



## Town Administrator's Report Board of Selectmen's Meeting of March 7, 2011

Report covers from February 26, 2011 to March 4, 2011

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

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### A. Town Department Reports/Requests

No items.

### B. Computer Systems

#### (1) Cloud Computing Software Model

A vendor that we have been exploring future opportunities with will soon provide sample contract terms for their future product to the Town for review. Town Counsel will review those documents against procurement, public records, and other municipal laws so that we can obtain a basic understanding as to whether any substantive hurdles exist with the proposed model.

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

### C. Personnel

#### (1) Safety Committee Meeting

The Safety Committee will meet on March 16, 2011 and I will attend as a member of the Committee. A representative of our insurer will attend to present the Town with the Town's fifth loss control award.

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

### D. Procurement/Ongoing Projects

#### (1) Thirteenth Biweekly Construction Report

I issued the subject report to the Route 133 Reconstruction Project stakeholders group on February 28, 2011. The report highlighted the news that National Grid would conduct its routine pole move work during the month of March to avoid field conflicts with road construction crews later in the spring.

*Recommendation:* No further action is necessary.

#### (2) Meeting with Conomo Point Leaseholders

(\*)

Chairman Randall, Town Counsel, and I met for the third time with representatives of the Conomo Point leaseholders during the week of February 28, 2011. The purpose of the meetings has been to work toward the terms of bridge

leases for all presently-leased lots at Conomo Point pursuant to the Board's master calendar regarding the Point.

*Recommendation:* **Board discussion in executive session.**

(3) Summer Camp Services Contract (\*)

At the last meeting, the Board rated the sole summer camp services proposal received by the Town (from the YMCA) as "Highly Advantageous" overall and offered the contract award to that organization. I provided the YMCA with the contract and I expect signed copies for the Board's countersignature by meeting time. I also posted a note on the Town's sign board regarding the new program and directed interested parties to the Town's website. The website presently indicates that a contract with the YMCA is being finalized and that a specific link to program information will be posted on March 8, 2011, after the parties are under contract.

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

## **E. Insurance**

(1) "Grandfathered Health Plan" Status, PPACA (\*)

The new, Federal Patient Protection and Affordable Care Act (PPACA) allows health plans that are "grandfathered" to retain certain options regarding cost-sharing of preventative services (i.e. a co-pay for certain preventative services may still be charged) and enrollment of adult children under the age of 26 (i.e. limited ability to decline the addition of adult children to an existing plan). The benefits history of the Town's plan is such that it does likely qualify for the grandfathered status.

However, in 2014, the grandfathered status ceases to exist for all health plans and may cease to exist much earlier if plan changes are opted for or required by law. At the time that grandfathering is no longer valid, the cost to cover the benefits will likely be much higher than the 0.21-0.61% cost if grandfathering is relinquished today. Also, our provider will require any grandfathered entity to handle its own administrative processes regarding grandfathered topics, something that we are not well-equipped to manage. Our provider has announced that any covered municipality that does qualify for grandfathering will automatically relinquish that status if the municipality does not actively attest to that status. Given the pros and cons of the issue, I recommend relinquishing grandfathered status (to the extent that we presently even have it).

*Recommendation:* **Board vote to forego the attestation process and to relinquish any grandfathering that may presently exist.**

(2) Monthly Pothole Log

I obtained the subject log for the month of February from the DPW and forwarded it to our insurer as part of the MIIA Rewards Program. The log is aimed at identifying reported potholes and ensuring that timely repair efforts are made.

*Recommendation:* No further action is necessary.

**F. Facilities**

No items.

**G. Fiscal/Budget**

(1) Finance Committee Meeting (\*)

The Board met with the Finance Committee on March 3, 2011 to discuss the upcoming Town budget cycle and the Committee's perspective regarding Conomo Point.

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

(2) Manchester Essex Regional School District Apportionment (\*)

Mr. Avi Urbas of the District provided the two towns with a breakdown of the FY12 apportionments during the week of February 28, 2011. He asked that each community check the calculations and report back. I found that the District's calculation of \$6,380,070 for Essex's FY12 operating apportionment matched my calculations that I arrived at using an independent method. I will also be checking the figures for debt repayment associated with capital costs.

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

(3) Letter of Support for Plum Island Shellfish Purification Plant

At the last meeting, the Board agreed that a letter should be sent to the Director of the Division of Marine Fisheries regarding the importance of keeping the subject plant in operation next fiscal year. Funding for the plant is in jeopardy and it is possible that the program could be restructured to eventually cover its own costs. I developed a letter for the Board's signature as requested and the letter was sent during the week of February 28, 2011.

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

**H. Complaints**

(1) Shellfish License Residency Complaints

The Board is in receipt of written complaints that allege that certain individuals holding commercial clam licenses within the Town of Essex do not meet the

residency requirements in the Town's regulations. As such, the Board asked that hearings be scheduled for each of the alleged license holders on March 14, 2011. Official hearing notices were sent to the individuals in question during the week of February 28, 2011.

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

## **I. Meetings Attended**

No items.

## **J. Final Judgment**

(1) Proposed Date Extension (\*)  
Town Counsel will be discussing with the DEP the agency's proposed method for the Town to request an extension to the December 31, 2011 deadline concerning Conomo Point in the Final Judgment. It is likely that I will have additional information available by meeting time.

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

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

(1) Draft Annual Town Meeting Warrant (\*)  
I have revised the subject document in accordance with the Board's guidance and input from Town Counsel.

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

## **L. Legal Issues**

No items.

## **M. Grants**

(1) Coordinated Family and Community Engagement Grant  
Last spring, it came to our attention that there may be money allocated to the Town through the subject grant. At that time, we learned that it was a renewal year and that only funds for existing programs were being offered. We learned that we should ask again this spring in the event that funds allocated to Essex could be added to the overall allocation for the Birth to Three Center in Ipswich. In this way, Essex residents could partake in those services but the Town would not have to develop or house its own program with the little funding that may be available. I wrote to the Commissioner of the Department of Early Education and

Care during the week of February 28, 2011 and was referred to the grant coordinator for our region. I am awaiting further correspondence.

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

## **N. Emergency Planning**

### (1) Cape Ann Emergency Planning Team Monthly Meeting

I attended the subject meeting along with the Fire Chief, the Assistant Superintendent of Public Works, and the Public Health Nurse on March 3, 2011 in Rockport. The meeting featured general updates regarding each of the Team's working groups. I will be working to allocate a portion of the Town's grant funding in this area for a small contribution toward the Team's website maintenance (\$150 per year per community).

*Recommendation:* No further action is necessary.

## **O. Other Items**

### (1) Town Administrator Leave

I was out of the office on vacation leave on March 4, 2011.

*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.*