

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

**February 22, 2021**

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.

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

Present via Video Conferencing: Selectman Peter D. Phippen, Selectman Guy Bradford, Town Administrator Brendhan Zubricki, Virginia Antell, Daniel Auditore, Tom Beale, Alden Blodget, Danny Bruce, Ben Buttrick, Philip DeNormandie, Scott DeWitt, Michelle Dyer, Dan Fialho, Rob Fitzgibbon, Michael Flynn, Paul Francis, Michael Galli, Eileen Hardy, Jodi Harris, Sarah Hickler, Bob Jerin, Shirley Kearns, Tina Lane, Nina McKinnon, Antonella Muniz, Ed Neal, Kim Noble, Lisa O'Donnell, Mark Renzi, Holly Riehl, Donna Roy, Paul Rullo, Barbara Russell, Jim Sanford, Charles Storey, Allison Williard, and William Yates.

Chairman Pereen called the meeting to order at 6:03 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.

In other business, a motion was made, seconded, and followed by a unanimous Roll Call Vote to approve the weekly warrant in the amount of \$1,394,018.50.

A motion was made, seconded, and approved by a unanimous Roll Call Vote to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 02/11/2021 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	01/24/2021	\$ 1,796.76	Police
Ernie Nieberle	Nieberle's	01/24/2021	\$ 45.90	Fire

A motion was made, seconded, and approved by a unanimous Roll Call Vote to exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within the 02/18/2021 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	01/24/2021	\$ 1,254.30	Snow
Ernie Nieberle	Nieberle's	01/24/2021	\$ 184.95	Wastewater
Jim McNeilly	McNeilly EMS	02/03/2021	\$ 14.00	Fire
Jim McNeilly	McNeilly EMS	02/09/2021	\$ 199.00	Fire

A motion was made, seconded, and followed by a unanimous Roll Call Vote to approve the minutes for the Selectmen's February 8, 2021, Open Meeting.

A motion was made, seconded, and followed by a unanimous Roll Call Vote to approve the health insurance rate increase for fiscal year 2022 (1.0%) and accept a one-time premium credit equating to 8.3% of the fiscal year 2021 total premium, to be credited against the fiscal year 2022 premium. Mr. Zubricki also reported that the Town could save another 1/2 % if the current Dental Insurance carrier, Altus, is switched to Blue Cross/Blue Shield, along with picking up BCBS voluntary vision coverage. The Board agreed that Mr. Zubricki should explore that offering and work with the labor unions as necessary to propose it if the proposal carries better coverage for less money.

A motion was made, seconded, and unanimously voted by Roll Call Vote to authorize the Chairman's signature on the Local Cultural Council contract with the State for a grant in the amount of \$4,900.

A motion was made, seconded, and unanimously voted by Roll Call Vote to authorize the Chairman's signature on the State COVID-19 Expense Reimbursement Application in the amount of \$14,705.88 from the Metropolitan Area Planning Council when it becomes available.

A motion was made, seconded, and unanimously voted by Roll Call Vote to approve the request from the Council on Aging to appoint Susan Parady to the COA Board for a partial 3-year term, ending 6/30/22. The Board signed the appointment card.

A motion was made, seconded, and unanimously voted by Roll Call Vote to acknowledge the resignation of Charles McNeil from the Strategic Planning Committee.

A motion was made, seconded, and unanimously voted by Roll Call Vote to acknowledge the resignation of Robert Coviello from the Economic Development Committee and from the Strategic Planning Committee.

Mr. Zubricki said the Strategic Planning Committee is now looking for candidates from the business and shellfish communities to fill vacant seats on that committee. He asked the Board to consider recommending names at the next meeting, if members are able to find interested parties.

A motion was made, seconded, and unanimously voted by Roll Call Vote to approve and sign a successor employment agreement with Town Administrator Brendhan Zubricki.

Mr. Zubricki reported that he had looked at the current layout of closed-circuit monitoring cameras in the new public safety building after the police department had expressed concern over the coverage of some areas. He said that there are, in fact, areas that are not covered and recommended that cameras should be installed in those areas. Whether or not additional cameras should be placed in areas that are already covered or cameras in those areas should be relocated remain open questions. After Board discussion, it was agreed that Mr. Zubricki would consult with the system supplier regarding the capabilities of the current system and ask whether that network should be expanded or altered in any way, preferably after a site visit involving the police department. This item will be discussed again at the Board's next meeting on March 8.

The Board reviewed a letter from the Council on Aging requesting a local vaccination site. The reason that Essex does not have a local vaccination site is because the town is too small to attract interest from a provider and our own Board of Health does not have adequate resources to set up a municipal clinic. The Board of Health Agent and the COA Director have worked with Mr. Zubricki, Conley's Pharmacy, and other towns to provide access to Essex residents. The COA is satisfied with the actions taken.

A motion was made and seconded and unanimously voted by Roll Call Vote to approve the following requests for Shellfish Permits.

Non-Resident Shellfish Permit:

- Michael C. Rogers, Georgetown, MA sponsored by Louise Holland
- George Smolinski, S. Hamilton, MA sponsored by Alexander Dale

Commercial Shellfish Permit:

- David Burnham
- Brian Carlson
- Kristina Jacobs
- Matthew Jacobs
- Mark Jordan
- Edward G. Lane
- Judson Lane
- Matthew E. Lane
- Matthew G. Lane
- Amanda Loebelenz
- Brian Loebelenz
- Josephine MacDougall

- Phillip MacDougall
- Bruce Mello
- George E. Mullin
- Tomaz Tofuri

**Commercial Student Shellfish Permit:**

- Ryan Andrews
- Andrew Cort
- Colby Doane
- Michael Loebelenz
- Todd W. Rogers, Jr.

**Commercial Senior Shellfish Permit:**

- Robert Doane
- George E. Lane
- Dan Marshall
- Charles A. McNeil
- William Pascucci
- Thomas Prentiss
- Peter F. Wilson

The Board was reminded that their next regular Board of Selectmen's meeting will take place on Monday, March 8, 2021, at 6:00 p.m. in the 2<sup>nd</sup> Floor Stage Conference Area at the Town Hall, 30 Martin Street.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period February 6, 2021 through February 19, 2021, regarding the following:

Evaluation of Options for Police Body/Cruiser Camera Systems: Purchase of the cameras has been postponed to the Fall Town Meeting. In the meantime, various options will be considered and the Ipswich Chief of Police will attend the next Selectmen's meeting to discuss the system that Ipswich has been operating since 2016.

Public Safety Building Construction Project Update: Mr. Zubricki reported that the building is nearing completion. The flooring is down and the interior painting is mostly complete.

Public Safety Building Roof Potential Installation Defect: Mr. Zubricki said it was brought to the Town's attention by the general contractor for the public safety building project that the roofing shingles are cupping on many areas of the roof. The architect thinks that they will flatten out when the weather gets warmer. However, the roofing contractor had advised installing the shingles on top of a vented nail board, rather than the unvented nail board that the architect had specified. The architect had insisted that it wasn't necessary. Also, the roofing contractor had offered to put architectural shingles on the roof at no extra cost to the Town. However, no one on the design team or from our Project Manager ever made the Town aware of that offer (or about the controversy surrounding the nail boards). It is not known at this time if the roofing needs to

be removed and reinstalled. The Town's Project Manager is working to bring in a third party evaluator and a representative of the shingle manufacturer. Any cost involved will need to be borne by the insurers of the parties concerned, which may include the general contractor, the roofing subcontractor, the Town's architect, or the Town's Project Manager.

Review of Base Plan for Demolition of Old Public Safety Building: The Board reviewed a preliminary site plan for the proposed building to house and display the antique pumper. It was agreed that there should be a larger foundation slab than the one on the current plan and that the parking area should be changed. Other, small details were also pointed out. Mr. Zubricki will relay all of the Town's comments to the designer in order to bring a revised plan to the Board at the next meeting.

Harbormaster Fialho joined the video conference to discuss possible rules and regulations for rowing craft racks and parking for non-resident mooring holders. He had provided the Board with a copy of the rules and regulations used by Gloucester, which are extensive. He had also drafted a short set of rules for Essex. He asked if the Board members wanted to also include items from the Gloucester rules. Spaces on the racks may be rented by Essex residents each season. Initially, racks to hold 48 vessels will be purchased with money left over from a previous Conomo Point budget. The racks will be placed at Clammers Beach. There will be four racks, each holding twelve vessels. Harbormaster Fialho said that parking stickers could be issued to persons renting spaces on the racks. Following the discussion, it was agreed that the Harbormaster would make some revisions to the draft rules and regulations, which will then be discussed at the next Board meeting. The Harbormaster will also continue to work with the rack fabricator to get the Town's order into production.

Finance Committee Chair Ben Buttrick and Finance Committee members Michelle Dyer, Rob Fitzgibbon, Michael Flynn, Nina McKinnon, Mark Renzi, and Allison Williard joined the meeting. A motion was made and seconded to open the Finance Committee meeting, followed by a unanimous Roll Call Vote.

Board of Public Works Commissioners Scott DeWitt and Paul Rullo, and Superintendent Michael Galli also joined the meeting.

FinCom Chair Ben Buttrick reported that the Committee had reviewed the proposed FY2022 budgets from the Town Departments and the Committee would like further clarification in three areas: Board of Public Works' request to add 1 ½ employees and funds for outsourcing services, the proposed email platform upgrade, and the school budget.

Three years ago, Michael Galli had been promoted to Superintendent from his position as Chief Operator/Assistant Superintendent. Another employee had been promoted to Chief Operator, but had declined assumption of the Assistant Superintendent duties. A position description and a Wage & Salary Scale pay range for Chief Operator were developed and approved at that time. The BPW would now like to hire an employee to fill the Assistant Superintendent position and a part-time person to help out in the office. Mr. Zubricki indicated that a new position description

for Assistant Superintendent and a corresponding wage range will need to be developed and approved by the Selectmen, in their capacity as Personnel Board, if the Assistant position is to move forward. A position description and wage range do exist for the Assistant Superintendent/Chief Operator position that Mr. Galli vacated but the proposal is for purely an Assistant Superintendent. Selectman Phippen suggested that the creation of the proposed position, even if all agree that it has merit, should not be undertaken this year, when so many other departments were denied similar requests. After some discussion and numerous questions from the Finance Committee, Superintendent Galli said his department would provide more detailed information concerning this request.

Finance Committee members also asked for more information about which services were being outsourced and questioned whether it would be cheaper to outsource or to provide the services in-house. Superintendent Galli agreed to provide a more detailed analysis.

Next, Mr. Zubricki explained at length, the reasons for wanting to upgrade the email system platform presently used by the Town, which is becoming outdated and is beginning to show shortcomings. All questions that were asked by the Finance Committee on this topic were answered to each member's satisfaction.

Those present discussed the school budget. Several people said they had asked for more information regarding which specific aspects of the current school program would suffer if the school district had to live within an overall 2.5% annual increase, but had not received anything. MERSD officials do not want to use some of their reserves to offset the operating costs this coming fiscal year unless they know that both communities will support overrides in the future. Alternatively, it is possible for the two towns and the District to agree that the District should change its program to live within a 2.5% annual increase. Mr. Zubricki said there is a joint meeting of school officials, Manchester and Essex Select Boards, and Manchester and Essex Finance Committees being planned for March 11 to discuss the budget issue. Everyone agreed to submit their questions for the District to Mr. Zubricki, who will prepare a consolidated list for the Assistant Superintendent to hopefully comment on before the meeting.

A motion was made and seconded to adjourn the Finance Committee meeting, which was followed by a unanimous Roll Call Vote of the Committee members at 8:22 p.m.

Chairman Pereen said that presently, there are no applications before the Board for special events. However, there have been a few inquiries from persons wanting to turn properties in Essex into wedding venues. Mr. Zubricki said that the Essex zoning bylaws do not prescribe distinct use zones in the Town and that the Building Inspector must be consulted first to determine whether the property met certain requirements. If basic requirements are met, an applicant may need to go before the Planning Board for a Site Plan Review and/or a Special Permit. The Board of Public Works would need to be consulted about whether the property could handle the additional sewer flow, and other boards, such as the Conservation Commission and the Board of Health may need to be involved. An annual or One-Day Special License for Entertainment and an annual or One-Day Special Licenses for Alcohol for each event issued by

the Board of Selectmen would be needed, as well as a food permit from the Board of Health. Mr. Zubricki further explained that the Board of Selectmen had, in the past, considered a general policy concerning the issuance of entertainment permits (with special focus on outdoor entertainment) and had surveyed a past Town Meeting about the Town's appetite for a general noise control bylaw. All of the above options appear to still be on the table.

Chairman Pereen asked if there was any public comment.

Philip DeNormandie said that he was interested in establishing a wedding venue on Island Road and described some of his plans for the business and how it would benefit the Town. Alden Blodget strongly urged the Board to formulate an umbrella policy for the issuance of special one-day permits. Jodi Harris, Tom Beale, and Sarah Hickler also had comments.

Mr. Zubricki reminded everyone that each site must be assessed on a case-by-case basis under the requirements of the laws of the Commonwealth.

Mr. Zubricki resumed the presentation of his Town Administrator's report:

Change Orders Public Safety Building: Joint Filler for Epoxy Flooring; Bay Door Supports & Training Room Lights; Added Line Striping, Apparatus Bay; Added Door Clearance Lights, Bay Doors; Relocate Hand Wash Sink; and Soffit Ceiling Added, Bunker Gear Room: Mr. Zubricki reviewed the various reasons for the six items included in Change Order #12. The total monetary cost to the Town will be \$29,217. A motion was made and seconded to approve Change Order #12, followed by a unanimous Roll Call Vote.

Public Safety Building Phone System Contract: Mr. Zubricki reported that the Net Tel One phone system now in use at the Fire/Police Department will be moved to the new building and additional equipment will be added to it. The system is a voice over IP system (VOIP) and is compatible with the system in use by the Regional Dispatch Center. Subsequently, a motion was made and seconded, followed by a unanimous Roll Call Vote to approve installation of the VOIP system and the service contract with Net Tel One.

School Budget Collaboration Group Meeting Summary: Town Administrator Zubricki, Selectman Bradford, and FinCom Chair Buttrick attended the recent school budget meeting in February. The school continues to say that the school budget cannot be decreased without cutting programs and they are not willing to use a portion of their ample reserves to offset the increase – without knowing whether the two Towns will support future Proposition 2 ½ overrides.

Chebacco Lake Environmental Planning Meeting Summary: Mr. Zubricki and Selectman Phippen attended a meeting on February 16, along with Chebacco Lake Association members, Senator Bruce Tarr, and Seaside Sustainability to plan for a meeting this coming Friday of the Chebacco Lake Environmental Coalition, which includes several other groups such as the Ipswich River Watershed Association. The Coalition will work to solve several matters, including keeping the Alewife Brook Channel clear. Chairman Pereen asked if Selectman

Phippen would be the Selectmen's representative to the Coalition and he accepted. The Board asked Mr. Zubricki to reach out to the Conservation Commission for a representative from their group. The Coalition will form several groups, each one to tackle a different task, to be coordinated by the Chebacco Lake Association.

Draft Annual Town Meeting Warrant: Mr. Zubricki informed the Board that if the warrant for the Annual Town Meeting was split into two separate warrants (one for the meeting and one for the annual election), the Board could change the meeting date without taking any other special actions. A motion was made and seconded, followed by a unanimous Roll Call Vote to separate the warrant. The Board was also in agreement that they would like to hold the Annual Town Meeting outside on May 15, 2021. The Moderator can move the meeting to May 22, 2021, in the event of inclement weather. The election will take place on the bylaw-prescribed date of May 10, since no additional State special legislation has been passed to allow election dates to change.

Mr. Zubricki briefly reviewed each of the items on the current draft of the warrant.

There being no further business before the Board, a motion was made and seconded to adjourn the meeting at 9:27 p.m., followed by a unanimous Roll Call Vote.

Documents used during this meeting include the following: None.

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

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