

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

**November 30, 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 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 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.

Present: Chairman Ruth R. Pereen and Selectmen's Assistant Pamela J. Witham.

Also Present via Video Conferencing: Selectman Peter D. Phippen, Selectman Guy D. Bradford, Town Administrator Brendhan Zubricki, Virginia and Michael Antell, Tom Beale, Michele French, Jodie Harris, Tina Lane, Mark Lynch, Lauren Muise, Ken Riehl, Donna Roy, and Kristin Walker.

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

Mr. Zubricki began the meeting with the presentation of his Town Administrator's Report for the period November 14, 2020 through November 27, 2020, regarding the following:

Strategic Planning Committee Meeting Summary and Representation: Mr. Zubricki reported that both he and Chairman Pereen had virtually attended the recent Strategic Planning Committee meeting. Attendance at the meeting was one member short of a quorum, and those present had reviewed the committee's accomplishments to date. It has been five years since the committee had developed their strategic plan for the Town and the Committee hopes to convene in the new year to work on the next five-year iteration of the plan. Chairman Pereen said that she would like to be appointed as the Selectmen's liaison to the Committee and a motion was made, seconded, and voted by Selectman Phippen and Selectman Bradford to appoint her to the SPC to fill the vacancy left by Andrew Spinney. Chairman Pereen abstained from voting and the motion carried.

Public Safety Building Construction Project Update: Mr. Zubricki said that he had recently toured the Public Safety Building with Fire Chief Doucette and Police Chief Francis on a furniture planning visit. Mr. Zubricki said that the project is continuing to progress and the crew is currently working on the interior, including installing wallboard throughout the project.

Public Safety Building Change Order #9: Barn Door Detail; Air & Vapor Barrier at Soffit; Landscaping Revisions; Kitchen Hood Duct Changes; and Credit for Helmet Holder: Mr. Zubricki reviewed each of the items included in Change Order #9. The total additional net cost for the proposed changes is \$15,303. Following the review and a short discussion, a motion was made, seconded, and unanimously voted to approve and sign Change Order #9.

Potential Construction Credit, Public Safety Building Cedar Shingles Coating: Mr. Zubricki said that it has been suggested that the shingles on the building be left to naturally weather, instead of applying an overall gray coating, thereby saving the cost of the labor and materials. Following a short discussion, the Board agreed that it would be advisable to have the shingles coated as specified in the original plan.

Addition of Concrete Parking Slab to Public Safety Building Project: Mr. Zubricki asked the Board to consider the addition of a concrete parking slab at the project site, an idea proposed by the Chief of Police. The slab would be used for parking police trailers and other equipment instead of parking those items on the dirt. The Board was generally in favor of the idea, contingent upon approval by the Conservation Commission. This item will be included in a change order and voted on at a future meeting.

Research Concerning Possible Purchase of Railroad Property: Mr. Zubricki reported that he had gotten the name of the holding company for the old B&M railroad property and had contacted their representative. The property in question is for sale for \$40,000. The Board decided to postpone discussion of this item until their next meeting on December 14, at which time they have an appointment with the resident who is proposing the rail trail project. The Board's current thinking is that the Martin Street section of the proposal trail should not be reviewed

further, since many abutters along that corridor are opposed to a public trail in that area and since a portion of the corridor is already privately owned (breaking up the ability to connect to the railroad-owned parcel). The Board is presently not in favor of a Town purchase, since abutters, if interested, could directly purchase the railroad parcel.

School Budget Collaboration Group Meeting Summary: Mr. Zubricki said that he, Selectman Bradford, and Finance Committee Chair Ben Buttrick had virtually attended a recent preliminary meeting regarding the proposed school budget. The next meeting is planned for December 2, during an Essex Finance Committee meeting, and will include school officials, the Selectmen, and the Finance Committee.

Draft Annual Town Meeting Topic List: The Board discussed the priority of certain proposed Town Meeting articles and Mr. Zubricki will again revise the list.

EPA Building Blocks Grant Program Regional Application: A motion was made, seconded, and unanimously voted to ratify Mr. Zubricki's signature on a letter of support to be included in the Cape Ann Climate Coalition's grant application to the Environmental Protection Agency's Building Blocks for Sustainable Communities grant program.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$113,647.44.

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 11/19/2020 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	10/24/2020	\$ 678.62	Highway

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's November 16, 2020, Open Meeting.

Chairman Pereen said that she would like to congratulate the Police Department for their receipt from the Byrne Justice Assistance Grants (JAG) program, a Local Law Enforcement (LLE) Grant for portable police radios, in the amount of \$39,385 (the grant contract was signed and returned by the Chief of Police as pre-authorized by the Board).

Chairman Pereen reported that she had attended the recent Finance Committee meeting, at which the Finance Committee had voted to level fund the budget for FY2022. The Board was in agreement with the Finance Committee vote, and a motion was made, seconded, and unanimously voted to support and approve level funding the FY2022 budget, except for pre-existing contractual obligations and except for the cost of moving to a new email platform.

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

Antiques License Renewal:

- Vincent W. Caravella, The Scrapbook, 34 Main Street
- David Neligan, DPN Corp., d/b/a David Neligan Antiques, 38 Main Street
- Andrew Spindler Roesle, Andrew Spindler Antiques, 163 Main Street

Common Victualler License Renewal:

- Adrian Wilkins, Essex Meeting & Retreat Center, LLC, 1 Conomo Point Road
- Roy Serpa, MAIA LLC, d/b/a Dunkin Donuts, 125 Main Street
- Joshua Silverstein, RDS Restaurant Group d/b/a The Mill, 121 Eastern Avenue

Innholder's License Renewal:

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

The Board was reminded that the Board will meet jointly with the Essex Finance Committee and the Manchester Essex Regional School Committee to discuss planning for the FY2022 School District budget on December 2, 2020 at 7 p.m., virtually.

The Board will also meet again jointly with the Essex Finance Committee, the Manchester Essex Regional School Committee, and personnel and officials from the Town of Manchester, to participate in the FY2022 School District budget Tentative Budget Hearing on December 9, 2020 at 6 p.m., virtually.

The next regular Board of Selectmen's meeting will take place on Monday, December 14, 2020, at 6:00 p.m. in the 3<sup>rd</sup> Floor Auditorium of the Town Hall, 30 Martin Street.

Mr. Zubricki and the Board discussed recent feedback from the Cape Ann Chamber of Commerce and the Essex Merchants' Group regarding a draft letter prepared by the Selectmen to the business community, seeking input from the community on ways the Town might assist individual businesses. The Board reviewed the suggested changes and Mr. Zubricki will work with Selectman Bradford to revise the letter which will be sent back to the CACC and the EMG for distribution to their members.

On a related matter, Mr. Zubricki said that the Economic Development Committee will be compiling a survey to be sent to the business community. The Board agreed that the survey should contain both factual questions and exploratory, open-ended questions to help the Committee determine and assess the business community and its needs.

Both Donna Roy and Ken Riehl strongly urged the Town to increase its budget for Promotion of Town Resources/Businesses and to consider waiving the fees/refunding the fees for license renewals. They said that the businesses needed to be promoted now more than ever. Board members explained that it may be difficult to restore any promotional funding in light of the uncertainty caused by the ongoing COVID-19 crisis. Further, the Chamber's request for waiving licensing fees comes very late into the license renewal process and most businesses have already paid the fees. The Board is not in favor of issuing refunds.

Discussion continued concerning the latest draft of the revised one day entertainment licensing application form. Subsequently, a motion was made, seconded, and unanimously voted to make two minor changes and to approve the revised application for immediate use. Changes include the addition of a statement that makes clear that any business that already has an annual entertainment license does not need to use the one-day form, so long as the activity is within the confines of that annual license; and the addition of a sign-off line for the Police Department.

Discussion followed regarding the issuance of one-day entertainment permits for the upcoming 2021 season, in light of COVID restrictions. Comments and questions from Donna Roy, Lauren Muise, and Ken Riehl were answered by the Board. It was agreed by everyone that current COVID standards would continue to be observed. If the standards changed during the time that elapsed from the approval of a one day entertainment license and the event, and the business wished to take advantage of the new standards, the business would be required to submit a request to amend the original license and there would be no fee for the amendment.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 7:56 p.m.

Documents used during this meeting include the following: None.

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

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