

Selectmen's Minutes
Town Hall Auditorium, 30 Martin Street

July 12, 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 Guy Bradford, Town Administrator Brendhan Zubricki, Selectmen's Assistant Pamela J. Witham, Bicentennial Committee Chair Dawn Burnham, Harbormaster Dan Fialho, Kurt and Mary Wilhelm, Sue Lufkin, Bonnie Jean Malcolm-Brown, Scott and Lorie Woodward, Trescott DeWitt, Scott DeWitt Jr., Donna Roy, Shelly Bradbury, Treasurer/Collector Jeff Soulard, Cricket Newspaper Reporter Erika Brown, Tina Lane, and several others.

Also Present Via Telephone Conferencing: Lauren Sweet.

Chairman Pereen called the meeting to order at 6:00 p.m. in the third-floor auditorium of the Town Hall.

Treasurer/Collector Jeff Soulard came before the Board to request approval and signature of the refunded \$29,000 Bond for the Water Department and a motion was made, seconded, and unanimously voted by Roll Call Vote to approve the request and sign the documents.

Bicentennial Committee Chair Dawn Burnham and some of her committee members presented a beautiful wooden wall clock to the Select Board which will be placed in the Town Hall auditorium.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period June 19, 2021 through July 9, 2021, regarding the following:

Rejuvenation of Essex Housing Coalition: Mr. Zubricki reported that after disbanding last year due to the COVID pandemic, the group is now getting ready to resume operations. Their next meeting will be on July 28. Mr. Zubricki asked if one of the Selectmen would like to participate in the group's meetings. It was agreed that Annie Cameron would be asked to attend on the Board's behalf. Chairman Pereen said that she would be the representative if Annie Cameron could not.

Strategic Planning Committee Meeting Summary: The SPC met on June 29 and reached agreement on ten planning areas that will be incorporated into the Town's updated Strategic Plan. More research on each of the areas is needed. The committee will next meet on August 10.

Third-Party Review of Public Safety Facility Roof Problem: Mr. Zubricki announced that a third-party company will be sending a consultant this Thursday to examine and evaluate the condition of the roof on the new public safety building.

Public Safety Facility Change Orders - Miscellaneous Paint Work Credit, Revised ADA Push Button Switches, Physical Training Room Floor Sealer Credit, Glare Shields for Exterior Lighting, Card Reader Revisions/Added Door Contact in Detention Area, Glare Shields for Traffic Lights, Maple Surrounds at Transaction Windows, and Apparatus Bay Line Striping into Truck Apron: Mr. Zubricki reviewed each of the items included in Change Order #16 which will total a net additional cost to the Town of \$17,241.69. To date, there is approximately \$1,295,591 left in the contingency budget. A motion was made, seconded, and voted by Chairman Pereen and Selectman Bradford to approve Change Order #16.

Bicentennial Chair Dawn Burnham, along with some of her committee members presented the Boston Post Cane to Bonnie Jean Malcolm-Brown who was surrounded by friends and family. The cane has traditionally been presented to the oldest resident for the last 100 years. Bonnie Jean Malcolm-Brown is 99 years old. The Selectmen congratulated her and pictures were taken.

Planning for Financial Impact of Police Reform Law: The new police reform laws now require part-time officers to meet all the training requirements that full-time officers must meet (by means of a "bridge" academy involving 200 training hours). As a result, several of the part-time officers have resigned, leaving fewer people to fill the shifts. More full-time officers could be hired and/or the existing full-time officers could work over-time to fill the gaps. Additional money will need to be found to pay for the additional required training and to fund the higher pay rates. The Board expressed that it would still be preferable to find new part-time officers, even with the training requirement, but realized that a number of factors may make that a challenge. This matter will be discussed with the Chief of Police by the Finance Committee when they meet later this week.

Potential Use of Town Property on Sumac Drive for Resident Parking: Mr. Zubricki reported that he has spoken with the Building Inspector and the Conservation Agent regarding the proposed use of the Town-owned lot at 0 Sumac Drive for additional residential parking and they have no concerns. The Department of Public Works has agreed to keep the existing grassy area mowed, but will not do any clearing on the rest of the site (or maintain more grass if others eventually clear more area). Rocks will need to be placed to demarcate the Town's property from private property to the rear. Mr. Zubricki will meet with the abutter to discuss the Board's intentions. Signage will need to be placed identifying the area. A motion was made, seconded, and voted to approve the use of 0 Sumac Road for resident parking on a trial basis.

Transition to Resident-Only Boat Launching at Town Landing: The Board was in agreement that the Board's parking regulations for the Town Landing should be revised, possibly the municipal parking area in order to properly transition to Town Landing launch ramp resident-only status in accordance with the Board's June 21, 2021 vote. Mr. Zubricki showed the Board some examples of new parking signs to replace existing signs at the Landing and at the municipal parking lot. The Board was in agreement that they would continue to allow non-resident family-use clammers to use the Landing for this season. There was also discussion regarding whether non-resident kayakers should be permitted to use the Landing. However, no decision was reached.

Transition Back to Resident-Only Parking on Most of Conomo Point: At the last meeting, the Board had voted to continue to limit the majority of parking at the Point to residents only. They have reopened the non-resident parking at the beginning of the Point. In addition, some non-resident parking stickers have been issued to mooring holders. It was agreed that those stickers would not be revoked this year. The Board may decide not to reissue them next year. Since no non-resident parking stickers for transient moorings have been issued this year, the Harbormaster will refrain from issuing any at all.

A motion was made, seconded, and unanimously voted by Roll Call Vote to approve the Intermunicipal Agreement between the Essex and Ipswich Harbormasters' Offices for mutual aid.

Harbormaster Fialho left the meeting.

Further Review of Proposed Fall Town Meeting Topics: Mr. Zubricki said that the list of potential items for the Fall Town Meeting will be updated to include funding for police reform and body cameras. The Police Department plans to apply for body camera grant funding that might reduce what the Town will be asked to fund.

Possible Funding Sources for Developing Zoning Bylaw Review Scope: Town Planner Matt Coogan has been working with the Metropolitan Area Planning Council (MAPC) to determine the scope of review needed for the Town's bylaws. The Town hopes to hire a professional company, once the scope of work is determined, to perform the review. Grant funding may be available from several different grants to pay for MAPC. Additional funds could be voted at the Fall Town Meeting to pay for the professional planning firm. The Town Planner will continue to work toward MAPC funding.

Mr. Zubricki reviewed certifications from certain establishments with respect to total seating presently in use, whether indoors or outdoors, to ensure that pre-COVID maximum allowed seating is not being exceeded:

- Blue Marlin: Corey Matthews sent a letter stating that by the time he finished setting up the tent at the Boathouse Grille Massachusetts had gone back to full capacity so there was no need to further set up an outside tent at the Blue Marlin Grille.

- Boat House Grille: A second letter was received from Corey Matthews stating that he erected a tent in the parking lot in March and that at no time did the restaurant and the tent exceed the 130 seat limit. Corey also stated the he is removing the tent as of July 19, 2021 by his own choice.
- Riversbend: Mr. Zubricki reported that the Riversbend only used outdoor seating through last July and they are back to their regular 98 seats inside and on the deck.
- Village Restaurant: Stated that they are not exceeding their 240 seat capacity.
- Woodman's Lobster Pool: Maureen Woodman sent a letter stating that they are only using the areas that were used before the pandemic and they are not exceeding their seating capacity.
- Woodman's Function Hall: Maureen Woodman sent a letter stating that they will not exceed their seating capacity and that if the tent is used, the indoor seating will not be used. The tent will be taken down in October.
- Shea's Restaurant: It was agreed to postpone discussion of C.K. Pearl's seating until the next Selectmen's meeting pending receipt of additional information.
- Great Marsh Restaurant aka Grille at Great Marsh: Mr. Zubricki reported that Josh Webber of the Webber Group who rents space at 99 Main St. as the Grille at Great Marsh from Mr. Collins is no longer using the space behind 103 Main St. for temporary seating as outlined in his 2020 temporary alteration of premises approval. Mr. Webber stated that he is at 100% capacity in the second floor restaurant and outside deck space that he leases.
- Great Marsh Brewing Company: The Board reviewed an application from John Collins, the owner of the Great Marsh Brewing Company, for a temporary alteration of premises for outdoor dining at 103 Main Street. It was discovered that the Great Marsh Brewing Company has been using the outdoor space at 103 Main St. to serve alcohol without any approval by the local licensing board or town departments as outlined in the COVID-19 emergency measures for extended use of property for outdoor dining. A motion was made, seconded, and unanimously voted to deny the application.

Trescott DeWitt and Scott DeWitt Jr., owners of a marina across the street from the Brewery, discussed traffic and parking issues related to the application submitted by the Great Marsh Brewery for outdoor seating.

In other business, a motion was made, seconded, and unanimously voted by Roll Call Vote to approve the weekly warrant in the amount of \$1,291,138.21.

A motion was made, seconded, and unanimously voted by 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 06/24/2021 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>
Jim McNeilly	McNeilly EMS	06/11/2021	\$ 155.00	Fire
Scott Dewitt	Perkins Marine	06/14/2021	\$ 650.14	Harbormaster

A motion was made, seconded, and unanimously voted by Roll Call Vote to approve the minutes for the Selectmen's June 21, 2021, Open Meeting.

A motion was made, seconded, and unanimously voted by Roll Call Vote to authorize the Chairman to sign the Division of Ecological Restoration Culvert Design and Permitting Grant in the amount of \$83,500 with respect to Apple Street, when paperwork is available.

A motion was made, seconded, and unanimously voted by Roll Call Vote to authorize Chairman Pereen to sign the Green Communities Grant in the amount of \$140,400 with respect to the final phase of building automation project for Essex Elementary School, when paperwork is available.

A motion was made, seconded, and unanimously voted by Roll Call Vote to designate John Shields as the Town's Electrical Inspector and to designate the previous Electrical Inspector, Ramie Reader, as the new Assistant Electrical Inspector. The Board signed the appointment cards.

A motion was made, seconded, and unanimously voted by Roll Call Vote to ratify the appointment of Timothy O'Leary to the Board of Public Works for three years, ending 6/30/24.

A motion was made, seconded, and unanimously voted by Roll Call Vote to promote Town Accountant Assistant Brooke Friedrich to the position of Treasurer/Collector when present Treasurer/Collector Jeff Soulard moves on to the position of Town Accountant.

It was agreed to postpone discussion regarding the applications for local marijuana cultivation and retail licensure with respect to BB Botanics at 242 John Wise Avenue pending the receipt of additional information. A requisite public hearing on the applications will need to be scheduled. A likely hearing date is August 9, 2021, so long as the applicant provides all necessary application materials by July 16, 2021.

The Board acknowledged correspondence from Thomas Ellsworth concerning the creation of an Agricultural/Residential Zoning District bylaw proposal and Mr. Zubricki will forward it the Metropolitan Area Planning Council for consideration during their scope analysis of the Town's zoning bylaws (if and when MAPC is engaged for this purpose).

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

- Peter Ferriero
- Gary M. Verga

After a short discussion, a motion was made, seconded, and unanimously voted by Roll Call Vote to approve a One-Day Entertainment License for Woodman's Inc., Stephen Woodman, for use on Friday, August 27, 2021, between the hours of 6:00 p.m. and 8:00 p.m. within the

confines of the Tidewater Tent (with two sides closed) at 125 Main Street, 4-piece band amplified with a speaker pointed towards the Function Hall.

A motion was made, seconded, and unanimously voted by Roll Call Vote to approve the following appointments. The Board signed the appointment cards:

Board of Registrars for 3 years: Patricia Rogers

Emergency Management Director for 1 year: Ramie Reader

Board of Fire Engineers for 1 year:

- Deputy Chief – Keith Carter
- Deputy Chief – Ernest Nieberle, Jr.
- Fire Chief – Ramie Reader

Firefighter for 1 year:

- Daniel Ball
- John Bateman
- Mark Brewer
- Craig Carter
- Robert Cavender
- Philip C. Cicala
- Samuel Crocker V
- Colt P. Donahue
- Richard Dort, Jr.
- Daniel Doucette
- Dan Fialho
- Michael French
- Jason Hammer
- Jason Heath
- Peter Hoare
- Cory Jackson
- Barry Leeds
- Amy McNeilly
- James McNeilly
- Edward Neal, Jr.
- Jonathan O'Bryan
- Nicholas Ouellette
- Kent Parsons
- Joan Perrigo
- Michael Puopolo
- Anthony Pizzo
- Patrick Roddy
- Ryan P. Santos
- Michael Soucy
- George Stavros

Firefighter, EMT for 1 year:

- Benjamin Pike
- Erin Kirchner

Firefighter, Lieutenant for 1 year:

- Travis Good
- Christian Hassel
- Joseph Lafata
- David Thompson
- Eian Woodman

Firefighter, Probationary for 1 year: Cameron Ellis

Forest Fire Warden for 1 year: Ramie Reader

Regional Emergency Planning Committee Response Coordinator for 1 year:

- Ramie Reader

Chairman Preen asked if there was any public comment and Shelly Bradbury asked for clarification regarding the issuance of one-day entertainment licenses. Chairman Preen reviewed the Board's entertainment policy.

The Board was reminded that their next regular Board of Selectmen's meeting will take place on Monday, July 26, 2021, at 6:00 p.m. in the 2nd Floor Stage Conference Area at the Town Hall at 30 Martin Street.

There being no further business before the Board, a motion was made, seconded, and unanimously voted by Roll Call Vote to adjourn the meeting at 8:03 p.m.

Documents used during this meeting include the following: None.

Prepared by: _____ Attested by: _____
Pamela J. Witham Guy D. Bradford