

Selectmen's Minutes
Town Hall, 2nd Floor Stage Conference Area, 30 Martin Street

January 7, 2019

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

Also Present: Virginia Antell, Sgt. Paul Francis, and Jeff Soulard.

EXECUTIVE SESSION I (Released 6/17/2019)

At 7:12 p.m., citing the need to discuss the purchase, lease, or value of real property with respect to parcels at 42 Western Avenue, map 129, lot 1; 7 Lane's Road, map 120, lot 9; 0 Western Avenue, map 129, lot 4; 21 Western Avenue, map 129, lot 50; 60 John Wise Avenue, map 113, lot 1; 50 John Wise Avenue, map 120, lot 6; and, 63 Western Avenue, map 134, lot 58; and, 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 Town's negotiating and litigating strategies. She invited Town Counsel and the Town Administrator to attend the Executive Session, and said that the Board would be returning to Open Session to continue their regular business. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, Town Counsel, and the Town Administrator moved to Executive Session in the Town Administrator's Office.

Pending litigation concerning the case of the City of Gloucester vs. the Town of Essex, Superior Court C.A. No. 17-310C: TEXT REDACTED.

Purchase, lease, or value of real property with respect to parcels at 42 Western Avenue, map 129, lot 1; 7 Lane's Road, map 120, lot 9; 0 Western Avenue, map 129, lot 4; 21 Western Avenue, map 129, lot 50; 60 John Wise Avenue, map 113, lot 1; 50 John Wise Avenue, map 120, lot 6; and, 63 Western Avenue, map 134, lot 58: The Board again reviewed the various options for sites for a new public safety building, as well as possibly taking one of them by eminent domain, and reviewed how the official placement of the eminent domain process on the table may affect the dynamic between the Town and sellers who have been unwilling to date. The Board acknowledged that 42 Western Avenue was the front-runner and also discussed the suitability of the Duncan parcel across from the Essex Elementary School. The Board discussed holding a Special Town Meeting on February 11, 2019 to seek permission and funding for the taking of a property. A meeting of the Board will be scheduled before their next regular meeting on January 28, 2019, to discuss the warrant for this Special Town Meeting in Open Session; and, a meeting of the Town Building Committee will also be scheduled, in addition to one or two public forums. Further, the Board authorized Selectman Spinney, with any necessary assistance from Mr. Zubricki, to communicate with the owner of 42 Western Avenue to determine if the owner is interested in negotiating a sale, rather than being exposed to the eminent domain process.

There being no further business before the Board needing Town Counsel's guidance, he left the meeting. A motion was made and seconded to return to Open Session on the Stage. Following a unanimous Roll Call Vote, the Board, their Assistant, and the Town Administrator returned to Open Session at 7:42 p.m.

EXECUTIVE SESSION II

At 8:42 p.m., citing the need to discuss strategy with respect to Collective Bargaining concerning the proposed FY20 renewal of the American Federation of State, County, and Municipal Employees (AFSCME) collective bargaining agreement; strategy with respect to Collective Bargaining concerning the proposed FY20 renewal of the Essex Police Benevolent Association (EPBA) collective bargaining agreement; and, to conduct contract negotiations with the incoming Police Chief, the Town Administrator, the Treasurer/Collector, and the Town Accountant; the Chairman entertained a motion to move to Executive Session. She stated that discussing these matters in Open Session would be detrimental to the Town's negotiating and bargaining strategies. She said the Board would be returning to Open Session to finish the Board's regular business and invited the Town Administrator, the Town Accountant, the Treasurer/Collector, and Sgt. Francis to attend the Executive Session. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board, their Assistant, the Town Administrator, and Sgt. Francis moved to Executive Session. Tina Lane and Mike Cronin left the meeting.

Contract negotiations with the incoming Police Chief: TEXT REDACTED.

Contract negotiations with the Treasurer/Collector: TEXT REDACTED.

Contract negotiations with the Town Accountant: TEXT REDACTED.

Contract negotiations with the Town Administrator: TEXT REDACTED.

Collective Bargaining concerning the proposed FY20 renewal of the American Federation of State, County, and Municipal Employees (AFSCME) collective bargaining agreement: TEXT REDACTED.

Collective Bargaining concerning the proposed FY20 renewal of the Essex Police Benevolent Association (EPBA) collective bargaining agreement: TEXT REDACTED.

Selectmen's Minutes
Executive Session Continued
Page 3

January 7, 2019

There being no further business before the Board requiring an Executive Session, a motion was made and seconded to return to Open Session. Following a unanimous Roll Call Vote, the Board, their Assistant, and the Town Administrator returned to Open Session at 10:00 p.m.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Andrew C. Spinney