

Selectmen's Minutes
Town Hall, 3rd Floor Auditorium, 30 Martin Street

August 9, 2021

Note: This meeting will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote, audio-only attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or its quality, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

Call in Phone Number: 605-562-8401 Password: 8378315

Present: Chairman Ruth R. Pereen, Selectman Peter D. Phippen, Selectman Guy D. Bradford, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also Present: Shelly Bradbury, Police Chief Paul Francis, Brooke Friedrich, Andrew Gold, Tina Lane, Antonella Muniz, Treasurer/Collector Jeff Soulard, and Terry and John Tremblay.

Chairman Pereen called the meeting to order at 6:00 p.m. in the 3rd floor auditorium of the Town Hall at 30 Martin Street. She announced that Jodi Harris is waiting for another quote regarding the costs associated with the repairs needed for the Memorial Park tennis courts and was unable to make tonight's meeting. Ms. Harris is helping to coordinate a private fundraising effort to renovate the courts. Chairman Pereen said discussion of this matter would be tabled until the next Board meeting.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$256,389.17.

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's July 26, 2021, Open Meeting.

A motion was made, seconded, and voted to accept a donation from Pereen Plumbing in the amount of \$1,100 for the purchase of a LIDAR speed detection unit for the Police Department. Chairman Pereen abstained.

The Board briefly discussed the best time to hold a public Open House at the new public safety building and agreed that sometime after Labor Day would be best, possibly Saturday, September 18th. The Chief of Police was in attendance and he agreed that the 18th would work well. Mr. Zubricki will reach out to the Fire Chief as well.

Chairman Pereen announced that a petition had been received requesting that the Board consider naming the baseball field closest to the Field of Dreams parking lot, The Michael Phillips Memorial Field. The petition is in the process of being certified by the Town Clerk and will be discussed at the next Board meeting on August 23. The Board's facility naming policy requires

that any requests for naming first be announced at a public meeting and taken up for actual consideration at a subsequent meeting.

A motion was made, seconded, and unanimously voted to ratify the Selectmen's signature of the Board of Public Works' contract for roadway resurfacing with the BitCon Corporation.

The Board considered supporting the immediate passage of the Green Future Act, an act achieving a green future with infrastructure and workforce investments (H.3292). Mr. Zubricki reviewed a letter from Senator Tarr urging caution in this matter since it is not clear whether other, unrelated topics will be added into the bill. The Board chose to take no action.

Mr. Zubricki said that a limb from a tree on Town-owned land had damaged the roof of a cottage on Town leased property at Conomo Point. A motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to discuss and approve reimbursement for the cost of roof repairs with the tenant at 136 Conomo Point Road. The tenant is presently working on getting the repairs quoted.

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

Senior Shellfish Permit: Glenn Towne

Student Shellfish Permit: Mersades Bybee

One-Day Wine and Malt Permit:

- Essex County Greenbelt, Jane Rumrill, for use on Saturday, September 18, 2021, between the hours of 11:30 a.m. and 3:00 p.m.

One-Day Entertainment Permit:

- Essex County Greenbelt, Jane Rumrill, for use on Saturday, September 18, 2021, between the hours of 11:30 a.m. and 3:30 p.m., to play a family friendly playlist over a small amplification system, facing away from closest neighbors.
- Essex County Greenbelt, Jane Rumrill, for use on Saturday, October 23, 2021, between the hours of 1:00 p.m. and 4:00 p.m., small ensemble to play amplified music inside tent.

The Board was reminded that their next regular Board of Selectmen's meeting will take place on Monday, August 23, 2021, at 6:00 p.m. in the 2nd Floor Stage Conference Area at the Town Hall at 30 Martin Street.

Mr. Zubricki reported that the Harbormaster has reported that the boat ramp at the Town Landing has developed sharp drop offs. The Town has a Chapter 91 license for the ramp and has the right to maintain the ramp without seeking additional approval. The Board was in agreement and a motion was made, seconded, and unanimously voted to authorize Mr. Zubricki to work with the Harbormaster and the Department of Public Works to make the necessary repairs.

At 6:15 p.m., a motion was made and seconded to move to Executive Session for employment contract negotiations with non-union personnel (incoming Treasurer/Collector Brooke Friedrich

and incoming Town Accountant Jeff Soulard). The Chairman announced that the Board would be returning to open session after the completion of the Executive Session, to continue with regular business. Following a unanimous Roll Call Vote, the Board, their Assistant, and the Town Administrator, moved to Executive Session in the Town Administrator's office on the second floor. The Board invited Jeff Soulard to join them and Brooke Friedrich was expected to join them after Mr. Soulard completed his discussions and left the meeting.

The Board, their Assistant, and the Town Administrator returned to Open Session in the third floor auditorium at 6:25 p.m.

The Board continued their review with Police Chief Francis of the department's draft body and cruiser camera use policy. Selectman Bradford suggested that a preamble be added to the policy and Chief Francis agreed. The department will be applying for a State grant and a copy of the camera use policy must accompany the grant application. All agreed that the policy is a living document and that suggestions to revise and improve the policy over time can be considered by the Chief. The Chief also indicated that he was open to public input with respect to this new policy or any other policy and that changes could be made at his discretion, if warranted, in the future.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period July 24, 2021 through August 6, 2021, regarding the following:

Zoning Board of Appeals Cell Tower Variance Hearing Summary: Mr. Zubricki reported that both he and Chairman Preen had attended the recent continuation from last April, of a public hearing regarding a request for a variance to allow placement of a cell tower at 65 and 73 Eastern Avenue. After some discussion, the hearing was again continued until September 1 to allow the applicant to obtain an affidavit proving that the owner of one of the alternative sites was, in fact, contacted about possibly siting the cell tower on her property.

Town Planner Vacancy Update: Mr. Zubricki said that he has received two letters of interest regarding the part-time opening for Town Planner. After reviewing both resumes, it was agreed that Dana Menon would be asked to come for an interview to the next Select Board meeting on August 23. Mr. Zubricki said that the position posting was still open and that he would keep the Board informed about any new applicants who could also possibly be interviewed on the 23rd.

Mobilization of Old Fire/Police Station Demolition Contractor: The contract for the demolition has been awarded and Mr. Zubricki is waiting for the contractor to mobilize. A meeting will be scheduled with the contractor via the Town's Project Manager to discuss the project and develop a time line.

Public Safety Facility Construction Project Update: The building has received its final certificate of occupancy and the project team continues to complete the final punch list items. The fencing materials are expected to be delivered on August 12.

Further Inspection of New Public Safety Facility Roof by Consultant: The third party consultant has inspected the roof and he is compiling his final report which will be reviewed at the Board meeting on August 23, if the report is available by then. Thus far, the consultant is focusing on the orientation and attachment methods associated with the underlying nail boards.

School Budget Collaboration Group Meeting Summary: Selectman Bradford and Mr. Zubricki attended the recent School Budget meeting. According to school officials, the school budget will most likely continue to grow each year by 3.2 to 3.5 percent if the school continues to offer the same programs. The group discussed the possibility of creating two stabilization funds, one for each town. The funds would be used to offset an unforeseen spike in apportionment in any given year. The District is also considering its own stabilization fund that will keep the overall increase within the desired range.

Essex Housing Coalition Meeting Summary: Mr. Zubricki said that he had attended the recent virtual meeting of the Coalition. The Coalition's primary focus now that the mixed-use downtown zoning district has been established, is to create the Town's first affordable housing project.

Zoning Review Discussion with Metropolitan Area Planning Council (MAPC): Mr. Zubricki has enlisted the help of the MAPC for development of a scope of work for the first phase of review of the Town's zoning bylaws. Mr. Zubricki said that the Town will apply for a community compact best practices grant which would fund the scope of work once MAPC also develops a cost estimate for the work. The grant program opens on August 15 and Mr. Zubricki shared with the Board MAPC's draft scope of work. The Fall Town Meeting could be asked for funding that would also allow MAPC to help the Town apply for additional grants, which are expected to be available in the spring.

Continued Discussion of Draft Fall Town Meeting Topics: Mr. Zubricki reported that no new items have been added. However, a resident has suggested a change to the Town by-laws regarding parking stickers (which the Board is not in agreement with). Also, the Town Clerk is reviewing the parking by-laws and will be working with the Department of Public Works to ensure that the DPW's transfer station sticker regulations and the Town parking sticker by-law agree. Any proposed changes to the bylaw will have to be approved at Town Meeting.

At 7:05 p.m., a motion was made, seconded, and unanimously voted to open a Public Hearing to discuss applications from BB Botanics for local licensure of marijuana cultivation and retail sale establishments at 242 John Wise Avenue. The Chairman asked if anyone present had any questions for John Tremblay and no one did. The Board did not have any questions. Mr. Zubricki asked Mr. Tremblay to clarify their proposed hours of operation and Mr. Tremblay stated that their hours of operation would be from 10:00 a.m. to 8:00 p.m., daily, seven days per week (which is in agreement with the Special Permit recently granted by the Planning Board). The Board reviewed a letter from the Ipswich Board of Selectmen expressing concern over the proposed establishments. (The letter is appended to these minutes.) A motion was made, seconded, and unanimously voted to close the hearing. There was no discussion and a motion

was made, seconded, and unanimously voted to approve the licenses for the two establishments for operation between 10:00 a.m. and 8:00 p.m., seven days per week. The Board congratulated the Tremblays and their staff.

There were no public comments.

There being no other business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 7:10 p.m.

Documents used during this meeting include a letter from the Ipswich Board of Selectmen and is attached hereto.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Peter D. Phippen