



Town Administrator's Report Board of Selectmen's Meeting of March 23, 2009

Report covers from March 7, 2009 to March 20, 2009

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

A. Town Department Reports/Requests

(1) Next Board/Commission/Department Head Meeting

The next quarterly Town business coordination meeting for all interested boards, commissions, and department heads will occur on April 6, 2009 at 7:00 p.m. at the school. The appointment with these various entities will be the only major agenda item on the Board's agenda that evening. I will inform the various parties as usual.

Recommendation: I will update the Board as necessary.

(2) Conomo Point Planning Committee Update (*)

At the last meeting, the Board approved a list of questions that the Conomo Point Planning Committee had developed for our consultant. Those questions, along with another list that had already been forwarded to the consultant, were addressed by the consultant at the Committee's meeting of March 12, 2009. Selectman Lynch attended that meeting as a Committee member and can offer an update as necessary. The next CPPC meeting will be held on March 26, 2009.

Recommendation: **CPPC update from Selectman Lynch as necessary.**

(3) Use of Memorial Park (*)

The opportunity to host a movie production this summer will require an alternate location for the Essex Summer Program and the Essex Music Festival as well as various portions of sports seasons. Memorial Park is the logical location and the Board of Public Works should be provided with notice of these needs.

Recommendation: **Board approval of a memo to the Board of Public Works relative to the need for the use of Memorial Park this season.**

(4) Youth Commission Planning (*)

At the last meeting, the Board agreed that an administrative audit of the summer program should be performed by a third party this season (with an audit of physical standards to follow next season). I contacted Mr. Russell Harnish, a consultant used by the EYC in the past, and have learned that he will conduct the administrative audit for the Town at no charge, as a volunteer. Also, the Board had agreed that a Summer Program Board of Directors should be investigated. In order for that Board to be pulled together, I need guidance from the Selectmen as

to whether former EYC members, new parties, or a mix of both are being sought and how many members the Board of Directors should have.

Further, the Board had asked if any past investigation of a potential after school program had ever been undertaken by the Youth Commission. I learned that it had and that it was generally not viewed as viable at this time. Accordingly, as per the Board's discussion, no such program will be initiated this season. Former EYC Member Jessica Yurwitz has provided the Board with some past evaluative materials that may be helpful going forward.

Finally, I reviewed the Summer Program location issue further and found that the Manchester Summer Program is held exclusively at the Memorial Elementary School (and has been for some years). I contacted the Superintendent of the School District to determine if the Essex Summer Program could utilize the art room, the gym, and a portable classroom and I learned that those spaces are in fact available. Given the need to have comfortable, safe space in inclement weather, and given the added variety of available facilities, I recommend that the Board consider using both the school and Memorial Park for the Summer Program.

***Recommendation:* Board discussion relative to: a) the completion of the administrative audit, b) the makeup of the proposed Summer Program Board of Directors, c) the additional materials provided by former EYC Member Yurwitz, and d) the final location decision relative to the Summer Program.**

B. Computer Systems

(1) File Replication

As noted in the past, the backup server in Manchester, NH is operational. The next step is to actually replicate each of our native servers to the backup server. We will begin the process by setting up just one native server so that we can monitor and test the system. Once we are sure that the backup routine is working well, we will bring other native servers on line in a like manner. Our computer consultant will be assisting me via a remote session to set up the first server during the week of March 23, 2009.

Recommendation: I will update the Board as necessary.

(2) Mooring Database Development

As the Board may recall, I had developed a Lotus Approach database for the Harbormaster's Clerk in the past and the waiting list renewal feature has been used successfully. We are now in the next cycle for active mooring permit renewals and the Clerk needed assistance with the development of a renewal letter and fee calculation. I worked with the Clerk to add the desired elements and the database is now working well for active renewals.

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

(3) E-Government Award

The political watchdog group Massachusetts Common Cause contacted our office during the week of March 16, 2009 to indicate that our Town website is receiving the subject award this year. The Town website was in the process of being updated at this time last year and those efforts have now been recognized by the group's Campaign for Open Government. Common Cause will be sending formal notice of that award and an icon to post on our homepage in the near future.

Recommendation: No further action is necessary.

C. Personnel

(1) Teamsters Mediated Collective Bargaining

The Management Team engaged the Teamsters in continued, mediated collective bargaining on March 5, 2009.

Recommendation: Board discussion in executive session at the April 6 meeting.

(2) Family Medical Leave Act / Americans with Disabilities Act Webinar

I participated in a webinar relative to changes with the Federal FMLA and ADA on March 18, 2009. The webinar was sponsored by our insurer and provided useful information regarding how those recent changes should be incorporated into personnel actions.

Recommendation: No further action is necessary.

D. Procurement

(1) Trench Box Equipment

As the Board may recall, the Town received the approval from our insurer to purchase trench box equipment under our insurer's loss control grant program. We had been waiting for our insurer to work with an alternate supplier in order to take advantage of lower pricing. The quotation from the alternate supplier is expected soon and I will have it reviewed by the Superintendent of Public Works and our insurer before actually placing the order. The supplier will also send one DPW employee to safe excavation training at no charge.

Recommendation: No further action is necessary.

E. Insurance

(1) Freeze-up Prevention Checklists

I have completed the subject checklists as part of the MIIA Rewards Program for the last time this season. I will pick the process up again next November.

Recommendation: No further action is necessary.

(2) February Pothole Logs

The DPW provided me with the pothole logs for February and I provided the logs to our insurer as part of the MIIA Rewards Program. A total of...

Recommendation: No further action is necessary...

F. Facilities

(1) Film Production at Centennial Grove

At the last meeting, the Board signed an agreement with Lakefront Productions, Inc. to allow that entity to utilize the Field of Dreams and the Centennial Grove to film a new movie. The Board also agreed that modifications to be made to the Centennial Grove Cottage could be approved by the Chairman as necessary during filming. The production company arrived on March 10, 2009 and the Grove and Field of Dreams are presently being transformed into a movie set with associated production support. The Town has already received the first of three payments for the use of our facilities.

Recommendation: I will update the Board as necessary.

(2) Letter to Senator Tarr

At the last meeting, the Board approved the text of a letter to Senator Tarr highlighting the poor telephone service in Essex and the need for equipment upgrades regionally (potentially the FiOS product). I sent that letter during the week of March 9, 2009 and we are presently awaiting a reply.

Recommendation: I will update the Board as necessary.

(3) State Elevator Inspection/Test

Our fire alarm contractor and our elevator contractor performed the required testing of the Senior Center elevator accompanied by a State elevator inspector on March 13, 2009. The inspection and testing went well and no corrective actions were necessary.

Recommendation: No further action is necessary.

(4) Potential Use of Old Town Beach

(*)

Before the Town owned the Centennial Grove, the Town's beach on Chebacco Lake was just off of Redgate Road. The path to the beach and the beach property itself are still both owned by the Town and limited off-street parking is available. The Town Clerk recently reported that residents had been asking about the use of the old beach since the Centennial Grove Beach will not be available this season. Selectman Lynch and I visited the property during the week of March 16, 2009 and found a grassed area leading up to the water's edge. The placement of sand above the high water level (with the appropriate Conservation Commission clearance) would improve the site. The area is not closed to the public presently but is not deemed an official public beach and is not maintained as such by the Town.

***Recommendation:* Board discussion relative to potentially improving the site for the upcoming season. A Conservation Commission approval and a new Board of Health permit (a new State requirement) will both be necessary.**

G. Fiscal/Budget

(1) FY10 Budget/Project Priorities

Senator Tarr released his usual request for budget and project priorities during the week of March 9, 2009. This year, his request included a section dedicated to Federal Stimulus projects. I completed and submitted the form as follows: Budgetary Priorities – Seaport Bond Bill funding, local aid/chapter 90 funding increases, sewer rate relief, sidewalk funding, and sand management/dredging funding. Stimulus Priorities – Town Hall exterior renovation, police and fire building construction/renovation, and water main replacement.

Recommendation: No further action is necessary.

(2) Fiscal Year 2008 Audit

(*)

Our Auditor has completed the audit of fiscal year 2008. No instances of noncompliance or material weakness were identified. Copies of the audit documents have been distributed to the Board. In addition, I have drafted a letter from the Chairman to Senior Center grantmaker referencing the audit as the final requirement of that grant closeout process.

***Recommendation:* Chairman's signature of the Senior Center Grant audit certification letter.**

H. Complaints

No items.

I. Meetings Attended

(1) Safety Committee Meeting

I attended the subject meeting on March 16, 2009. The meeting featured a discussion of planned efforts to eliminate a persistent water seepage problem in the Fire Station basement. The Department of Public Works will likely assist with the installation of a foundation drain this spring.

Recommendation: I will update the Board as necessary.

(2) Town Building Committee Meeting

The first meeting of the Town Building Committee occurred on March 16, 2009. I attended in an advisory capacity representing the Selectmen. The Committee members elected Ms. Lisa O'Donnell as the Committee Chair and the Committee Secretary's duties will be rotated on a meeting-by-meeting basis. Mr. Stuart Pratt will attend the present meeting in Ms. O'Donnell's stead (she had a scheduling conflict) to discuss goals and receive guidance from the Board.

The first meeting offered the committee members the opportunity to meet each other and to organize. Ms. O'Donnell provided a bulleted breakdown of the Committee's charge for ease of use and execution. The next meeting will be held on March 30, 2009 and the committee members are also aware of the quarterly business coordination meeting that the Selectmen are hosting on April 6 at 7:00 p.m. at the school.

Recommendation: Board discussion with Mr. Pratt at the present meeting.

(3) Regional Emergency Communications Center (RECC) Meeting (*)

I attended the subject meeting along with Chief Silva on March 20, 2009. The purpose of the meeting was to highlight how a recent grant to construct and equip a new RECC in Middleton will be implemented. The article necessary to enter into an agreement with the Sheriff's Department to participate in the RECC has been added to the Annual Town Meeting Warrant. A total of 13 Essex County communities are planning to participate at this point.

The Chief of Police had attended a ceremony during the week of March 9, 2009 that announced grant funding for the construction and equipping of the RECC. Approximately \$5M has been awarded this fiscal year with an assurance that the remaining approximately \$1.8M will follow in fiscal year 2010.

Recommendation: **Discussion relative to the RECC as necessary.**

J. Final Judgment

(1) Quarterly Report

(*)

I have completed the subject report that is due to the Department of Environmental Protection by April 1, 2009.

Recommendation: **Board vote to approve the transmittal of the report.**

K. Town Meeting, By-Laws, and Regulations

(1) Annual Town Meeting Warrant

(*)

I have produced a final draft of the Annual Town Meeting warrant pursuant to the Board's guidance at the last meeting.

Recommendation: **Final Board review of the warrant with votes to add all supported articles, to close the warrant, and to sign the warrant. Also, the Board should consider voting to recommend each of the three enterprise fund budgets.**

L. Legal Issues

(1) Potential Modification of Existing Easement

At the last meeting, the Board indicated that it was amenable to modifying an existing passage and utility easement held by Mr. Timothy Shanks that would allow for the construction of overhead lines (with all legal costs to be reimbursed to the Town by Mr. Shanks). Mr. Shanks asked National Grid whether the company would accept an assignment of his easement rights using an assignment and assumption agreement to be crafted by Town Counsel. National Grid indicated that they would only agree to a partial assignment – not to include the indemnification provisions within the easement language.

The attorney at Town Counsel that is handling this matter is not available until after March 30, 2009 and I need to discuss this matter further with her. Mr. Shanks will discuss National Grid's proposal with his own attorney as well.

Recommendation: I will update the Board as necessary.

M. Grants

(1) Federal Stimulus Funding

We have learned through Congressman Tierney's Office that the Federal Stimulus will include a large amount of funding for education (about 82% of the Commonwealth's package) and some "discretionary" funding (the remaining 18%) to be disbursed by the Governor. I worked during the week of March 9, 2009 to underscore the importance of our Town Hall project to State

Representative Ferrante's Office, State Senator Tarr's Office, and Congressman Tierney's Office. In addition, a portion of that discretionary funding will flow to municipalities via competitive grants. As such, I provided to all major department heads a summary of the American Recovery and Reinvestment Act (ARRA) that Congressman Tierney had prepared. Department heads will be on the lookout for funding opportunities during the coming weeks.

Recommendation: I will update the Board as necessary.

(2) Shellfish Enhancement Grant

Salem State College has announced that the shellfish enhancement project proposal that had been submitted by the Shellfish Advisory Commission has been funded. Members of the SFAC will travel to Cat Cove Laboratory to pick up the equipment that has been awarded.

Recommendation: No further action is necessary.

(3) EQIP Grant Program

Dr. Joseph Buttner from Salem State College recently informed our Shellfish Constable about a grant program that is expanding into our area. The subject program has paid for recycled seed netting and has replaced old outboard motors in the past on the South Shore and a North Shore outreach is just beginning. I provided the program information to the Chairman of the Shellfish Advisory Commission (SFAC) and he will coordinate with the Shellfish Constable and the grantmaker to acquire additional information if the SFAC has interest.

Recommendation: I will update the Board as necessary.

N. Emergency Planning

No items.

O. Other Items

(1) Potential Tourism Commission

(*)

At the last meeting, the Board agreed that resident Robert Coviello should serve on a new tourism commission that might be put together by Mayor Kirk. Subsequently, he asked if a member of the Board of Selectmen might sit on that commission with him.

Recommendation: **Board discussion relative to potentially adding a selectman to the potential commission.**

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