



## Town Administrator's Report Board of Selectmen's Meeting of March 12, 2012

Report covers from February 25, 2012 to March 9, 2012

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) Live Test of Melrose Datacenter (\*)

I copied all of the files in my personal file storage area from the Essex file server to a new location on a Melrose datacenter virtual server on February 28, 2012. Opening averaged-sized files from Essex Town Hall generally took two-to-three seconds longer than the direct LAN connection I am accustomed to. Once a file has been opened, navigating within it and modifying it does not carry any delay whatsoever. Saving a file carries that same two-to-three second delay.

I have also tested the opening, use, and saving of files from the two remote buildings on our network (Water Plant and Fire Station) – this traffic travels to and from Town Hall over the Cable I-Net system. Prior to this testing, I worked with Melrose technicians to open up traffic between the IP address subnets in the Water Plant and in the Fire Station and the Melrose server. This activity simulated what it will be like for users who work in those buildings on a daily basis. I noticed that the file opening delay in these areas was appreciably longer.

I spoke to the Comcast technician who manages the Cable I-Net and asked him whether the modems and switchgear that make up the present I-Net could somehow be upgraded for better throughput. He indicated that several solutions may be possible and he will be providing me with additional information. The Town has \$20,000 for I-Net upgrading that was paid by Comcast at the outset of the present contract.

Further, I am exploring with Melrose technicians the potential of us upgrading our high-speed Comcast connection to a more dedicated class of service that is optimized for remote local area network traffic. This new class of service will cost us slightly more per month but will likely cut down on the latency that we have been experiencing. Technicians are also working to optimize how their servers are storing and serving up files for faster throughput.

**Recommendation:** Board discussion relative to increasing bandwidth capacity of the Cable I-Net and relative to the purchase of more specialized Internet service. Total time – 2 hours.

## C. Personnel

### (1) FY13 Wage & Salary Scale

At the present meeting, the Board, acting in its capacity as the Personnel Board will consider the fiscal year 2013 Wage & Salary Scale and will make a recommendation to the Town Meeting.

*Recommendation:* Board review and recommendation to the Town Meeting of the FY13 Wage & Salary Scale (specifically listed on the agenda in the “other business” category).

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

The Board desired to discuss the Chief’s calendar year 2012 goals further at the present meeting before finalizing since the Chairman could not be present at the last meeting.

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

## D. Procurement/Ongoing Projects

### (1) Northern Conomo Point Subdivision Plan (\*)

At the last meeting, the Board briefly reviewed an updated base plan for the subject subdivision which included some very specific input regarding bedroom counts, commonly-held leaseholds, and other issues. The Board offered other minor comments and asked me to forward the subsequent revision to the Chairman of the Conomo Point Planning Committee for distribution prior to the Committee’s March 8, 2012 meeting. Our consultant made all requested changes and the CPPC received the updated draft on March 5, 2012. It may be necessary to consider issues associated with the single private property on Robbins Island.

At their meeting of March 8, 2012, with the Selectmen present, the CPPC reviewed the new base plan as it continued to work with our consultant regarding possible subdivision layouts. General consensus regarding layout is necessary to finalize the required underlying zoning changes for the Town Meeting warrant signature on March 26, 2012. The Chairman of the Planning Board has informed me that, at the Planning Board’s meeting of March 7, 2012, the Planning Board agreed to hold the necessary northern zoning district public hearing on April 11, 2012. He asked that the Planning Board receive as much information as possible regarding the proposed zoning bylaw amendment as early as possible and that the Selectmen, the Conomo Point Planning Committee, and our consultant be available to fully present the proposal at the public hearing.

*Recommendation:* **Board discussion relative to the general subdivision layout and the proposed underlying zoning.**

(2) Southern Conomo Point Subdivision Required Improvements (\*)

Our consultant has begun to develop design scenarios to address the physical alteration requirements that are part of the Planning Board's approval of the Southern Conomo Point Subdivision. At the end of Cogswell Road, a turnaround feature must be designed and constructed. Our consultant has proposed that an easement be put in place prior to potential sale of property that would allow the required feature to be constructed on upland (the surrounding area is very wet). Depending on the turning feature's configuration, it could impact via easement as many as two properties at the end of the road. The Fire Chief had commented during the subdivision review process that it would be preferable to not incorporate any existing driveway into the turning feature. However, after he saw the various design scenarios that our consultant had developed, he agreed that a separate feature was not practical. He has chosen one of the alternatives provided by our consultant.

The Chairman of the Planning Board has requested that the Planning Board receive a preliminary draft of the proposed improvement plan after the Selectmen have agreed on the overall approach but before the plan is finalized by our consultant. This review step will help to avoid any mismatch between what is ultimately designed and the Planning Board's expectations.

***Recommendation:* Board discussion relative to the final configuration of the turnaround and the process for coordination of the design going forward.**

(3) Southern Conomo Point Subdivision Endorsement Process (\*)

At the last meeting, the Board asked that I send a preliminary draft of a Covenant for the southern subdivision to the Chairman of the Planning Board for his initial comments before the document is finalized and sent to the full Planning Board. The Covenant is necessary under the Subdivision Control Act to meet the performance guarantee standards so that the Planning Board may officially endorse the subdivision plan. The Covenant basically pledges that no lots will be transferred unless and until the Selectmen, acting in their capacity as Conomo Point Commissioners, have met all of the requirements of the Planning Board's Definitive Subdivision Approval, as modified.

The Planning Board Chairman felt that the Covenant was already sufficiently developed to bring to the full Planning Board at that Board's meeting of March 7, 2012. At the meeting the Planning Board indicated that the Covenant, as presently written, will be sufficient.

***Recommendation:* Board vote to sign the Covenant and to send it off to the Planning Board for that board's countersignature.**

(4) Southern Conomo Point Appraisal Process

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At the last meeting, I had informed the Board that our appraiser would be available during the week of March 12, 2012 to perform interior inspections within houses that were not entered as part of the lease appraisal process. I did reach out to the tenants via their representative but no tenants stepped forward to arrange for interior inspections. At this point, it appears that our appraiser will need to utilize standard assumptions relative to interior condition.

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

(5) Access to Cross Island

At the last meeting, the Board asked me to contact the present owner of Cross Island to learn what his understanding is concerning access over Conomo Point to the island. I contacted Mr. George Emerson and he commented that he has heard in the past about access rights but does not presently have anything conclusive. Mr. Emerson plans to conduct research at the Registry of Deeds to determine if deeds that pre-date our last known deed reference might provide some insight.

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

(6) Successor Solid Waste Contract

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The Superintendent of Public Works and I met with a representative of Covanta, our present solid waste contractor, regarding the potential terms of a successor solid waste contract on March 8, 2012. As the Board may recall, Covanta had offered renewal terms that are at the low end of the market range. The topics covered at our meeting were in line with our previous understanding. As such, Covanta will be developing a draft successor contract, complete with all pricing that will be effective as of January 1, 2013.

The contract will be for an additional, ten-year term with three days of staff coverage at the transfer station. If the Town later opts to increase staff coverage back to the four days, the contract will accommodate that at the cost of the extra day. While we are awaiting the draft contract, the Superintendent will ensure that an adequate line-item budget will appear in the FY13 Town Budget (which will be complemented by sticker fee revenue – to be considered by the Town in a separate article). Town Meeting will also consider authorizing the Selectmen to enter into the new contract (since it will exceed three years in duration). Once the contract has been approved by Town Counsel and all necessary Town Meeting votes are in place, the Selectmen may sign it with an effective date of January 1, 2013.

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

(7) Village Corner Sidewalk Review

As previously voted by the Board, on February 28, 2012, the Board signed a letter to MassDOT outside of a meeting asking for DOT to review the presently-

installed sidewalk in the vicinity of Emmons & Martin Antiques. The challenge is to find a design that will still provide street runoff protection but that can transition to the pre-existing grade in front of the store and at the end of the sidewalk in a fashion that meets ADA requirements. DOT is working on bringing in a survey crew to shoot grades in the area that will be useful to future planning and design work. Also, on March 14, 2012, DOT will bring in an accessibility expert, along with other personnel, to review the matter and to potentially suggest other designs that may be feasible after survey data becomes available. If a better solution is found, it is possible that MassDOT will direct its contractor to modify the existing installation.

*Recommendation:* I will attend the March 14 site visit along with abutters and I will update the Board as necessary.

(8) Roadway Resurfacing Contract, Chapter 90

The Superintendent of Public Works is presently defining the scope of work for a new roadway resurfacing contract that will be funded using Chapter 90 funds. The contract will require a bid process under Chapter 30, Section 39M of the General Laws, which I will assist with. I will also assist by incorporating the required price adjustment language for the cost of liquid asphalt, which is allowed to change from invoice to invoice, depending on the trend of the commodity.

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

**E. Insurance**

(1) Freeze-up Prevention Checklists

I completed the subject checklists for various Town buildings during the week of March 5, 2012 as part of the MIIA Rewards Program for the final time of the season. I complete the checklists monthly from November through March and they are aimed at preventing problems associated with frozen pipes. I commented in this month's form for Town Hall that the new boiler has been installed.

*Recommendation:* No further action is necessary.

(2) Monthly Pothole Log

I obtained the pothole log for the month of February from the DPW and I provided the log to our insurer as part of the MIIA Rewards Program. One pothole had been reported during February and was rapidly repaired.

*Recommendation:* No further action is necessary.

## F. Facilities

### (1) Centennial Grove Gate

The gate at the beginning of the road to the Centennial Grove Cottage has been completed and locked. Our office, the DPW, and public safety personnel have the necessary key.

*Recommendation:* No further action is necessary.

### (2) Annual State Elevator Inspection, Senior Center

Our elevator contractor was present on March 2, 2012 for a State inspector to conduct our mandatory, annual elevator inspection at the Senior Center. The inspection did not turn up any problems and a certificate was issued for the coming year.

*Recommendation:* No further action is necessary.

### (3) Construction of Additional Changing Facility, Centennial Grove (\*)

I met staff from the Ipswich YMCA on February 29, 2012 at the Centennial Grove to consider the best location to place an additional changing facility. The Town will purchase the necessary materials and the YMCA Maintenance Division will actually construct the building. The camp is actually interested in a second building since, presently, boys and girls have to take turns as groups to change. A second facility would alleviate delays.

Since it would be most convenient and most efficient to construct the new facility next to the present facility, it does not appear that designing the new facility differently from an architectural standpoint would provide for a harmonious look. Instead, the YMCA would simply like to match the architecture and façade of the present facility to provide uniformity, simplicity, and cost-effectiveness. The proposed location would also avoid the cutting of whole trees and would only require trimming of limbs.

Further, the staff asked whether an existing, plain, concrete slab at the top of the knoll overlooking the beach could be painted with permanent game markings for use by the camp and residents alike.

*Recommendation:* **Board approval of the location and style of the new facility and approval of the request to apply game markings to the existing concrete slab.**

### (4) Route 133 Reconstruction Project Grand Opening (\*)

At the last meeting, the Board asked that I contact the Chief of Police and the Fire Chief regarding the grand opening ceremony for the recent highway project, which is planned for June 8, 2012. Since the ceremony may briefly require the

stoppage of traffic, it is necessary to begin receiving public safety input. I have learned that the Fire and Police Chiefs are both ready to assist as we get closer to the actual date of the event (which will also allow them to know more about which dignitaries will be attending).

Also, the Essex Merchants' Group and the Essex Division of the Cape Ann Chamber of Commerce have begun to discuss the planned event. The Merchants' Group has taken the lead regarding the schedule and logistics for the various elements of the event, which will include both a luncheon and an official ribbon cutting ceremony.

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

(5) Interior Wall and Ceiling Repairs, Town Hall

At the last meeting, the Board authorized the repair of walls and ceilings in the Planning Board office and in the Town Clerk's office using the Luther Burnham fund. The repairs are necessary due to steam damage and a past exterior wall leak, respectively. I located a general contractor to review our needs. The necessary work appears to be all plaster/painting related. As such, he referred me directly to a painter. The necessary work will cost \$1,000 and will be completed within the next few weeks.

*Recommendation:* No further action is necessary.

(6) Sponsorship of Downtown Streetscape Features (\*)

The Board asked that I bring the topic of sponsorship of downtown streetscape features back up during the month of March in preparation for the spring season. Numerous parties have inquired as to how they might sponsor a pocket park or a traffic island, with recognition given to their business via a small sign.

*Recommendation:* **Board discussion regarding a system for assigning sponsorships, including a determination of whether long-time past sponsors should be simply reassigned the areas each formerly maintained.**

(7) Deployment of Conomo Point Parking Signs

As the Board may recall, signs regulating non-resident parking versus stickered, resident parking were approved and produced over the winter months. I visited the site with the Superintendent of Public Works to verify sign locations so that the signs may be deployed by his staff. Approaching the Point, motorists will first see a sign reading "Non Resident Parking, This Side Only, Begins Here" and non-stickered / non-resident vehicles will be allowed to park for several hundred feet. A subsequent signpost will have two signs. On the top, a sign will read "Non Resident Parking, This Side Only, Ends Here". Below that sign, a second sign will read "Sticker Parking Only Beyond This Point, In Designated Areas".

Therefore, beyond the second signpost, only those with resident stickers may park, and even then, only in designated areas on the Point.

*Recommendation:* No further action is necessary.

## **G. Fiscal/Budget**

### (1) Fiscal Year 2013 Budget Update

The Finance Committee will be in attendance at the present meeting to provide an overall budget update and to discuss a variety of budget-related issues, including the Draft Annual Town Meeting Warrant.

*Recommendation:* Board discussion of these matters with the Finance Committee at the present meeting.

## **H. Complaints**

No items.

## **I. Meetings Attended**

### (1) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting along with Selectman Coviello on February 29, 2012. The meeting featured the introduction of the Chamber's new Executive Director, Mr. Robert Heidt, Jr. and a discussion relative to the planned Grand Opening of the Route 133 Reconstruction Project.

*Recommendation:* No further action is necessary.

### (2) Manchester Essex Rotary Club Meeting

I spoke at the subject meeting on March 7, 2012 as a guest of the Rotary. The club was interested in an update regarding projects, initiatives, and finances in the Town of Essex. I have spoken to the club on numerous occasions throughout the years. The Club has committed to running the annual Easter Egg Hunt behind Town Hall on the Saturday before Easter at noon.

*Recommendation:* No further action is necessary.

## **J. Final Judgment**

No items.

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

### (1) Facility Naming Policy (\*)

The Board had asked Town Counsel to develop a draft naming policy for the future naming of Town facilities as requested by citizens. Counsel provided that draft for the Board's initial consideration at the last meeting and the Board asked to have the topic brought up again at the present meeting.

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

### (2) Proceeds from the Sale of Land (\*)

At the last meeting, I explained generally how the General Laws restrict the use of proceeds from the sale of municipal property. The Board desired to know more about the mechanics of how such money is held in the Town after it is collected. I have learned from the Town Accountant that a special revenue account called the "Sale of Real Estate Fund" would be created and the money would remain in that fund until Town Meeting voted its use for any purpose authorized by the General Laws. However, we have learned that the interest generated by the fund would fall to free cash each year and would not accrue within the fund.

*Recommendation:* Board discussion as necessary.

### (3) Draft Annual Town Meeting Warrant (\*)

I have revised the Draft Annual Town Meeting Warrant in accordance with the Board's guidance from the last meeting. The Finance Committee will be in attendance at the present meeting to discuss the warrant, among other items.

*Recommendation:* **Further Board review of the draft warrant.**

## **L. Legal Issues**

### (1) Request for Conomo Point Rent Reduction (\*)

A year-round resident of Conomo Point has applied for rent reduction pursuant to Article IV(4) of the Bridge Lease. The application was received on March 6, 2012, which is after the deadline stated in the lease (at least 30 days before the due date of the first rent installment). Also, a statement indicating that the application was signed under the pains and penalties of perjury must be added to the application, which can then be re-signed. Further, I will need to meet with the applicant to review tax return information. The applicant otherwise appears to meet the criteria for the reduction.

*Recommendation:* **Board vote to award \$750 in rent reduction to the applicant, creditable to the second quarter's rent payment, after the applicant remedies the above items and I have reviewed and confirmed that all criteria have been met.**

## **M. Grants**

### (1) Tropical Storm Irene Damage and Coverage Reimbursement (\*)

The Massachusetts Emergency Management Agency (MEMA) has provided the Town with the necessary paperwork to collect just under \$4,000 for damage and public safety/DPW coverage associated with Tropical Storm Irene, which occurred on August 28, 2011. The Superintendent of Public Works was instrumental in collecting all of the necessary data and making the initial application on behalf of the Town.

*Recommendation:* **Signature of the necessary paperwork by the Chairman.**

## **N. Emergency Planning**

No items.

## **O. Other Items**

### (1) Town Administrator Leave

I was out of the office on vacation leave on March 2, 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.*