

Selectmen's Minutes
Faculty Room, Essex Elementary School

May 6, 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, Guy Bradford, Ben Buttrick, Tim Dorman, Michael Flynn, Stewart Johnson, Richard Ross, and Allison Williard.

Chairman O'Donnell called that meeting to order at 6:00 p.m. in the Faculty Conference Room at the Essex Elementary School on Story Street and announced that the Board would hear Public Comment. No one offered any comment.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period April 20th, 2019 through May 3rd, 2019, regarding the following:

Strategic Planning Committee/Economic Development Committee Meeting Summary: Mr. Zubricki reported that there had not been a quorum present of Strategic Planning Committee members at the last joint meeting of the SPC and the Economic Development Committee. There was a quorum of EDC members present. Those present discussed their hopes for a favorable vote on article 23 at the Annual Town Meeting which will provide funding for signage and striping in the downtown area. In addition, those present discussed plans for the EDC to work with the Metropolitan Area Planning Council (MAPC) in the creation of an economic development plan for the Town. A kick-off meeting will occur after the Town Planner prompts MAPC to complete some preliminary tasks.

Town Building Committee Meeting and Public Forum Summary: Mr. Zubricki said that the Town Building Committee and the Board of Selectmen had decided, at the forum on May 1, to only seek funding for completion of the design phase of the public safety building project at the Annual Town Meeting. Funding for construction of the project will be sought at a future Town Meeting, once the project design has been finalized and the project cost can hopefully be decreased.

Essex Hazard Mitigation Plan Update Process Status: Mr. Zubricki reported that the latest draft of the Town's hazard mitigation plan prepared by MAPC has been placed on the website for review and comment. Following the comment period, the amended plan will be forwarded to the Massachusetts Emergency Management Agency for review and then forwarded to the Federal Emergency Management Agency for final approval.

Regional Dredge Grant Update: Mr. Zubricki reported that he, Selectman Spinney, Selectman Phippen, and Deputy Harbormaster Fialho had participated in a meeting (either remotely or in person) on Cape Cod regarding Cape Cod's regional dredging program. Senator Tarr and others are seeking State funding to perhaps establish a similar regional program on the north shore. Presently, the high cost of the dredging equipment needed to serve our region and the possible

lack of enough consistent work are impediments to moving forward. The final report on this matter will be released by the woods Hole Group in June.

Dam & Seawall Repair Grant Quarterly Report: Mr. Zubricki has been working with GZA Geo-environmental on the design to repair and replace the seawalls at Conomo Point. Funding for the design phase of the project has been provided by a State Grant. Mr. Zubricki plans to apply for another State Grant to fund construction during the next funding round. While funding to help defray the Town's 25% local match may be technically eligible using Federal funding, the timing may jeopardize a State grant award, especially if State funding gets reduced or eliminated in future grant rounds. As such, the Board agreed that a June application to the State that pledges a local cash match is the best strategy at present.

Final Annual Town Meeting Motions: Mr. Zubricki reviewed the final motions and designated presenters.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$182,061.85.

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 05/02/2019 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>
David Perkins	Perkins Marine	4/22/2019	\$ 900.00	Selectmen
James McNeilly	McNeilly EMS	4/19/2019	\$ 145.00	Fire

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's April 22, 2019, Open Meeting and Executive Session.

A motion was made, seconded, and unanimously voted to ratify the Board's vote on April 22, 2019, to authorize the Town Administrator to accept the gift of a truck to the Town to be used for Fire Department training with the jaws-of-life, and also, voted to ratify the Board's vote to authorize the Town Administrator to dispose of the truck, if necessary.

Architect Stewart Johnson joined the meeting.

The Board was in agreement and a motion was made, seconded, and unanimously voted to charge the designer of the public safety facility project to immediately work directly with the Fire and Police departments to review the present project program and determine whether additional economies might be realized through the reduction of square footage and/or the downscaling or elimination of program features.

A motion was made, seconded, and unanimously voted to ratify the Board's approval of a grant application to the Cape Ann Community Foundation.

The Board acknowledged receipt of the Chief of Police transitional timeline as requested from Sergeant Paul Francis.

Based on advice from Town Counsel, the Board agreed to deny a request from the group "Light up Essex" (LUE) to utilize the Town Hall parking lot on Saturday, May 11, 2019, for a clothing donation event that is connected with the possibility of eventual fundraising for new lighting in outdoor public areas within Essex. The Board reasoned that LUE was not at this point committing all of its raised funds to future public projects and was not willing to set this precedent. LUE had stated in writing that the group would use raised funds at its own discretion. The Board suggested LUE hold its event on private property.

The Board agreed that they are not in favor of allowing advertising at the Essex Field of Dreams playing fields at the present time, based upon how the Manchester Essex Little League's proposal is currently structured.

Members of the Finance Committee Guy Bradford, Michael Flynn, Richard Ross, Allison Williard, and Chair Ben Buttrick, and Town Accountant Virginia Antell joined the Board. Those present discussed article 15 regarding the public safety building. Following the discussion, the FinCom members and Town Accountant left the meeting.

A motion was made, seconded, and unanimously voted to approve a request from the Essex Youth Commission to hold the EYC Egg Hunt on Saturday, April 4, 2020, between the hours of 9:00 a.m. and 5:00 p.m., at Centennial Grove.

A motion was made, seconded, and unanimously voted to approve a request from the Essex Youth Commission to have lawn games, sports, etc. for a maximum of 10 kids each day on Tuesdays and Thursdays, between the hours of 1:00 and 2:00 p.m. at the Grove Cottage on the following dates: 7/30, 8/1, 8/6, 8/8, 8/13, 8/15, 8/20, and 8/22/2019.

A motion was made, seconded, and unanimously voted to approve a request from the Library Trustees to hold their Summer Reading Program Kickoff on Friday, June 14, 2019, between the hours of 1:00 and 4:00 p.m. at Centennial Grove.

A motion was made, seconded, and unanimously voted to approve a parade permit request from Walter Rich for use on Memorial Day, Monday, May 27, 2019.

Project Manager Tim Dorman joined the meeting to say "hello" and left the meeting.

Concerning Conomo Point matters, Selectman Spinney moved that the Board of Selectmen, in its capacity as Conomo Point Commissioners, approve a request for a building permit by Robert Marsolais, to remove and replace the existing decks on the premises located at 110 Conomo Point Road (Map 108, Lot 72), subject to the following terms and conditions:

1. The work shall be done in accordance with the terms and conditions set forth in Sections 2 and 3 of Article IX and Article X of the Land Lease commencing on January 1, 2017 (the "Lease"), which terms and conditions are expressly made part of this approval.
2. The renovated dwelling shall be considered the "Improvements" for purposes of the Lease.
3. The Lessee acknowledges that nothing in this vote is intended to convey or imply any right, title or interest in the Town's property, or any portion thereof, and that nothing herein is intended to extend the term of the Lease or to waive the Town's right of termination pursuant to Article XI thereof, and further that the Town expressly reserves the right to assert ownership of the newly constructed dwelling in accordance with Article V of the Lease.
4. The Lessee shall sign a written acknowledgment of his agreement to these conditions, which acknowledgement shall be countersigned by the Town Administrator on behalf of the Board.
5. The renovation may be completed to a lesser extent than depicted by the building envelope on the below-referenced plans, but may not exceed said envelope without seeking approval from this Board, which may be denied.

The motion was seconded and unanimously voted.

Acting in their capacity as Licensing Board, a motion was made, seconded, and unanimously voted to approve the following requests for licenses and permits:

One-Day Wine & Malt License:

- Woodman's, Inc., Lauren Muise, for use on Sunday, August 4, 2019, between the hours of 11:00 a.m. and 11:00 p.m., within the confines of the Salt Marsh Tent at 125 Main Street.
- Essex County Greenbelt Association, Inc., Jane Rumrill, for use on Thursday, June 6, 2019, between the hours of 6:00 p.m. and 8:00 p.m., within the confines of the Cox Reservation at 82 Eastern Avenue.
- Essex County Greenbelt Association, Inc., Jane Rumrill, for use on Friday, June 7, 2019, between the hours of 5:00 p.m. and 8:30 p.m., within the confines of the Cox Reservation at 82 Eastern Avenue.

One-Day Entertainment License:

- Essex County Greenbelt Association, Inc., Jane Rumrill, for use on Thursday, June 6, 2019, between the hours of 6:00 p.m. and 8:00 p.m., within the confines of the Cox Reservation at 82 Eastern Avenue.
- Essex County Greenbelt Association, Inc., Jane Rumrill, for use on Friday, June 7, 2019, between the hours of 5:00 p.m. and 8:30 p.m., within the confines of the Cox Reservation at 82 Eastern Avenue.
- Essex County Greenbelt Association, Inc., Jane Rumrill, for use on Saturday, June 8, 2019, between the hours of 10:00 a.m. and 5:00 p.m., within the confines of the Cox Reservation at 82 Eastern Avenue.

- Essex County Greenbelt Association, Inc., Jane Rumrill, for use on Sunday, June 9, 2019, between the hours of 10:00 p.m. and 5:00 p.m., within the confines of the Cox Reservation at 82 Eastern Avenue.

The Board was reminded of the following events and meetings:

- The annual Town Election will take place on Monday, May 13, 2019, at the Fire Station on Martin Street.
- The Board has been invited to attend the 2018 Essex Senior Recognition Night at the Manchester Legion Post 113, at 6:00 p.m., on Wednesday, May 15, hosted by the Essex Lions Club.
- The next regular Board of Selectmen's meeting will take place on Monday, May 20, 2019, at 6:00 p.m. in the 2nd Floor Stage Conference Area at the Essex Town Hall.

Mr. Zubricki announced that there was no new information to discuss in Executive Session.

Subsequently, a motion was made, seconded, and unanimously voted to adjourn to the Annual Town Meeting in the gymnasium at 7:20 p.m.

Documents used during this meeting include the following: None.

Prepared by: _____
Pamela J. Witham

Attested by: _____