



## Town Administrator's Report Board of Selectmen's Meeting of February 27, 2012

Report covers from February 11, 2012 to February 24, 2012

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

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### A. Town Department Reports/Requests

#### (1) Use of Community Events Fund for Board of Health Triathlon

Just prior to the last meeting, the Board of Health requested \$1,200 from the town's \$10,000 community events fund to help defray the cost of police details and portable sanitation for the 2012 Youth Triathlon. We will track the use of this fund and will provide requests associated with other events as they arise.

*Recommendation:* No further action is necessary.

### B. Computer Systems

#### (1) Initial Data Testing at Melrose Datacenter

During the weeks of February 13 and 20, 2012, I worked with Melrose IT staff to set up the first data transfer to Melrose. Essex is being hosted on a virtual server within Melrose's IT infrastructure. After we established basic connectivity, we joined the new virtual server to the Essex domain and then installed our antivirus client. We plan to move my dedicated file share from the Essex file server in Town Hall to the new virtual server in Melrose and I will repoint my user profile and my Microsoft Office programs to Melrose. However, before that "real-life" testing begins, we will run automated input/output tests from both ends of the connection for at least another week to have a good sense of system reliability and bandwidth needs.

*Recommendation:* I will update the Board as necessary. Total time – 5 hours.

#### (2) Installation of Library Printer

The Library received a donated printer for one of the patron terminals and I assisted with its installation. The combination of the model of printer and operating system of the computer required a web-based download for the proper driver package.

*Recommendation:* No further action is necessary.

#### (3) Computer Warranty Parts/Service

The power pack on the laptop computer system I use failed recently, as did the power supply and motherboard on the system used by the Assistant Superintendent of Public Works. Since all of our systems carry next day parts and

on-site service (when necessary), both systems have been fixed and are again in working order.

*Recommendation:* No further action is necessary.

### C. Personnel

(1) Draft FY13 Wage & Salary Scale (\*)

In the month of March, the Board of Selectmen, acting in its capacity as Personnel Board, normally recommends an amendment to the Town's Wage & Salary Scale that will be considered by Town Meeting in May. I have prepared a draft amendment for the Board's consideration for potential adoption at the next meeting.

*Recommendation:* **Preliminary Board discussion as necessary.**

(2) Safety Committee Meeting

The next Safety Committee meeting will occur on March 21, 2012. I will attend as a member of the Committee. A draft agenda is in the Board's reading folder.

*Recommendation:* I will update the Board as necessary.

(3) Chief of Police Goals, Calendar Year 2012 (\*)

At the last meeting, the Board approved 3% merit pay for the Chief of Police for fiscal year 2013 based on his accomplishments. The Board desired to discuss his calendar year 2012 goals further at the present meeting before finalizing.

*Recommendation:* **Board discussion relative to the Chief's calendar year 2012 goals as necessary.**

(4) Shared Planner (\*)

I was recently invited by the town administrators from Wenham and Hamilton to discuss how those communities are looking to restructure planning, permitting, and inspectional services functions. One element of their efforts may include the prospect of a planner who could mainly serve one community but who could also serve Essex in a part-time capacity (much like the model used by the Conservation Commission). Such a planner could potentially assist the Planning Board with routine project and plan reviews as well as more general planning.

*Recommendation:* **Board discussion relative to this potential relationship, which is still in a very preliminary phase.**

(5) Expansion of CORI Access

I was approached by the Librarian to determine if I could assist with criminal offender record information checks for library personnel. The Library runs

programs which have direct involvement with children and the elderly. I have applied for expanded CORI access since my current certification only allows me to assist the Council on Aging with CORI. If my access is expanded, I will assist the Library by performing checks as necessary.

*Recommendation:* I will update the Board as necessary.

#### **D. Procurement/Ongoing Projects**

##### (1) Southern Sale Appraisal Process Update

(\*)

At the last meeting, the Board asked that I invite anyone from Conomo Point to provide input regarding the process and standards being used for the upcoming southern appraisals along with any of the facts offered as part of the bridge lease appraisals in the southern area. Our appraiser had set an input deadline of February 24 and I therefore asked our point of contact for all comments to be provided to me no later than February 23, 2012. I also informed our contact that our appraiser will be offering a week in March to view the interiors of structures that he did not get into during the bridge lease appraisal process. We have received one consolidated set of comments from the leaseholders which I have forwarded to our appraiser for review.

*Recommendation:* **Board discussion as necessary.**

##### (2) Southern Conomo Point Subdivision Construction Cost Estimation

Our engineering consultant, Horsley Witten, has begun to execute the scope of services associated with delivering an accurate cost estimate for the necessary physical changes that must occur within the southern subdivision per the Planning Board's approval. The project will involve design, permitting, and construction cost estimation work to deliver a figure that the Town Meeting can rely upon when considering funding the physical alterations.

*Recommendation:* I will update the Board as necessary.

##### (3) Village Corner Sidewalk Review and Analysis

At the last meeting, the Board voted to sign a letter to MassDOT outside of a meeting after I verified various items with DOT. The letter has not yet been finalized since one DOT official required for the verification process has been away recently. I expect to offer the Board a final version of the letter in the coming week.

*Recommendation:* I will update the Board as necessary.

##### (4) Essex River Boardwalk Feasibility Project Update

At the last meeting, the Board signed a contract with Salem State University for the overall analysis component of the subject project, subject to authorization

from the grantmaker, DCR, that we may proceed. I received DCR's approval during the week of February 13, 2012 and Salem State has begun work. The Board also authorized at the last meeting the signature outside of a meeting of a standard services contract with Vine Associates for the engineering component of the project, subject to DCR approval as well. Town Counsel assisted in the finalization of a contract with Vine and DCR approved Vine's involvement during the week of February 20, 2012. We have a signed contract in hand and the Board has already voted to countersign.

Presently, Salem State is conducting preliminary work to determine if any major obstacles to feasibility exist. Efforts will include direct outreach to abutters and an eventual public forum. Once this preliminary work has been completed, Town officials, Salem State representatives, Vine Associates representatives, and Mr. Michael Driscoll of DCR will meet to ensure that Vine's involvement is warranted. In the likely event that no major obstacles have been identified, DCR would then likely authorize Vine to begin work in a coordinated fashion with Salem State's continuing efforts.

*Recommendation:* I will update the Board as necessary.

(5) Town Building Feasibility Study Final Report

At the last meeting, Selectman O'Donnell explained how our consultant was working to address the potential purchase of the Lahey Building in the subject final report. After discussion, the Board agreed that the consultant should be informed that the Town desires the report to acknowledge a certain level of flexibility on this topic since we do not yet know all of the factors that will influence future decisions. Selectman O'Donnell will work with our consultant regarding this topic.

*Recommendation:* I will update the Board as necessary.

(6) Route 133 Reconstruction Project Grand Opening/Ribbon Cutting (\*)

Senator Bruce Tarr and Representative Ann-Margaret Ferrante have both committed to being present for the subject ceremony to be held on June 8, 2012 at 1:00 p.m. I have provided that date and time to other elected officials and have learned that Senator Scott Brown and Congressman John Tierney will at least send staff members if they cannot be present. It is possible that their respective houses of Congress will be in formal session at that time. I have been working with Selectman Coviello relative to other details associated with the ribbon cutting.

*Recommendation:* **Board discussion as necessary.**

## E. Insurance

No items.

## F. Facilities

### (1) Town Hall Heating System Boiler Replacement and Final Report (\*)

Our heating contractor replaced the steam boiler in Town Hall with a new boiler over the Presidents' Day weekend. The new system is functioning well. Outright replacement turned out to be an excellent decision since several plates in the old boiler were severely corroded, which would have made rebuilding the old boiler almost as expensive. In addition, we have received the final report from our consulting engineer relative to recommendations for future heating system improvements. The final report recommends moving to a gas-fired, hydronic heating plant in the future if the Town is going to continue to occupy the building. However, the report cautions that nothing further should be done until the long-term status of the building has been better defined.

Also, as a result of the excess steam production from the old boiler, the Planning Board Office has been severely damaged (paint and plaster damage to walls and ceilings). It will be necessary to hire a contractor to make necessary repairs and to paint the entire office. While that contractor is on site, it would be efficient for them to also address the interior wall damage created by the now-repaired exterior wall leak in the Town Clerk's office.

***Recommendation:* Board discussion relative to the heating system final report and approval of the use of the Luther Burnham Fund to repair the Planning Board office and the Town Clerk's office.**

### (2) Request for License to Attach Ramps and Floats to Piers (\*)

The Conomo Point Association has requested the granting of a license to attach their ramps and floats to the Town's stone pier and Farnsworth Pier at Conomo Point for the upcoming season. The Board, acting in their capacity as Conomo Point Commissioners, which hold the custody and control of Conomo Point, has the authority to grant such a license pursuant to the General Laws.

***Recommendation:* Board review and signature of the referenced license.**

### (3) Access to Grove Cottage

The gate that the Board had ordered that will close off the road from the upper parking lot to the Centennial Grove Cottage has now been installed. I met with the contractor and the Superintendent of Public Works on February 23, 2012 to verify the location. The DPW will trim some small trees adjacent to the gate to allow for foot and bicycle passage. A lock will be purchased with keys provided to the DPW and all necessary public safety personnel.

*Recommendation:* No further action is necessary.

## **G. Fiscal/Budget**

### (1) Social Service Agency Stipends

At the last meeting, in recognition of the difficult financial times we are in and the important work of various social service agencies in our area, the Board asked that I request an increase in the amount of funding for the five agencies that the Town usually provides funding to. At maximum, the agencies received a total of just over \$6,800 but this line was cut in the face of the recently-failed override. The Board is requesting a total of \$7,500 for fiscal year 2013 and I have provided that request to the Finance Committee for consideration.

*Recommendation:* I will update the Board as necessary.

## **H. Complaints**

No items.

## **I. Meetings Attended**

### (1) Monthly Finance Advisory Board Meeting, Regional Dispatch Center

I attended the subject meeting as a member of the Board on February 17, 2012. The meeting featured a presentation from the Center's new Executive Director, Mr. Thomas Dubas regarding the current status of construction, grant funding, and budgeting. The mild winter has the construction project much ahead of schedule and the State 911 department will soon be providing over \$3 million in grant funds for the complete equipping and furnishing of the new Center. It is possible that the Executive Board will ask each member community to consider allowing the CMED ambulance dispatch service, which handles all ambulance dispatch in northeastern Massachusetts, to also locate at the Center. This would require an amendment to the present Agreement and, if approved, CMED would move from Lawrence General Hospital to the new Center. Inclusion of CMED in the Center would likely continue to make the Center a high priority for future State funding since CMED is an essential resource to many communities.

*Recommendation:* No further action is necessary at this time.

## **J. Final Judgment**

No items.

## **K. Town Meeting, By-Laws, and Regulations**

### (1) Facility Naming Policy

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At the last meeting, the Board asked Town Counsel to develop a draft naming policy for the future naming of Town facilities as requested by citizens. Counsel has provided that draft for the Board's initial consideration. I also informed the representative of a pending naming request that the Board has taken that request under advisement.

*Recommendation:* **Board discussion regarding the draft policy.**

### (2) Draft Annual Town Meeting Warrant

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I have revised the draft Annual Town Meeting Warrant pursuant to the Board's guidance at the last meeting. The Board's target warrant signature date remains March 26, 2012.

*Recommendation:* **Board discussion as necessary.**

### (3) Northern Conomo Point Zoning District Bylaw

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At the last meeting, the Board discussed potential milestones for the public hearing and the warrant article associated with the subject draft bylaw. The Selectmen met with the Conomo Point Planning Committee on February 16, 2012 and the group decided that the best course of action would be to have bylaw language ready for the signature of the Town Meeting warrant on March 26, 2012, which would also allow for having the necessary draft available for the advertising of a potential April 11, 2012 Planning Board public hearing. The Planning Board will consider that potential hearing date at their meeting of March 7, 2012.

Subsequent to the meeting, I assisted Selectman O'Donnell with the confirmation of the number of bedrooms associated with each northern property by comparing figures from her review to the Assessors' official figures. Our consultant will now revise the base map to ensure that all bedroom figures are accurate. The Committee tentatively plans to meet again on March 8, 2012 to review progress and to provide additional guidance to our consultant.

*Recommendation:* **Board discussion as necessary.**

### (4) Board of Health Mutual Aid Agreement

At the last meeting, the Board considered a request from the Board of Health regarding the signature of a mutual aid agreement that had been developed at the Massachusetts Department of Public Health. The Agreement would allow signatory boards of health to provide mutual aid to and to receive mutual aid from other signatory boards of health. At the meeting, discussion focused around a 2006 "all-Towns" memorandum from Town Counsel which laid out the various considerations of such an agreement and the recent change in State Law at

Chapter 40, Section 4J that allows for that framework. Since the Town has already opted into that statute, the Board of Selectmen did not see a need for a separate Agreement and declined to sign.

*Recommendation:* No further action is necessary.

## **L. Legal Issues**

### (1) Performance Guarantee for Southern Conomo Point Subdivision (\*)

At the last meeting, the Board desired to explore the development of a covenant for presentation to the Planning Board that would allow the Planning Board to proceed with the endorsement of the subdivision plan prior to the Annual Town Meeting. As such, I worked with Town Counsel to develop a draft covenant that requires the Town, acting through the Board of Selectmen, to meet all conditions of the subdivision approval before any of the new properties are conveyed.

*Recommendation:* **Board review of the draft covenant.**

### (2) Boundary of Private Parcel on Robbins Island (\*)

The surveyor from Horsley Witten that the Town has retained to locate the boundary of the Hsia property on Robbins Island has conducted field work and has spoken to me about the research that I have already conducted. Although the exact location of the boundary may be difficult to ascertain, it appears that the Town's property is separated from the actual water's edge by marshland owned by Hsia. The two Hsia parcels noted on the Hsia deed refer to "marshland", which places the property line at the mean high water mark. This distinction matches very well how lease lot lines are laid out and how the various properties are physically landscaped and maintained. A full title run-down and additional interviewing of residents by the surveyor may bring additional details to light but the marshland distinction may be enough for the Board's purposes at this point.

*Recommendation:* **Board discussion as necessary.**

### (3) Access to Cross Island (\*)

Since the Board's last meeting, I came across paperwork in our files that suggests that the owner of Cross Island could potentially have some level of access rights across the Town's property to access Cross Island. I was able to obtain several prior deeds back to 1864 and was unable to locate any reference to the rights a past landowner had written about and no prior deeds were referenced in the 1864 deed. It would appear to me that formal deed research would be necessary in order to define whether any rights exist.

*Recommendation:* **Board discussion relative to potential deed research or potential contact with the current owner.**

## **M. Grants**

### (1) Regional Bicycle Parking Grant Program

The Metropolitan Area Planning Council (MAPC) has announced that limited funding is available for the purchase of additional bicycle racks. Shipping and installation fees are not eligible for the grant and the Town has participated in the past. The Superintendent of Public Works recently chose the make, model, and quantity of racks we are interested in and I have provided the necessary quotation from the vendor to MAPC for approval in early April. No additional authorization paperwork is necessary since the Town is already subscribed to the program. It is possible that quantities will be limited by MAPC since the funding is limited.

*Recommendation:* I will update the Board as necessary.

## **N. Emergency Planning**

### (1) Regional Emergency Communications Center Finance Advisory Board Mtg.

I attended the subject meeting on February 17, 2012 as a member of the Finance Advisory Board and we were joined by Mr. Thomas Dubas, the Center's new Executive Director. Mr. Dubas provided a report concerning the procurement of items necessary for the new center and provided a budget and construction update for the group. The Board may look into hosting the region's current ambulance dispatch system in the new center via a potential change to the present agreement.

*Recommendation:* I will update the Board as necessary.

## **O. Other Items**

### (1) Presidents' Day Holiday

The office was closed on February 20, 2012 in observance of the subject holiday.

### (2) Town Administrator Leave

I was out of the office on vacation leave on the afternoon of February 23, 2012.

*This report is available at [www.essexma.org](http://www.essexma.org) on the morning after any regularly scheduled Essex Board of Selectmen's Meeting.*