

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

October 19, 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. For this meeting, members of the public who wish to listen to and/or view the meeting may do so via Video Call (with the option to show yourself on video or not and with the option to use a phone to call in, for audio-only). 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 using the tools discussed below, 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 link you must follow to get to the video conference is:

<https://join.freeconferencecall.com/bzubricki>, and, if prompted, the on-line meeting ID is bzubricki. Depending on your device and software installed, you may be able to join directly, by web browser, or, you may have to download the application directly (you will be shown that choice when you go to the above link). You should be joined in mute mode. However, if that is not the case, please click on the audio icon to mute your microphone. You can choose to activate your camera to show yourself, or not. The camera should be off, by default, when you join.

If you do not have a digital device to join via the link above, you can also dial a telephone number and be directly connected to the meeting, via audio only. The call-in-only number is: (425) 436-6352 and the access code is 1729820.

In the event that the video conferencing system fails for some reason, the meeting will be broadcast on a different conference call line, accessed by telephone only, as follows: 717-275-8940. The access code is: 8378315. PLEASE DO NOT USE THIS BACKUP PROTOCOL UNLESS THE METHODS IN THE TWO PRECEDING PARAGRAPHS ARE NOT WORKING (NOT YOU JUST HAVING TROUBLE CONNECTING), SINCE THE BOARD WILL NOT BE MOVING TO THIS ALTERNATIVE NUMBER UNLESS THE PLATFORM FAILS FOR THE BOARD.

Present: Chairman Ruth R. Pereen, Selectman Peter D. Phippen, Selectman Guy D. Bradford, Selectmen's Assistant Pamela J. Witham, Police Chief Paul Francis, and, Reserve Police Officer Candidates Wesley Izidoro, Victor Munoz, and Meaghan Wonson.

Also Present via Telephone Conferencing: Town Administrator Brendhan Zubricki, Essex Merchants Group Representative Donna Roy, Harbormaster Dan Fialho, Town Accountant Virginia Antell, Youth Commission Chair Christina Bruce, and Tina Lane.

Chairman Pereen called the meeting to order at 6:04 p.m. in the 2nd floor Stage Conference Area of the Town Hall at 30 Martin Street and asked anyone wishing to make a Public Comment, to please email their comment to Town Administrator Brendhan Zubricki:

bzubricki@essexma.org. The comments will be read from time to time throughout the meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$1,179,677.28.

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 10-15-2020 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	09/24/2020	\$ 219.00	Police
Ernie Nieberle	Nieberle's	09/24/2020	\$ 235.50	Fire

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's October 5, 2020, Open Meeting.

A motion was made, seconded, and unanimously voted to confirm the Board's intention and to approve an increase in the fine for a general parking violation to from \$25 to \$50, in accordance with the recent Fall Town Meeting vote.

A motion was also made, seconded, and unanimously voted to increase the fine for parking within 10 feet of a fire hydrant, from \$25 to \$100.

The Board acknowledged receipt of three letters from non-residents regarding use of the Town boat ramp. The Board, the Police Chief, and the Harbormaster discussed the matter at length. All agreed to reconsider that matter at the start of next year's boating season in March.

A motion was made, seconded, and unanimously voted to authorize the Board's signature of easement paperwork from Verizon for the placement of a communications pole at the new public safety facility building site at 11 John Wise Avenue, outside of a meeting, once the paperwork becomes available.

Police Chief Paul Francis introduced Reserve Police Officer Candidate Wesley Izidoro to the Board and reviewed his extensive resume. The Board welcomed Mr. Izidoro to Essex and a motion was made, seconded, and unanimously voted to approve his appointment as a Reserve Police Officer contingent upon the usual drug and medical testing. Mr. Izidoro thanked the Board and left the meeting.

Next, Chief Francis introduced Reserve Police Officer Candidate Meaghan Wonson and reviewed her impressive resume. The Board also welcomed Ms. Wonson to Essex and a motion was made, seconded, and unanimously voted to approve her appointment as a Reserve Police Officer contingent upon the drug and medical testing. Ms. Wonson thanked the Board and left the meeting.

And, Chief Francis introduced Reserve Police Officer Candidate Victor Munoz and reviewed his numerous accomplishments. The Board welcomed Mr. Munoz, and a motion was made, seconded, and unanimously voted to approve his appointment to Reserve Police Officer contingent upon successful drug and medical testing. Mr. Munoz thanked the Board and left the meeting.

The Board commended Chief Francis on finding and presenting three strong candidates to the Board for appointment.

The Board and Chief Francis discussed the possibility of having to license marijuana delivery services based in other communities which may soon wish to operate in the Town of Essex. They agreed to table the discussion pending additional information and guidance from the Massachusetts Chiefs of Police and the Cannabis Control Commission (CCC), particularly because the CCC has not yet even finalized regulations concerning delivery.

A motion was made, seconded, and unanimously voted to approve a request from the Council on Aging to appoint Dawn Burnham to the Council on Aging Board for a partial 3-year term, ending 6/30/2023. The Board signed the appointment card.

The Board reviewed four letters, all nominating the same person, for this year's Employee of the Year Award. The Board agreed that this person has done an outstanding job, over and above the job requirements, and a motion was made, seconded, and unanimously voted to approve this person for this year's award.

Four people have been nominated to receive a Volunteer of the Year Award. While all four persons are highly deserving of the award, for volunteer work within the community, one of the criteria in choosing the recipient is that they serve on a Town board or committee and that the work in question is related to that board or committee. One of the four nominees serves on a Town board but the volunteer work in question was not related to that board. Therefore, the Board chose not to offer the Volunteer of the Year Award at this time. They agreed that they would like to work towards creating a third category of yearly award for a volunteer "at large", which would allow a volunteer who is not a member of a Town board or committee to be recognized for exceptional service. Candidates for that category may be sought and reviewed by a third party, with the award presented at the same time the Town presents its own awards.

The Board reviewed a letter from Mike Dyer regarding his concerns that boat traffic and excessive speeds on the Essex River are accelerating the erosion of the marsh. Selectman Phippen said that the continuing erosion is also due to natural causes such as the green crab and

sea level rise. In fact, reducing high boat wakes via additional enforcement may not even show appreciable improvement with respect to erosion, since natural causes are likely much more at play than boat wakes. Both Chief Francis and Harbormaster Fialho said that their department's resources do not allow them to maintain a presence on the River 24 hours a day, 7 days a week. This year, mostly because of the COVID crisis, there have been more boaters out on the River. Mr. Dyer's complaint is the only one that has been received this year and everyone agreed to continue to monitor the situation.

The Board reviewed a request from the lessees of 39 Middle Road to remove and replace an outbuilding and to renovate and reconfigure an existing patio and deck area. The Board was in favor of the requested changes and a motion was made, seconded, and unanimously voted to approve the request with the stipulation that the shed was not to be used for sleeping quarters, only storage. The Board said that in the future, they would like to have a better feedback regarding any changes made to structures on leased property at the Point.

Chairman Pereen announced the Quarterly Department Head segment of tonight's meeting at 7:08 p.m. Chief Francis led the discussion and reported that he is adding three new Reserve Officers to help out with shifts. He also reported that he is applying for a grant in the amount of \$40,000 to replace the department's outdated radios with digital radios. All the surrounding towns have upgraded to digital radios which will not communicate with non-digital radios. Chief Francis will also be seeking a technical grant in the approximate amount of \$186,000 for the purchase of body cameras for the police officers to wear and dashboard cameras for the police vehicles (cruisers). Reassessment of the department's accreditation is coming up and they are planning to hold a mock accreditation drill as soon as they can move into the new public safety building. The mock drill allows the department the opportunity to fix any potential problems before the actual accreditation test.

Harbormaster Fialho reported that he has had a busy year. The boating season has now ended and the buoys will be removed this weekend and the boat ramp will be removed the following week.

Town Accountant Virginia Antell reported on the first quarter's fiscal receipts versus expenditures and said that the Town is in good shape, despite the COVID crisis.

Christina Bruce, Chair of the Youth Commission, reported that the Commission is continuing to look for alternative ways to celebrate Halloween and Christmas.

Chief Francis left the meeting.

Donna Roy, from the Essex Merchants Group, reported that the Town businesses are looking for ways to continue to operate with the cold weather coming and the continuing COVID situation. Some businesses will be closing for the winter months.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period October 3, 2020 through October 16, 2020, regarding the following:

Development of Bid Documents for Public Safety Building Furnishings: Mr. Zubricki reported that he is working with department heads regarding a list of furnishings and equipment needed for the new public safety building. Some of the articles have already been purchased, such as audio visual and computer items. The Board agreed that he should release an invitation for bids for new or "like new" furniture as soon as department heads finalize the specifications.

Review of 75% Design Plans, Replacement of Essex River Bridge: MassDOT has now provided the Town with plans for the replacement of the Essex River Bridge that are 75% complete. The plans were forwarded to the department heads for comment and no additional comments were made. Mr. Zubricki has informed DOT that there are no additional comments.

Public Safety Building Construction Project Update: Mr. Zubricki reported that the project continues to be on schedule, with a projected completion date of late February/early March. Final paving and peripheral sidewalk work will not occur until April. As such, the fire and police departments will not be moving into the new building until then.

Application for Second Round of CARES Act Funding: Mr. Zubricki said that the Town has been awarded CARES Act funding, and to date, has only spent a small portion of it, since 75% of eligible costs is being covered by the FEMA disaster grant. Following discussion, a motion was made, seconded, and unanimously voted to approve the application for the second round of CARES Act funding, for the remaining balance. A motion was also made, seconded, and unanimously voted to consider sharing some of the funding, up to \$80,000, with the School District. It is possible that even more funding will be offered to the District later in the year if the Town does not see any surprise costs, FEMA funding comes in as expected, and the State does not extend the CARES spending deadline.

School Budget Group Meeting Summary: Mr. Zubricki said that the District is anticipating that grades kindergarten through grade 5 will begin attending class at the school. Attendance will be phased in over a two-week period, starting around the end of October. At present, there is no plan for the secondary grades to resume attendance at the school buildings.

On another school matter, the District has requested that discussion of a revision to the Regional Agreement by Town Meetings in the two towns, that would include acknowledgement of each town's equity in the school buildings, be postponed due to the ongoing COVID crisis. The matter will be brought up next fall and an additional, one-year, temporary lease extension can be arranged in the meantime.

Fall Town Meeting Review & Draft Item List for Annual Town Meeting: Mr. Zubricki reviewed the initial draft of the list of possible items to include in the Warrant for the May 3, 2021 Annual Town Meeting. After Board discussion, Mr. Zubricki will move some items from tier 2 up to tier 1 priority.

Planning for Possible Halloween and Christmas Activities: The Board of Health and the Board of Selectmen held a joint meeting last week to discuss possible Town sponsored activities to celebrate Halloween. Both Boards had agreed to issue a joint statement, drafted by the Board of Health, to the effect that they are not recommending trick or treating and will not be closing any streets. Residents will be advised to trick or treat at their own risk and will be provided with a list of lower-risk activities. No decision has been made as yet regarding possible Christmas festivities, but the two boards will likely meet in the future to discuss.

Mr. Zubricki read a letter from the owners of J.T. Farnham's Restaurant thanking the Board for their successful efforts working with MassDOT to restripe the lanes and parking areas on Eastern Avenue by the restaurant.

Chairman Pereen said that the Board would like to help the businesses as much as possible. Since all the businesses are unique, it would be helpful if the business owners would submit suggestions to the Board on ways the Board could assist them, such as pursuing specific grants. Donna Roy, the Essex Merchants Group Representative, said that they would like the Town to increase the \$500 amount budgeted for Promotion of Town Resources. Town Accountant Antell said she would find out if CARES Act money could be used. Selectman Bradford agreed to draft a letter from the Board to Town businesses, soliciting suggestions from the businesses on ways the Board could help promote the businesses and help them cope with the current requirements in place as a result of the COVID situation.

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

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: A letter from J.T. Farnham's Restaurant.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Peter D. Phippen