

**Selectmen's Minutes**  
**Town Hall, 2<sup>nd</sup> Floor Stage Conference Area, 30 Martin Street**

**December 2, 2019**

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

Also Present: Thomas Beale, Alden Blodget, Michele French, John Guerin, Jodi Harris, Gerard Hayward, Tina Lane, Ken Riehl, Donna Roy, and Kristen Walker.

Chairman Spinney called the meeting to order at 6:00 p.m. in the 2<sup>nd</sup> floor stage conference area of the Town Hall and announced that the Board would hear Public Comment. Mr. Blodget asked the Board how they intended to go about regulating outdoor entertainment noise and licenses. The Board responded that they were in the process of investigating all options.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$269,137.70.

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 11/21/2019 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	11/13/2019	\$ 145.00	Fire

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's November 18, 2019, Open Meeting and Executive Session.

Mr. Zubricki reminded the Board that Town Meeting recently approved a request to Fund the purchase a new police cruiser and the new cruiser will need to be outfitted for police work. Chief Francis solicited and received two quotes from State approved companies for both the cruiser and the outfitting. A motion was made, seconded, and unanimously voted to purchase and equip a cruiser as recommended by Chief Francis, for the Police Department.

A motion was made, seconded, and unanimously voted to ratify the Chairman's signature of the Fire Department's 2019 Volunteer Fire Assistance (VFA) grant application.

Mr. Zubricki reported that the State and MassDOT would allow the grant money to pay for either striping of permitted parking spaces or striping of non-permitted parking areas, but that the striping would have to be executed using thermoplastic material. He reminded the Board that at their last meeting, the Business Community representatives were not in favor of striping permissible parking spaces, since it would reduce the current number of existing spaces. They were also not in favor of wayfinding signage, since State regulations require that the size of the signs must be at least 6 x 3 feet with 4 to 6-inch lettering. Following a short discussion, the Board agreed to take the matter under consideration for review again at their next meeting. In the

meantime, Mr. Zubricki will ascertain whether there is any possibility of the State approving the use of regular paint for the striping instead of the thermoplastic material.

Mr. Zubricki said that the Library has requested that a crosswalk with a light be installed by the library entrance of the Town Hall on Martin Street. The State has already agreed to conduct a speed study on Martin Street and the crosswalk could be addressed after the study. Others have requested crosswalks in other areas on Route 22 and they will also be waiting for the study. The Board agreed to take no action on the matter at present pending the results of the traffic study.

It was agreed that discussion concerning automated collection of boat launching fees on weekdays for non-residents and whether the existing fee should be changed would be tabled for the time being.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period November 16<sup>th</sup>, 2019 through November 29<sup>th</sup>, 2019, regarding the following:

Essex Economic Development Committee Business Roundtable Breakfast: Mr. Zubricki reported that this event was well attended and had included a discussion by those present regarding ideas for promoting future local economic growth. He said the EDC has placed a survey regarding local economic growth on the Town's website and will be collecting information through December. The EDC will be hosting an Open House at the Town Hall in January.

Public Safety Facility Construction Project Update: Mr. Zubricki said that land clearing has begun at the 11 John Wise Avenue site. The hazmat removal company has inspected the structure on the site and found a layer of asbestos roofing material under a layer of wood, which is under the top layer of roofing shingles, necessitating careful removal of the roofing shingles and then the plywood, before the asbestos can be safely removed. A motion was made, seconded, and unanimously voted by the Board to authorize the Chairman to approve any necessary change order to keep the project moving.

MassDOT has reviewed the plans for the public safety building curb cuts showing the paved parking areas and entrances off John Wise Avenue with painted lines delineating the sidewalk. MassDOT is not in favor of the painted lines and would like to see cement sidewalks installed between the driveway entrances and the parking areas. This issue may eventually be the basis for a project change order.

Street Light LED Conversion Project Update: Mr. Zubricki said that the quote from the Town of Ipswich to perform the street light conversion was high because it was presumed that Essex was in a hurry to make the conversion. However, if Essex was willing to approve a more relaxed conversion timeframe, Ipswich would be willing to lower their estimated cost for the project. Unfortunately, the grants that Essex has received to fund the project must be spent within a certain time period or the Town will lose its chance to apply for the next round of Green Community Grant Funding, which may help defray the cost of the new public safety building. As

such, Mr. Zubricki will direct the Town's lighting consultant to seek a commercial firm for the conversion.

Preliminary Draft of Capital Budget Plan Update: Mr. Zubricki provided the Board with an updated draft of the Capital Budget Plan for FY2021 for their review and future discussion.

Discussion Relative to Outdoor Entertainment Application/Policy: Recently, a concerned residents' group forwarded to the Select Board for their review, a suggestion for revising both the annual entertainment license application and the one-day entertainment license application. And, today, the group had forwarded an updated/revised draft. The Board and those present in the meeting room discussed the matter and John Guerin explained some of his reasons for drafting the language in the proposed new applications. The Board said that they would take everything under advisement and continue the discussion at their next meeting on December 16.

Alden Blodget, Michele French, John Guerin, Ken Riehl, and Donna Roy left the meeting.  
Preliminary List of Possible Topics for 2020 Annual Town Meeting: Mr. Zubricki reviewed the initial draft of possible topics for the May 4, 2020 Annual Town Meeting.

Implementation of Municipal Collaboration Recommendations: The final report, by the Collins Center, of recommendations for municipal collaboration between Manchester and Essex is available for review and possible implementation. The Board asked Mr. Zubricki to ask department heads for specific feedback by the end of January. Then, the Board will compare notes with Manchester, which is conducting a similar review.

Acting in their capacity as Licensing Board, a motion was made, seconded, and unanimously voted to approve the following requests to Close for Cleaning & Repairs:

- Cape Ann Golf Club to close the Fairway Pub from December 15, 2019 to March 15, 2020 for cleaning and general maintenance.
- Riversbend to close in November, 2019 through April, 2020 for cleaning and repairs.

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

One-Day Wine and Malt License Application:

- Sea Meadow Gifts, 7 Main Street, December 10, 2019, 4:00 p.m. – 9:00 p.m.

All Alcoholic Beverage Restaurant License Renewals:

- Mark Audette, Aztec LLC, d/b/a Village Restaurant, 55 Main Street
- Allen W. Matthews, Blue Marlin Grille, Inc., 63 Eastern Avenue
- Bradley Atkinson, BN Farm LLC, d/b/a The Farm, 233 Western Avenue
- James N. Stavros, Cape Ann Golf Course Corp., d/b/a Fairway Pub, 99 John Wise Avenue
- Patrick Shea, Hog Island Inc., d/b/a C.K. Pearl, 112 Main Street
- Corey Matthews, MRG, Inc., d/b/a The Boathouse, 234 John Wise Avenue

- Curt Bergeron, Riversbend at Essex Marina, LLC, d/b/a Riversbend, 35 Dodge Street

**Wine & Malt Beverage Package Store License Renewals:**

- Abdessamad Madkour, Energy North, Inc., d/b/a Energy Liquors, 156 Main Street

**Antiques License Renewals:**

- Edwin M. & Laura Howard, Howard's Flying Dragon Antiques, 136 Main Street

**Automatic Amusement License Renewals (2):**

- James N. Stavros, Cape Ann Golf Course Corp., d/b/a Fairway Pub, 99 John Wise Avenue

**Class II License Renewals:**

- Charles F. Coles, Jr. & Mark Gallagher, Dynamic Auto Brokers, 147 Eastern Avenue
- Michael Crowley, Gaybrook Garage, 152 Western Avenue

**Common Victualler License for 2019:**

- Joshua Silverstein, RDS Restaurant Group, d/b/a The Mill, 121 Eastern Avenue

**Common Victualler License Renewals:**

- Mark Audette, Aztec LLC, d/b/a Village Restaurant, 55 Main Street
- Allen W. Matthews, Blue Marlin Grille, Inc., 63 Eastern Avenue
- Bradley Atkinson, BN Farm LLC, d/b/a The Farm, 233 Western Avenue
- James N. Stavros, Cape Ann Golf Course Corp., d/b/a Fairway Pub, 99 John Wise Avenue
- Abdessamad Madkour, Energy North, Inc., d/b/a Energy Liquors, 156 Main Street
- Adrian Wilkins, Essex Meeting & Retreat Center, LLC, 1 Conomo Point Road
- Patrick Shea, Hog Island Inc., d/b/a C.K. Pearl, 112 Main Street
- Roy Serpa, MAIA LLC, d/b/a Dunkin Donuts, 125 Main Street
- Corey Matthews, MRG, Inc., d/b/a The Boathouse, 234 John Wise Avenue
- Curt Bergeron, Riversbend at Essex Marina, LLC, d/b/a Riversbend, 35 Dodge Street

**Innholder's License Renewal:**

- Adrian Wilkins, Essex Meeting & Retreat Center, LLC, 1 Conomo Point Road

**Sunday Entertainment License Renewal:**

- Bradley Atkinson, BN Farm LLC, d/b/a The Farm Bar and Grille, 233 Western Avenue
- Patrick Shea, Hog Island Inc., d/b/a C.K. Pearl, 112 Main Street

**Weekday Entertainment License Renewal:**

- Allen W. Matthews, Blue Marlin Grille, Inc., 63 Eastern Avenue
- Bradley Atkinson, BN Farm LLC, d/b/a The Farm, 233 Western Avenue
- James N. Stavros, Cape Ann Golf Course Corp., d/b/a Fairway Pub, 99 John Wise Avenue
- Patrick Shea, Hog Island Inc., d/b/a C.K. Pearl, 112 Main Street
- Curt Bergeron, Riversbend at Essex Marina, LLC, d/b/a Riversbend, 35 Dodge Street

The Selectmen were reminded that the next regular Board of Selectmen's meeting will take place on Monday, December 16, 2019, at 6:00 p.m. in the 2<sup>nd</sup> floor Stage Conference area of the Town Hall on Martin Street.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 7:26 p.m.

Documents used during this meeting include the following: None.

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

Attested by: \_\_\_\_\_  
Peter D. Phippen