

**Selectmen's Meeting
Town Hall, 3rd Floor Auditorium, 30 Martin Street**

October 24, 2022

This meeting will be conducted in-person, with the public welcome, but will also be made available to the public via remote participation to the greatest extent possible. Members of the public who wish to listen to and/or view the meeting may do so via two-way Video Call (with the option to show yourself on video or not and with the option to use a phone to call in, for two-way audio-only). Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or its quality, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person versus virtual attendance accordingly.

The link to the video conference is: <https://join.freeconferencecall.com/bzubricki>, and, if prompted, the on-line meeting ID is bzubricki. Depending on your device and software installed, you may be able to join directly, by web browser, or, you may have to download the application directly (you will be shown that choice when you go to the above link). You should be joined in mute mode. However, if that is not the case, please click on the audio icon to mute your microphone. You can choose to activate your camera to show yourself, or not. The camera should be off, by default, when you join.

If you do not have a digital device to join via the link above, you can also dial a telephone number and be directly connected to the meeting, via two-way audio only. The call-in-only number is: (425) 436-6352 and the access code is 1729820.

Further, it is likely that this meeting will be broadcast by 1623 Studios over the local cable television network. Please check your cable listings for details if you are a Comcast cable television subscriber.

AGENDA – OPEN SESSION

- 6:00 p.m. Call to Order.
- 6:30 p.m. Public Hearing regarding a possible alcohol license violation for alleged consumption outside of the licensed premises at Great Marsh Brewery, 99 Main Street.
- 7:00 p.m. Quarterly Department Head Meeting.
- 8:00 p.m. Proposal from the potential private buyer of 30 Apple Street to provide the Town with certain rights of access across the property in exchange for the Town's waiver of its right of first refusal concerning the property.

Brendhan Zubricki: Presentation of his Town Administrator's Report for the period October 1, 2022 through October 21, 2022, regarding the following:

- Essex Strategic Plan Revision Public Forum Summary
- Essex Economic Development Committee Meeting Summary
- Recommendation of Transfer Station Sticker Fee for Feb 1-June 30, 2023
- Folsom Pavilion Replacement Project Update
- Town Hall Bell Tower Leak
- Board Input Regarding School Budget Development Guidelines
- Preliminary Review of Draft Fall Town Meeting Motions
- Massachusetts Downtown Initiative Technical Assistance Grant

OTHER BUSINESS:

- Approve the weekly warrant in the amount of \$.
- 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 10/13/2022 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	09/24/22	\$ 464.75	Fire
David Pereen	Pereen Plumbing	09/10/22	\$ 328.00	Council On Aging

- Approve the minutes for the Selectmen's October 3, 2022, Open Meeting and Executive Session.
- Vote to ratify the Chairman's signature on the contract for the Legislative Earmark in the amount of \$12,500.00 for Green Crab Trapping.
- Vote to approve and sign the warrant for the 2022 State Election on 11/8/2022.
- Consider the annual request from the Essex Lions Club to hold their Turkey Trot event on Sunday, November 20, 2022.
- Continue to make appointments to the Essex Municipal Affordable Housing Trust.
- Vote to ratify the Planning Board's designation of Planning Board Member Shelly Bradbury as the Planning Board representative to the Economic Development Committee.
- Vote to accept Michael Cataldo's resignation from the Economic Development Committee. Consider appointing someone to finish Michael Cataldo's 3-year term (expiring on 6/30/2024) on the Economic Development Committee. Mr. Cataldo is currently an At-Large member.
- Discuss locations of Southern Avenue speed limit signs in comparison to original speed regulations.
- Consider whether one additional memorial bench and/or a memorial picnic table should be authorized along the river at Conomo Point.
- Discuss correspondence from Attorney Dennis Murphy of Hill Law, representing more than ten Essex residents, indicating that the residents intend to file suit

against the Town if the Town does not agree to certain “demands” with respect to the proposed Apple Street Roadbed Elevation and Culvert Replacement Project. Potentially issue a response.

- Discussion regarding right of first refusal to purchase B.J. Frye property at 30 Apple Street. (Executive Session discussion is also possible.)
- Fall Town Meeting:
 - Vote to hold the Fall Town Meeting on Monday, November 14, 2022 at 7:30 p.m. at the Essex Elementary School;
 - Vote to open the warrant for the November 14, 2022 Fall Town Meeting;
 - Vote to add articles to the warrant for the November 14, 2022 Fall Town Meeting per the draft warrant presented at this meeting, or as revised (which is attached hereto);
 - Vote to close the warrant;
 - Vote to approve the warrant;
 - Vote to sign the warrant at or outside of a meeting (if revisions are necessary).
- Items that could not be reasonably anticipated by the Open Meeting Law posting deadline.

PERSONNEL BOARD: Consider updating the Town's Discrimination Harassment Policy and Personnel Rules & Regulations to include “traits historically associated with race” to the list of factors which cannot be used as a basis for hiring decisions and as a factor that could give rise to discriminatory harassment, all in accordance with the Massachusetts CROWN Act.

LICENSING:

ONE-DAY ENTERTAINMENT LICENSE:

- Essex Historical Society & Shipbuilding Museum, KD Montgomery, for use on Friday, December 2, 2022, 66 Main Street, Santa by Boat, Music & talk outside in the Shipyard and activities on the boat ramp for Santa's arrival by boat.

CLOSURE REQUEST:

- Riversbend Restaurant at Essex Marina, Lindsay Bergeron, has requested permission to close January 1, 2023, for cleaning and repairs until mid-to-late April 2023.

REMINDERS:

- Essex Division, Greater Cape Ann Chamber of Commerce meeting will be Wednesday October 26 at 8:00 AM at the Essex Seafood Restaurant.
- Wednesday, November 2, 2022, at **10:00 a.m.**, presentation of Apple Street Roadbed Elevation and Culvert Replacement design and permitting project and public driving/walking tour of the Essex Causeway and the Apple Street project site (leaves from Senior Center at 10:30 a.m.).
- Wednesday, November 2, 2022, **7:00 p.m.**, Virtual Public Forum concerning the design and permitting project to elevate a short section of the Apple Street

roadbed and to replace a substandard drainage culvert with a stream crossing under the road that meets Massachusetts Stream Crossing Standards.

- Ales Over ALS, Nathan Woodman, for use on Saturday, November 5, 2022, between the hours of 1:00 p.m. and 9:00 p.m., within the confines of Centennial Grove.
- The next regular Board of Selectmen's meeting will take place on Monday, November 14, 2022, at 6:00 p.m. in the Teachers' Lounge at the Essex Elementary School at 12 Story Street.
- The Fall Town Meeting will take place on Monday, November 14, 2022, at 7:30 p.m. in the Essex Elementary School gymnasium at 12 Story Street.

NOTICE:

- The Selectmen will meet jointly with the Planning Board on Monday, November 14, 2022 at 6:00 p.m. in the Teachers' Lounge in the Elementary School to consider nominations for and to vote with the remaining members of the Planning Board on appointing a successor to Skip Crocker, who is resigning from the Planning Board effective December 8, 2022, all in accordance with Section 11 of Chapter 41 of the General Laws.

PUBLIC COMMENT.

AGENDA – EXECUTIVE SESSION

- Possible discussion regarding right of first refusal to purchase B.J. Frye property at 30 Apple Street.