



Town Administrator's Report Board of Selectmen's Meeting of February 9, 2009

Report covers from January 24, 2009 to February 6, 2009

Items requiring Board vote or discussion are noted with an asterisk (*)

A. Town Department Reports/Requests

(1) Shellfish Truck Inspection

The Shellfish Truck underwent its annual safety and emissions inspection and did not pass due to a problem with the check engine light. The problem will soon be investigated by a mechanic and the Shellfish Constable will keep me informed relative to this issue.

Recommendation: No further action is necessary at this time.

(2) Youth Commission Annual Report (*)

The Youth Director developed a draft Annual Report regarding the Youth Commission's activities over the past year for my review. I have, in turn, developed a final draft for the Board's consideration.

Recommendation: **Board approval of the Youth Commission Annual Report.**

(3) Status of Proposed Digging Limit Regulations Change (*)

The Board received a proposal from the Shellfish Advisory Commission (SFAC) in the past that the shellfish digging limit be eliminated. At that meeting, others were present who indicated that they disagreed with the change and the Selectmen invited those individuals to submit written substantiation regarding their positions. No party has submitted any such substantiation to date. At the time, the Shellfish Constable was on leave and was not able to be present at the meeting. I have since provided him with the SFAC's proposal and he has provided me with a recommendation. Also, the Chairman of the SFAC has asked what the next step(s) should be concerning consideration of their proposal and the SFAC members are willing to meet with the Board again to discuss the matter further.

Recommendation: **Board discussion relative to next steps concerning the SFAC proposal.**

B. Computer Systems

(1) MAPC Technical Support Contract, Aerial Oblique Images

At the last meeting, the Board approved a technical support contract with MAPC for the installation, training, and support associated with new, aerial oblique images and associated manipulation software. I should be hearing from MAPC staff to set up appointments for software deployment and training within two

weeks or so and the actual work will likely take place in late February or early March. The software will be valuable to the Fire Department, the Police Department, the Department of Public Works, the Planning Board, the Conservation Commission, the Assessors, and perhaps others.

Recommendation: I will update the Board as necessary.

(2) Cable I-Net Upgrade

Comcast has announced that the company will be upgrading the cable I-Net, at no cost to the Town, from the present LAN-City platform to the more modern, IP address-based DocSys platform. The two systems will run in parallel until the DocSys platform has been fully tested and I have been in contact with the project engineer regarding our needs in Essex. The engineer will be visiting my office in the coming weeks to get a better look at our equipment and to better understand our needs.

The upgrade to DocSys will improve network reliability over the present platform. Recently, I-Net service has been interrupted more frequently (latest outage was during the week of January 26, 2009) – likely as a result of aging equipment.

Recommendation: I will update the Board as necessary. Total time – ½ hour.

(3) Assessors' Server Tape Drive

The tape drive on the Assessors' server malfunctioned during the week of January 26, 2009. After running diagnostics and various maintenance routines, I discovered that both of the rotating tapes had failed simultaneously. I replaced both tapes with new media and archived the old ones as usual.

Recommendation: No further action is necessary. Total time – ½ hour.

(4) Completion of Internal Router Configuration

As noted in the past, I have been working with our computer consultant to migrate from server-based routing to the use of actual routers with respect to communication among our several local area networks. The Water Filtration Plant and the Fire/Police networks have already been migrated but the Town Hall router configuration was more complex. A router expert visited my office on February 3, 2009 to help complete the Town Hall router configuration and our system is now functioning without any server-based routing. The migration included our coordination with Comcast relative to a setting on the Town Hall cable modem that needed to be changed by a Comcast technician in order for the modem to recognize the new router.

Recommendation: No further action is necessary. Total time – 1 hour.

(5) Completion of Manchester, NH Router Configuration

Our computer consultant's router expert has now completed the configuration of the router that will allow backup data to stream to our new disaster recovery server in Manchester, NH. The device has been physically installed and we were able to test the connection from Town Hall when the router expert was visiting relative to internal router configuration. I can now see the desktop of that server from my own computer in Town Hall just as if I were sitting in Manchester. During the month of March, I will work with the consultant to develop the actual backup design (likely Windows-based file replication via a VPN tunnel between two routers). We will implement the backup system for one server as a test case and will steadily bring the other four servers on line.

Recommendation: I will update the Board as necessary. Total time – 1 hour.

C. Personnel

(1) Essex Youth Commission Ideas and Structure (*)

At the last meeting, the Board began to discuss whether the Youth Director position and the Summer Program Director position should be merged into one, salaried position. Board members were going to consider that matter further at the present meeting after discussing some youth program and structure ideas with former members of the Youth Commission. Since the last meeting, I have provided the Board with an EYC staff organizational chart as requested. Our Youth Director also obtained a catalog of programs that are offered in the summer by the Town of Manchester and a wide variety of programs are available.

Also, I have learned that, although Manchester youth are welcome to take part in the Essex Summer Program, no Manchester youth participated last season. Last season, 171 Essex youth participated along with 12 youth from Gloucester, 5 from Ipswich, 5 from Hamilton, and 2 from Beverly (195 total). Further, a question has arisen relative to the available funding for a mothers/pre-schoolers program and I have information regarding the Director's list of proposed new programs for the coming year.

***Recommendation:* Board discussion relative to the potential combination of positions and relative to other ideas presented by former EYC members (including the potential establishment of new health and safety standards for the Summer Program). Discussion relative to the funding of the mothers/pre-schoolers program is also necessary.**

(3) Appointment of Town Building Committee (*)

At the last meeting, I indicated that the following slate of candidates were willing to serve on the subject Committee:

Peter Silva, Chief of Police; Daniel Doucette, Deputy Fire Chief; Beth Cairns, Board of Library Trustees; Deborah French, Librarian; Edward Lafferty, Finance Committee; Juergen Dietrichson, Planning Board; and Stuart Pratt

The Board asked that I publicize the formation of the Committee in the local media in the event that others desired to serve. After briefs ran in both the *Gloucester Times* and *Globe North* I received six letters of interest.

***Recommendation:* Final Board consideration of the various candidates, appointment of the Committee members, and discussion of the Committee's initial charge.**

(4) Fiscal Year 2010 Wage & Salary Scale

I have developed the subject document based upon the Board's approval at the last meeting of a 3% cost of living allowance for non-union, non-contract employees. I will bring those new figures, along with market-rate adjustment proposals for the Treasurer/Collector, the Board of Health Administrator, the Town Accountant's Clerk, and the Public Health Nurse, to the Personnel Board for review in March. The Personnel Board will then vote to recommend a final document to Town Meeting.

Recommendation: No further action is necessary.

(5) Continued Teamsters Collective Bargaining

The next collective bargaining session with the Teamsters will be held on March 5, 2009.

Recommendation: I will update the Board as necessary.

D. Procurement

(1) Conomo Point Subdivision Options

(*)

At the last meeting, the Board provided me with guidance to pass along to our consultant, the Horsley Witten Group, relative to their continued analysis of subdivision options for Conomo Point. I provided that guidance to the firm and I will have by meeting time further information relative to how the various economic parameters differ among the three options that are being developed.

***Recommendation:* The Board should provide comments to our consultant that will shape the development of the three planning options. Those options can then be offered to the Selectmen and the Conomo Point Planning Committee in draft form and final comments can be offered to the consultant in preparation for the three public forums. The Conomo Point Planning Committee meets on February 12, 2009.**

(2) Consulting Planner Quotations

(*)

Quotations for Consulting Planner services were due on February 5, 2009 and a total of two quotations were received (three were sought). The lowest offeror was Community Investment Associates of Ipswich with a price of \$22,225 to complete the desired scope of work. I have developed a contract with the firm for the Board's review and approval.

Recommendation: **Board consideration of the proposed contract for consulting planner services.**

(3) Federal Stimulus Update

I have learned from Senator Tarr's Office that the Federal stimulus funding for Town infrastructure will likely come through the respective Federal agencies and may not be block-granted at the State level as originally surmised. Mr. Drew O'Brien of Senator Kerry's Office will likely visit me in the coming weeks relative to our proposals.

Recommendation: I will update the Board as necessary.

(4) Essex Property Revaluation Consulting Agreement

(*)

As noted by Assessor Richard Cairns at the last meeting, the Town will soon embark upon its next triennial review of real property values. As has been the case in the past, this review is greatly facilitated by a consulting firm – in this case, our appraisal software vendor, Vision Appraisal Technology, Inc. I have worked with the vendor to specify in the contract that some tasks will be completed during fiscal year 2009 (\$6,000) and the remaining tasks will be completed in fiscal year 2010 (\$11,000), subject to appropriation of funds.

Recommendation: **Board approval of the subject contract.**

(5) Route 133 Reconstruction Project Update

MassHighway opened bids for the subject project during the week of January 26, 2009. I have since discussed the project with the Project Manager and he has indicated that the bids came in lower than expected (likely due to the slow economy). The apparent low bidder was J. Marchese & Sons of Everett, MA with an apparent low bid of \$4,332,204 (\$467,796 below the engineering estimate). Once the apparent low bidder has been vetted, MassHighway will issue a Notice to Proceed and the contractor is free to begin work. I have also asked the Project Manager if the final project plans included conduits and bases for eventual period lighting installation. He will review that matter and will get back to me along with an update regarding a higher roadbed elevation along one stretch of the causeway.

Further, I received information from the Boston Metropolitan Planning Organization (MPO) about the usual request for the update of Project Information

Forms and the Town's potential appearance at Municipal TIP (Transportation Improvement Program) Day in Boston. The forms help the MPO to prioritize funding of transportation projects and TIP Day is a chance for municipal officials to lobby for funding. However, since the subject project is already funded and bids have been opened, the project is beyond the need for those review and prioritization tools. I have learned from the MPO's TIP Manager that we need not participate in those forums any more (marking the end of an update process we have participated in over the past six years).

Recommendation: I will update the Board as necessary.

E. Insurance

(1) MIIA Loss Control Award

At the recent MMA Annual Meeting, MIIA announced that Essex would be receiving a loss control award for the *fourth consecutive year* for strategies conducive to controlling insurance losses and participation in the MIIA Rewards Program. This year, MIIA will actually travel to each community that is receiving a reward for direct presentation (likely at an upcoming Selectmen's meeting). In past years, awards were received at the MMA meeting.

Recommendation: I will update the Board as necessary.

(2) January Pothole Log

I have provided a copy of the DPW's pothole log for the month of January to our insurer as part of the MIIA Rewards Program. One pothole was reported in January and was filled immediately.

Recommendation: No further action is necessary.

(3) Freeze-Up Prevention Program Checklists

I completed the subject checklists during the week of February 2, 2009 as part of the MIIA Loss Control Program. The program is aimed at preventing frozen pipes via regular building best practices and monitoring. I will continue to complete the checklists through the winter season.

Recommendation: No further action is necessary at this time.

F. Facilities

(1) Potential Plan for Display of Antique Fire Pumper (Hand Tub)

Long Term Planning Committee Member Ed Howard recently indicated that the Essex Fire Company would like to better showcase the antique hand tub that is presently housed in the Fire Station garage annex. It is possible that hand tub could be housed in a historic "luggage shed" from an old Essex train station if that

shed could be moved from its present location on private property to the Essex Legion property. It is also possible that the hand tub could be showcased at the Essex Shipbuilding Museum. Mr. Howard will update me as plans continue to develop.

Recommendation: I will update the Board as necessary.

G. Fiscal/Budget

(1) Joint Roundtable Meeting

(*)

I participated in the subject meeting on February 4, 2009 hosted by Chairman Randall. Officials from Essex, Manchester, and the Regional School District gathered to continue discussion regarding the fiscal year 2010 school budget (following up on two previous discussions from January 14 and January 21, 2009). At the meeting, School Committee Chair Susan Beckmann reviewed the present strategy to reduce the FY10 school budget and copies of the amended draft budget were delivered to Town Hall later in the week.

Recommendation: **Board discussion relative to the school budget.**

(2) Finance Committee Budget Exhibits

At the last meeting, a resident suggested that a summary of the Town's budget process showing a stepwise progression of budget requests to actual cuts and decisions be posted on the Town's website when available. The Chairman of the Finance Committee will provide me with that summary once the Committee has fully developed it.

Recommendation: I will update the Board as necessary.

(3) Fiscal Year 2009 Mid-Year Local Aid Cut

The Governor has used his "9C" budget cutting authority to cut local aid to all municipalities for fiscal year 2009. The cut to Essex is \$29,693 and that revenue gap needs to be closed, potentially via the use of an available fund such as free cash. If free cash is to be used, it may be appropriated in the upcoming Special Town Meeting in March (see item K2). Also, we have learned that the above reduction will be applied evenly over the last two quarters of fiscal year 2009.

Recommendation: No further action is necessary.

H. Complaints

No items.

I. Meetings Attended

(1) Board/Committee/Department Head Joint Meeting

At the Board's last meeting on January 26, 2009, a variety of Board and Committee members joined various department heads and members of the public to discuss and coordinate ongoing Town initiatives and ideas. I have summarized the various topics using an excerpt from the Selectmen's minutes developed by the Selectmen's Assistant:

In addition to the Selectmen, Town Administrator, and Selectmen's Assistant, thirty-one people were present including twenty-six Board/Commission members and Town employees. Chairman Randall welcomed everyone.

Updates were given by representatives from the following Boards and Committees: the Long Term Planning Committee, the Police Department, the Board of Public Works, the Finance Committee, the Board of Assessors, the School Committee, the Fire Department, the Board of Health, the Open Space Committee, the Zoning Board of Appeals, the Planning Board, and the Essex Youth Commission. Issues discussed included possible budget cuts, Conomo Point, Police Department certification, the need for Town planning, the creation of a regional emergency response center, loss of Town identity through sharing of services with other towns, State revaluation of property, the Library at the Town Hall (including the formation of a new Town Building Committee, the new public health nurse, the move to create a zoning overlay district, the creation of nature trails at Centennial Grove, the search for a site on which to establish a community garden, and Youth Commission programming.

Selectman Lynch announced that it might be possible to obtain funding from the newly proposed stimulus package to pay for the cost of repairing the exterior of the Town Hall.

Recommendation: No further action is necessary.

(2) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting along with Selectman Lynch on January 29, 2009. The meeting featured a presentation of the Chamber's new "Cape Ann is Calling" promotional video. The video is on the web and a link to it appears on the Town's home page at www.essexma.org. The meeting also featured a discussion of a proposed triathlon that the Board of Health is interested in putting together. Selectman Lynch and I updated the group on a variety of Town initiatives and projects.

Recommendation: No further action is necessary.

J. Final Judgment

No items.

K. Town Meeting, By-Laws, and Regulations

(1) Trial Parking Rule, Conomo Point

At the last meeting, the Board voted to restrict “on-beach” parking at Front Beach on Conomo Point during the off season (October 2-May 31) to vehicles with trailers in tow only. Other vehicles will be allowed to transit the beach for gear drop off and car-top boat launching but those vehicles cannot park on the beach. The “on-season” rule (no non-emergency vehicular traffic whatsoever between 8:00 a.m. and 6:00 p.m. and no on beach parking whatsoever from June 1 through October 1) will still apply.

The new off-season rule is being implemented on a trial basis and the Board will consider any comments prior to making the rule permanent beginning next October 2nd. I contacted the Chief of Police to inform him about the change and the Superintendent of Public Works is producing a sign that will read as follows:

FRONT BEACH VEHICULAR ACCESS / PARKING RULES

Jun 1 - Oct 1

NO vehicular access 8 a.m. - 6 p.m.
NO on-beach parking at ANY TIME.

Oct 2 - May 31

On-beach parking for vehicles
with trailers in tow ONLY.

I also informed the President of the Conomo Point Association and the Chairman of the Shellfish Advisory Commission.

Recommendation: No further action is necessary.

(2) Special Town Meeting, March 9, 2009

(*)

At the last meeting, the Board asked me to develop plans for a Special Town Meeting that could be held in time to allow the requisite 60 days to pass between a potential Town Meeting floor vote to convert to an appointed Town Clerk and the Annual Town Election. The Town Clerk plans to retire after her current term expires and an appointed position makes more sense than an elected one in today’s complex environment. The Board also asked if any articles proposed for

the Annual Town Meeting should be addressed at the Special Town Meeting instead.

After speaking to Town Counsel, I recommend that the Board call a Special Town Meeting for March 9, 2009 to consider the appointed Town Clerk issue and to consider the Town's first Community Preservation Act (CPA) appropriation article. Town Counsel is available to attend the Special Town Meeting since the CPA article is new and may draw many questions. Also, Counsel will be providing the Community Preservation Committee with a no-cost seminar on February 11, 2009. Further, since we have just learned about an approximately \$30,000 local aid cut, I recommend a third article that is capable of appropriating that shortfall from free cash.

***Recommendation:* Board vote to hold a Special Town Meeting on March 9, 2009 at 7:30 p.m., to open the warrant, to add the three articles discussed above, the close the warrant, and to sign the warrant.**

(3) Draft Annual Town Meeting Warrant (*)

I have revised the Draft Annual Town Meeting Warrant per the Board's past guidance. I have also learned from that the Planning Board will be requesting that three zoning-related articles be placed on the warrant. These include the removal of the word "Special Permit" from the Site Plan Review section, an Agricultural-Residential Overlay District in the north end of Town, and a change in the definition of a change of use.

***Recommendation:* Board discussion relative to the draft document and preferences for Town Counsel review, particularly with respect to the proposed Planning Board articles.**

L. Legal Issues

(1) Annual Legal Update (*)

At this time of the year, the Board often requests Town Counsel to appear at a meeting to provide the Board with a legal update.

***Recommendation:* Board discussion relative to potentially scheduling that appointment.**

M. Grants

(1) Shellfish Propagation Grant

At the last meeting, the Board asked that I determine if the Shellfish Advisory Commission (SFAC) needed additional assistance from subject matter experts relative to the subject grant application. No assistance was needed and I have confirmed that the application was submitted.

Recommendation: I will update the Board as necessary.

N. Emergency Planning

No items.

O. Other Items

(1) Massachusetts Municipal Management Association Update (MMMA)

At the recent Massachusetts Municipal Association (MMA) Annual Meeting, the association involving town administrators and managers to which I belong (the MMMA) held its own annual meeting as usual. I continue to serve on the ICMA 2013 Committee to assist with the planning of the 2013 annual conference of the International City/County Management Association that will be held in Boston. Also, I will be working with others to categorize documents for the MMMA's new member documents library.

Recommendation: I will update the Board as necessary.

This report is available at www.essexma.org on the morning after any regularly scheduled Essex Board of Selectmen's Meeting.