

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

**June 29, 2020**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at [www.essexma.org](http://www.essexma.org). For this meeting, members of the public who wish to listen to the meeting may do so via Conference Call. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting. **The call-in number will be: 717-275-8940. The access code is: 8378315. Please mute your phones. If you do not have a mute button, press \*6 (star 6) to mute and unmute from a landline phone.**

Present: Chairman Ruth R. Pereen, Selectman Peter D. Phippen, Selectman Guy D. Bradford, Chief Paul Francis, and Selectmen's Assistant Pamela J. Witham.

Present via Telephone Conferencing: Town Administrator Brendhan Zubricki.

Also Present via Telephone Conferencing: Michael & Virginia Antell, Dan Fialho, Joan Herrmann, Tina Lane, Antonella Muniz, and others.

Chairman Pereen called the meeting to order at 6:00 p.m. and asked anyone wishing to make a Public Comment to email their comments to Town Administrator Brendhan Zubricki: [bzubricki@essexma.org](mailto:bzubricki@essexma.org) The comments will be read from time to time throughout the meeting.

Chairman Pereen said she would like to welcome newly elected Guy Bradford to his first Select Board meeting as a Board member. Mr. Bradford recently served on the Finance Committee.

In other business, a motion was made, seconded, and unanimously voted to approve the FY2020 weekly warrant dated 6/30/20 in the amount of \$293,222.67 and the FY2021 weekly warrant dated 7/2/20 in the amount of 661,263.91.

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 06/18/2020 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	05/24/2020	\$ 45.00	Highway

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 06/25/2020 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>
Scott DeWitt	Perkins Marine	04/21/2020	\$ 2,113.00	Harbormaster

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's June 15, 2020, Open Meeting.

The Board acknowledged a vacancy on the Finance Committee due to the election of former Finance Committee member Guy Bradford to the Board of Selectmen.

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

Essex Cultural Council for 3 years:

- Janet Carlson
- Robyn Kanter

Emergency Management Director for 1 year: Daniel Doucette

Finance Committee for 3 years: Michael Flynn

Fire Engineers Board for 1 year:

- Daniel Doucette, Fire Chief
- Keith Carter, Deputy Chief
- Ramie Reader, Deputy Chief

Fire Department for 1 year:

- Ernest Nieberle, Jr., Firefighter, Captain
- Travis Good, Firefighter, Lieutenant
- Cory Jackson, Firefighter, Lieutenant
- Joseph Lafata, Firefighter, Lieutenant
- David Thompson, Firefighter, Lieutenant
- Daniel Ball, Firefighter
- John Bateman, Firefighter
- Craig Carter, Firefighter
- Robert Cavender, Firefighter
- Philip C. Cicala, Firefighter
- Samuel Crocker V, Firefighter
- Colt Donahue, Firefighter
- Richard Dort, Jr., Firefighter
- Daniel Fialho, Firefighter
- Michael French, Firefighter
- Christian Hassel, Firefighter
- Jason Heath, Firefighter
- Peter Hoare, Firefighter

- Barry Leeds, Firefighter
- Amy McNeilly, Firefighter
- James McNeilly, Firefighter
- Edward S. Neal, Firefighter
- Jon O'Bryan, Firefighter
- Nicholas Ouellette, Firefighter
- Kent Parsons, Firefighter
- Joan Perrigo, Firefighter
- Anthony Pizzo, Firefighter
- Andrew Ray, Firefighter
- Sean Reed, Firefighter
- Ryan Santos, Firefighter
- Michael Soucy, Firefighter
- George Stavros, Firefighter
- Eian Woodman, Firefighter
- Christopher Doucette, Firefighter, Probationary
- Jason Hammer, Firefighter, Probationary
- Patrick Roddy, Firefighter, Probationary
- Erin Kirchner, EMT, Probationary
- Benjamin Pike, EMT, Probationary

Forest Fire Warden for 1 year: Daniel Doucette

Open Space Committee for 1 year:

- Nancy Dudley
- Tamson Gardner
- Lysa Leland
- Julie Scofield

Police Officer, Part-Time for 1 year: Justin Symonds

Town Clerk, Assistant One, for a partial 3-year term: Dawn Burnham

Veterans' Graves Officer for 1 year: Blake Story

A motion was made, seconded, and voted by Selectman Phippen and Selectman Bradford to approve the reappointment of David Preen, Firefighter, Lieutenant for 1 year. Chairman Ruth Preen abstained from voting.

Discussion regarding a request for Alteration Of Premises by J.T. Farnhams was tabled pending receipt of completed application documents.

A motion was made, seconded, and unanimously voted to approve a request for a Student Shellfish Permit by Andrew Cort.

A motion was made, seconded, and unanimously voted to approve the Chairman's signature on the Police & Fire Accident Insurance Renewal forms for FY2021.

After some discussion with the leaseholder, a motion was made, seconded, and unanimously voted to approve a building permit for a handicap access ramp for 172 Conomo Point Road.

The Board and Chief Francis briefly discussed the current parking and access restrictions at Conomo Point and whether any of the current practices and restrictions should be modified or removed. Subsequently, a motion was made, seconded, and unanimously voted to open up roadside parking along the River portion of Conomo Point Road at Conomo Point to Essex residents only.

The Board discussed formulating a specific process to evaluate municipal revenue throughout fiscal year 2021. Discussion included the possibility of requiring spending cuts within the Town operating budget in order to maintain a balanced budget, as a result of the additional, unforeseen expense due to the COVID-19 pandemic. Coordination with the Finance Committee and the Town Accountant were also matters for consideration. Mr. Zubricki announced that he had received an email from Ed Neal regarding this matter. Mr. Neal suggested that any deviation from the budget voted by Town Meeting be tagged with a specific label, such as "budget amendment". Following the discussion, a motion was made, seconded, and unanimously voted to authorize the Town Administrator to work with the Town Accountant to draft a memo to all departments urging caution in spending during FY21. The memo will be reviewed by the Board at their next meeting and actual spending freezes will not be considered until after the Board reviews first quarter revenue, likely in October.

Those present discussed the Fire/Police Facility Dedication Plaque to be placed in the upper level of the new public safety building. All agreed, and a motion was made, seconded, and unanimously voted that the plaque would be dated 2021, with the Select Board members as of 2021 listed on the left side of the plaque and the Town Administrator, the Town Building Committee Chair, the Fire Chief, and the Police Chief listed on the right. Mr. Zubricki will ask Johnson Roberts for an updated representation of the plaque, based on these voted changes.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period June 13, 2020 through June 26, 2020, regarding the following:

Parking & Speed Management Near Farnham's Restaurant, Route 133: Mr. Zubricki said that he had spoken with the owners of J.T. Farnham's regarding MassDOT's two proposals for restriping lanes by their restaurant. J.T. Farnham's owners prefer Option #2, which would provide a wider shoulder on the Farnham's side of Route 133. The Board was in agreement and a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to speak to MassDOT regarding actual implementation of the Town's and J.T. Farnham's owners' preference for Option #2.

Route 133 Bridge Replacement Design Public Hearing Webinar: Mr. Zubricki reminded everyone that MassDOT will be presenting a pre-recorded informational webinar starting on June 30 regarding the Causeway Bridge replacement project. The presentation can be accessed

anytime and it will provide instructions with respect to how to register comments or questions with DOT.

Change Order: Miscellaneous Credits & Rebar Modifications-Public Safety Facility: Mr. Zubricki informed the Board that there has been no formal paperwork received regarding this item. Discussion was postponed for the time being.

Public Safety Facility Project Construction Update: Mr. Zubricki reported that the project continues to progress. The contractor is getting ready to put the binder coat on all the paved surfaces. Presently, the completion date is estimated to be March 5, 2021. Other current construction includes completing the slabs, masonry, and utility preparation.

Award of Contract for Downtown Line Striping and Signage: The bid deadline for this project was last Thursday at 12 noon. Only one bid had been received from Hi-Way Safety Systems, Inc. in Rockland, Maine, in the amount of \$20,150.00. The bid amount was well within the amount set aside for the project. A motion was made, seconded, and unanimously voted to award the contract for the pavement marking and signage project to Hi-Way Safety Systems, Inc. Mr. Zubrick will work with the Town's engineering firm, TEC, regarding project schedule.

Possible Alternative On-Bill Energy Credits (AOBCs) for Off-Site Solar: Mr. Zubricki reported that the Town has been approached by a firm to conduct an energy study regarding a solar project that could result in energy savings to the Town. The Town had previously sought to collaborate with Manchester on a similar project. The Board was in favor of the idea and a motion was made, seconded, and unanimously voted to authorize the firm's study and provide the firm with access to the Town's energy consumption records with National Grid. The firm will then provide a full proposal on savings to the Board. The project in question will be far removed from Essex and the Town will just be a subscriber to the project.

Possible Article Topics for Fall Town Meeting: Mr. Zubricki provided the Board with a list of proposed article topics for the Fall Town Meeting which the Board will review for discussion at their next meeting.

Promulgation of Local Marijuana Licensing Regulations: Mr. Zubricki reported that he had received two emails from residents expressing concerns about various aspects of the proposed marijuana facility on John Wise Avenue. The residents had suggested that these concerns be addressed in the Host Community Agreement and in the Town's licensing of the facility. After a short discussion, the Board authorized Mr. Zubricki to seek Town Counsel's advice regarding the usual and customary items to be included in local licensing regulations for further discussion at their next meeting.

Signature of One-Year School Lease Extension Agreement: The 20-year leases for the Essex Elementary School and Memorial School and for the Manchester Essex Middle and High Schools expire on June 30, 2020. The Town has been working with Special Counsel to draft an interim lease agreement. The interim lease would extend the current leases for just one year,

providing time to possibly negotiate new long-term leases and/or changes in the Regional Agreement that would recognize each town's equity investment in the school buildings. The Board approved the interim lease extension agreements and a motion was made, seconded, and unanimously voted to sign and forward them to Manchester and the Manchester Essex Regional School District for countersignature.

Update of Town Continuity of Operations Plan (COOP): Mr. Zubricki said that the plan, which provides for continued operation of the Town during a disaster has been updated to include the Town of Essex's recent partnership with the Town of Danvers for computer services and to also include the new fiber link to Danvers, in addition to updating the names of various Town officials. A motion was made, seconded, and unanimously voted to approve the updated plan. The Chairman signed the document which will now be forwarded to other departments for approval and signature.

The Board was reminded that the next regular Board of Selectmen's meeting will take place on Monday, July 13, 2020, at 6:00 p.m. in the 2<sup>nd</sup> Floor Stage Conference Area of the Town Hall, 30 Martin Street.

At 7:17 p.m., Chairman Pereen entertained a motion to move into Executive Session to discuss possible contract negotiations between the Board and the Essex Police Benevolent Association (EPBA). She said that discussing this matter in Open Session could have a detrimental effect on the Town's negotiating position. She invited the Town Administrator and Chief Francis to attend the Executive Session and said the Board would be returning to Open Session to complete the remaining items on the agenda. The motion was moved and seconded. Chairman Pereen said that she, Chairman Pereen voted aye in favor; followed by Selectman Phippen, who said that he, Selectman Phippen, also voted aye in favor; and Selectman Bradford also said his name and that he voted in favor of moving to Executive Session. The Board, their Assistant, the Town Administrator, and Chief Francis moved to Executive Session at 7:17 p.m.

The Board, their Assistant, the Town Administrator, and Chief Francis returned to Open Session at 8:00 p.m.

The Board agreed to take the recommendation to promote Detective Ryan Davis to Sergeant under advisement and noted that the matter would be brought up again at their next meeting.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting.

Documents used during this meeting include the following: None.

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

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