Open Meeting.

Mr. Zubricki said that Laurel Eisenhower is also interested in serving as the Town's representative to the Cape Ann Transportation Authority Board and Ken Riehl has withdrawn his offer to serve, knowing that another party had stepped forward. The appointment of Laurel Eisenhower will be added to the July 30<sup>th</sup> Selectmen's Agenda for approval.

A motion was made, seconded, and unanimously voted to approve a request from Chief Silva to carry over 32 hours of vacation time to FY2019.

It was agreed that the August Special Town Meeting would be held in the Essex Elementary School cafeteria, and that the October Fall Town Meeting will be held in the Essex Elementary School gymnasium.

Chairman O'Donnell updated the Board concerning School District planning for the Memorial School Construction Project vote in the Fall. They expect to have the final preliminary design available for comment soon. There will be a joint meeting of the two town Select Boards, the two Finance Committees, and School District personnel on July 25, 2018.

The Board discussed the possible release of minutes from past Executive Sessions relative to the following matters:

- All Executive Sessions relative to the William Allen properties on Southern Avenue.
- All Executive Sessions relative to the City of Beverly Regional Dispatch dispute.
- All Executive Sessions relative to the Town's present or former property at Conomo Point.

The Board and Mr. Zubricki also discussed the procedure to follow if any Executive Session minutes are actually requested. Subsequently, a motion was made, seconded, and unanimously voted that the Board find that the Executive Session purposes for the matters identified in the meeting notice no longer apply and that the minutes from all meetings at which such matters were discussed be made available for inspection and copying upon request, subject to redaction or withholding on a case-by-case basis for discussions protected by the Attorney/Client Privilege or other applicable law.

The Board was informed that there is a developer who has a purchase and sale agreement with the Allen Estate for the Allen properties, contingent upon the developer successfully obtaining all the required permits for the properties. The developer will be meeting with the Chairman, Mr. Zubricki, and others on July 18 to discuss aspects of the project.

A motion was made, seconded, and unanimously voted to approve a request from the Essex Youth Commission to use the Grove on Saturday, October 20, 2018, for their Haunted Halloween Walk, between the hours of 1 and 9 p.m.

A motion was made, seconded, and unanimously voted to approve a request from the Essex Youth Commission to use the Grove on Saturday, April 6, 2019 (Rain Date Sunday, April 7, 2019), for their Egg Hunt, between the hours of 9 a.m. and 3 p.m.

The Chairman signed a letter to the National Fish and Wildlife Foundation supporting the "Restoring New England's Largest Saltmarsh: Multi-Benefit Resiliency Enhancement" project. Approval of her signature will be ratified at the next Board meeting on July 30.

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

One-Day Entertainment License:

- Transfer of a unused One-Day Entertainment License issued to Curt Bergeron for use on 6/28/18 to Thursday, 7/19/18, between the hours of 4:00 and 8:00 p.m. within the confines of the upper parking lot at 35 Dodge Street.

Commercial Shellfish Permit and Waiver of Application Deadline, contingent upon maintaining Essex residency in excess of 183 days:

- Zachary Teal

The Board was reminded that their next regular Board of Selectmen's meeting will take place on Monday, July 30, 2018, at 6:00 p.m. in the Stage Conference Area on the 2<sup>nd</sup> floor of the Town Hall.

Mr. Zubricki said that he had received a call from a resident, regarding the preservation of the Town benches in front of the Fortune Palace restaurant and the Fin and Feather. Both buildings are scheduled for demolition. The Board agreed that Mr. Zubricki would ask the Department of Public Works to remove the benches and store them until the structure is completed.

There being no other business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 7:30 p.m.

Documents used during this meeting include the following:

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
Andrew C. Spinney