

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

June 3, 2019

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

Also Present: Tom Beale, Curt & Lindsay Bergeron, Alden Blodget, Maureen Flatley, Sergeant Paul Francis, Donna Gauthier, Jodi Harris, Gerard Hayward, Bob Jerin, Robin & Joe Lafata, Tina Lane, Bill Liberti, Charles McNeil, Paul Pennoyer, Police Chief Peter Silva, Treasurer/Collector Jeff Soulard, and Gordon College Representative Jonathan Tymann and an associate.

Chairman Spinney called the meeting to order at 6:00 p.m. in the Stage Conference Area on the second floor of the Town Hall and announced that the Board would hear Public Comment.

Bob Jerin said that he would like to comment on the Riversbend request for 4 one-day entertainment licenses for a car show, to be held once a month, starting in June and ending in September. He said he had complained about the noise from the first car show held last year by the Riversbend. The entertainment licenses for the three car shows after that had limited the sound to an acceptable level. He hoped that the Board would keep that in mind this year when they considered approving the new licenses. Jodie Harris, Alden Blodget, Gerard Hayward, and Tom Beale also spoke about the need for a Town policy regarding outdoor entertainment and noise. Maureen Flatley, Charles McNeil, and Joe and Robin Lafata spoke in favor of granting the licenses to the Riversbend. The Board was in agreement that there should eventually be a noise bylaw proposed to Town Meeting and Mr. Zubricki will work with Town Counsel and gather information from other towns regarding example bylaws. In the meantime, the Board asked Mr. Zubricki to work with Town Counsel on a general entertainment license policy that they will discuss in more detail later in the meeting. Alden Blodget, Gerard Hayward, and Tom Beale left the meeting.

Chairman Spinney interrupted the Public Comment period to acknowledge Treasurer/Collector Jeffrey Soulard who was attending the Board meeting to seek authorization regarding the issuance of bonds and notes for the Community Septic Management Loan Program. Treasurer/Collector Soulard said that the Town had authorized this issuance at the 5/1/17 Annual Town Meeting (Article 17) of up to \$1,000,000. To date, the Town has issued \$200,000 of the \$1,000,000, which was used to fund two septic systems. The Town is seeking another \$200,000. Subsequently, Selectman Phippen, as Clerk of the Board, read a motion for the Board to approve the additional borrowing. The *text of the motion is attached hereto*. The motion was moved, seconded, and unanimously voted. Selectman Phippen signed the documents and Treasurer/Collector Soulard left the meeting.

Paul Pennoyer asked how the value of the two lots for sale at Conomo Point had been arrived at and Mr. Zubricki replied that every year the Board of Assessors reviews Town properties and updates them as necessary. He said the Board would be discussing the two lots later in the meeting.

At 6:30 p.m., the Board was joined by Police Chief Silva, Sergeant Francis, and Gordon College Representative Jonathan Tymann and an associate to discuss public safety issues on Wood Drive. Gordon College had recently purchased Camp Menorah. Boating events for Gordon College, the Pingree School, and Endicott are being held there. The site has a parking lot, but many people have been parking on the street. Both Chief Silva and Sergeant Francis said that Wood Drive is a very narrow road and in many places there is barely enough room for two cars to pass. The Superintendent of Public Works shared similar concerns with Mr. Zubricki prior to this meeting. There is not enough room for emergency vehicles to get through when there are parked cars on the road. Everyone was in agreement and the Board will ask the Department of Public Works to post signs from Pond Street to Coral Hill on the inbound side of Wood Drive prohibiting parking on both sides of the road. Gordon College also said that they will provide shuttle service for some events. Jonathan Tymann and his associate left the meeting.

Mr. Zubricki said that a swearing in ceremony will be held in the Town Hall Auditorium for the new Police Chief and two new Police Sergeants on August 1, 2019. It has been suggested that light refreshments be served at the ceremony. However, the Town auditor has opined that the refreshments may not be paid for with money collected from the taxpayers. The auditor has suggested that they be paid for with money from the Police Gift Fund. Jodi Harris said that she would like to contribute \$200 or the cost of the refreshments for the event.

Chief Silva and Sergeant Francis left the meeting.

The Board continued discussion of the One-Day Entertainment Licenses requested by the Riversbend.

Selectman Pereen read the following statement: It has come to my attention that Mr. & Mrs. Bergeron have concerns about my ability to vote objectively and fairly. I have not socialized with the Bergerons in approximately fifteen years. I do not feel that I owe them any allegiance, nor do I harbor any ill will in connection with events that occurred in the past. I take my position as an elected member of the Board of Selectmen seriously, and my honesty and integrity are of paramount importance to me. As such, I believe that I can perform my duties objectively and fairly. A motion was made, seconded, and unanimously voted by Selectman Phippen and Selectman Spinney to accept a formal disclosure form regarding this matter that had been prepared by Selectman Pereen.

Curt and Lindsay Bergeron joined the Board at the table. Those present, including those in the audience, discussed the four one-day applications at length. Subsequently, Mr. Bergeron agreed to withdraw his requests for August 22 and September 19. He also amended his requests for the events on June 27 and July 25, to be held instead from 5:00 to 8:00 p.m. and to include the stipulation that "public address announcements to be kept applicable to the event and kept to a minimum, at an appropriate sound level to reach event attendees". Subsequently, a motion was made, seconded, and unanimously voted to approve one-day entertainment licenses for

Thursday, June 27 and Thursday, July 25, between the hours of 5:00 and 8:00 p.m. in the upper parking lot at 35 Dodge Street.

Robin and Joe Lafata, Maureen Flatley, Charles McNeil, Jodi Harris, Donna Gauthier, Curt Bergeron and Lindsay Bergeron left the meeting.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period May 18th, 2019 through May 31st, 2019, regarding the following:

Sale of Town Property at Conomo Point: Mr. Zubricki reviewed the draft for a newspaper ad regarding the proposed sale of two lots at Conomo Point. The Board approved the ad and a motion was made, seconded, and unanimously voted to place the ad in the Gloucester Times on Saturday, June 8 and on Saturday, June 15. Mr. Zubricki will place the same information on the Town website right away. They also agreed on a suggested response date by June 30. Chairman Spinney agreed to be the liaison between the Board, Mr. Zubricki, and interested persons. The two lots are 0 Cogswell Road (Map 110, Lot 38) and 0 Sumac Drive (Map 110, Lot 7). Mr. Liberti left the meeting.

Continued Discussion on Design/Permitting for Downtown Parking: Mr. Zubricki reported that he had reviewed a proposed contract from Stantec regarding the design and permitting for the Downtown Parking/Signage project. He said that the firm was willing to make several important changes to their original proposal. He also said that the Town Planner will be submitting another proposal from a different designer. The Board agreed to wait until the two proposals could be compared before making any decisions.

Schedule for Municipal Collaboration Meeting and Final Report: Mr. Zubricki reported that he had met with the Manchester Town Administrator and Bob Halpin from the Collins Center last week to continue their review of options for shared services. Mr. Halpin will be compiling an interim report on his findings to date for everyone's review and discussion. Mr. Zubricki reminded the Board that the grant funding spans a two-year period. Consequently, the funds will not have to be completely expended by the end of this fiscal year. The interim report will be written during June and a joint meeting of the two boards of Selectmen will follow in July or August.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$193,428.81.

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 5/23/2019 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>
Ernie Nieberle	Nieberle's	04/24/2019	\$ 519.58	Highway
David Pereen	Pereen Plumbing	04/06/2019	\$ 1,635.00	Water

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 5/30/2019 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>
Jim McNeilly	McNeilly EMS	05/20/19	\$ 76.00	Harbormaster

A motion was made, seconded, and unanimously voted to approve renewal of City Hall Systems software as an annual service contract in the amount of \$6,000.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's May 20, 2019, Open Meeting.

A motion was made, seconded, and unanimously voted to approve a request from Essex Elementary PTO to pass over Essex roads on Friday, September 13, 2019, starting at 5:00 p.m., during their 12th Annual Happy as a Clam 5k Race, Walk, and Fun Dashes, starting and finishing at the Essex Elementary School, 12 Story Street.

A motion was made, seconded, and unanimously voted to ratify the approval of a change in scope and a contract change order with Johnson Roberts Architects concerning specific geotechnical analysis for the new public safety building.

A motion was made, seconded, and unanimously voted to ratify the Chairman's signature of a letter of support for the Essex County Greenbelt's Coastal Resilience Grant Application.

A motion was made, seconded, and unanimously voted to sign a grant application for funding to reprint COA Brochures with updated information, and transportation/appointment business cards outside of a meeting when it becomes available.

The Board discussed developing a potential outdoor entertainment local policy which would allow acoustic music only between certain hours of the day. The Board also considered the idea of visiting neighboring homes of various establishments in order to gauge and reference the level of sound. Mr. Zubricki said he would work with Town Counsel to create a framework policy that could be reviewed and fleshed out by the Board.

Bob Jerin left the meeting.

The Board decided that they would like to interview the two candidates nominated by the Planning Board to fill the expiring seat on the Board of Public Works at their next meeting. Mr. Zubricki will schedule the appointments with Brian Feener and John Filias and ask each for a letter of interest and statement of qualification.

A motion was made, seconded, and unanimously voted to approve a request from the First Presbyterian Church of Ipswich to hold their annual picnic at Centennial Grove on Sunday, July

28, 2019, between the hours of 2:00 and 7:00 p.m. The Chairman signed the approval form and the parking pass.

A motion was made, seconded, and unanimously voted to approve the following re-appointments and to sign the corresponding appointment cards:

ADA Coordinator for 1 year: William Sanborn
Animal Control Officer for 1 year: Amelia Reilly
Animal Control Officer, Assistant for 1 year: Diane Corliss
Board of Registrars for 3 years: Eleanor Woulffe
Building Inspector for 1 year: William Sanborn
Building Inspector's Assistant for 1 year: L. William Holton
Burial Agent for 1 year: Blake Story
CATA Representative for 1 year: Laurel Eisenhauer
Council on Aging for 3 years:

- Priscilla Doucette
- Amelia Hamlen
- Patricia McGrath
- Mary Wilhelm

Electrical Inspector for 1 year: Ramie Reader
Electrical Inspector's Asst. for 1 year: John Shields
Fence Viewers for 1 year: Board of Selectmen
Harbormaster's Assistant for 3 years:

- Brian Buck
- Chad Lipinski

Historic Commission for 3 years:

- Keith Symmes
- Jay Tetzloff

Local Emergency Planning Committee for 1 year:

- Dan Doucette
- Paul Francis
- Michael Galli
- Erin Kirchner
- Andrew C. Spinney

Plumbing & Gas Inspector for 1 year: Richard Corriere

Police Officer, Full-Time for 3 years:

- Ryan Davis, Detective
- Thomas P. Shamshak, Detective
- Daniel Bruce
- Alexander Edwards
- Michael French
- Michael Juliano
- James Romeos
- Paul Francis, Sergeant

Police Officer, Part-Time for 1 year:

- Ryan Devaney
- David Landry
- Chad Lipinski
- Matthew Lipinski
- David J. Vangelist
- Robert Wheway
- Michael Harrell, Special
- Britney Lazarides, Special
- Justin Symonds, Special

Shellfish Commission for 3 years:

- Robert Doane
- Michael Pascucci

Shellfish Constable for 3 years:

- William Knovak

Shellfish Deputy for 3 years:

- Stephen Hartley

Strategic Planning Committee for 1 years:

- John Bediz
- Michael Burke
- Westley Burnham
- Annie Cameron
- Robert Coviello
- Michelle French
- David Gabor
- Michael Galli
- Charles McNeil
- Julie Scofield
- Andrew C. Spinney

Town Clerk for 3 years: Pamela Thorne

Town Counsel for 1 year: KP Law

A motion was made, seconded, and voted by Chairman Spinney and Selectman Phippen to re-appoint the following persons. Selectman Perea abstained from voting.

Plumbing-Gas Inspector's Assistant for 1 year: David Perea

Police Officer, Part-Time for 1 year: Lauren Perea

A motion was made, seconded, and unanimously voted to approve a Commercial Student Shellfish Permit for Ian Lewiecki.

The Board was reminded of the following events and meetings:

- The next regular Board of Selectmen's meeting will take place on Monday, June 17, 2019, at 6:00 p.m. in the 2nd Floor Stage Conference Area at the Essex Town Hall.
- The Cape Ann Chamber of Commerce's Small Business Award for Essex will be presented on Thursday, June 6, 2019. Please meet at the Village Restaurant, starting at 5:00 p.m.
- The Rededication of the Old Essex Burying Ground on Main Street will take place on Saturday, July 27, 2019, starting at 1:00 p.m.
- Swearing-in Ceremony for the new Police Chief and two new Sergeants will take place on Thursday, August 1, 2019, starting at 4:30 p.m. in the Town Hall Auditorium on the 3rd floor.
- Mr. Zubricki said that Town Counsel will be meeting with the Board on Monday, June 17 at 7:30 a.m. in his office to discuss certain Executive Session items.

There was no new information to review tonight in Executive Session.

Mr. Zubricki said he had received a request from Historical Commission member Jay Teztloff to search the property at 11 John Wise Avenue with a metal detector. It is important to do this work before the site is disturbed. Any items found by Mr. Teztloff would belong to the Town. A motion was made, seconded, and unanimously voted to approve the request.

Mr. Pennoyer had additional questions regarding the two lots for sale at Conomo Point and Mr. Zubricki reviewed a map of the lots with him and answered his questions.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 8:30 p.m.

Documents used during this meeting include the following: Voting language regarding the issuance of bonds or notes.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Peter D. Phippen