



Town Administrator's Report Board of Selectmen's Meeting of March 26, 2012

Report covers from March 10, 2012 to March 23, 2012

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

A. Town Department Reports/Requests

(1) Town Building Committee Meeting (*)

I attended the subject meeting on March 13, 2012 along with Selectman O'Donnell, who chairs the Committee. The meeting featured discussions relative to the finalization of the Town Building Feasibility Study Report and relative to the potential for Town Meeting and the Town Election to consider the purchase of the Lahey Building again. To that end, I subsequently developed for the group a comparison of costs relative to how the Town might fully vacate the building at 30 Martin Street should Town offices move to the Lahey Building (also see item F3, below).

The general consensus was to look at how the Library might be moved to temporary quarters such as modular units or existing rental space. If that occurred, Town Hall operation and maintenance costs would be eliminated and another group could study the potential transfer of the building to a third party (with restrictions on its exterior appearance and use). The Committee meets again on April 2, 2012.

Recommendation: Board discussion relative to the various potential Library quarters options.

B. Computer Systems

(1) Improvement of File Service Time, Melrose Datacenter

Personnel in the Melrose datacenter have reconfigured the process for serving files to Essex client computers and the wait time to load large files has decreased somewhat. Melrose also plans to move its Internet connection to FIOS, which should improve speed further. As such, the use of the datacenter by clients in Town Hall (where our Internet point of presence is) will soon be feasible.

However, before we proceed with the migration of additional users, it will be necessary to improve the connection between Town Hall and the other Town buildings that are served via the Cable I-Net. I have contacted personnel from Comcast (which maintains the I-Net) to explore how I-Net modems and switchgear might be upgraded to improve speed. I am presently awaiting a reply from a manager who can address this issue.

Recommendation: I will update the Board as necessary.

C. Personnel

No items.

D. Procurement/Ongoing Projects

(1) Removal of Old Utility Poles, Route 133 Reconstruction Project

I have learned from Verizon that the utility's cable splicing project has been completed. As such, Verizon has removed the old utility poles (also known as "double poles" or "old wood") that Verizon is responsible for. Verizon has informed us that some old wood is not their responsibility since National Grid has a number of double poles that still exist due to the complexities of underground conduits.

Recommendation: I will update the Board as necessary.

(2) Review of Village Corner Sidewalk Construction

I met with MassDOT officials and abutters in the area of the Village Corner regarding a sidewalk slope issue that we have been discussing as a group for some time now. MassDOT had a full survey crew on the site and, at the meeting, the parties determined that at least two potential concepts should be explored. One would return the area as closely as possible to grades that existed before the project and the other would explore a ramp to provide access to an abutting business in a different location. MassDOT is presently working with its own design personnel to review the concepts and to propose suitable changes.

Recommendation: I will update the Board as necessary.

(3) Chapter 90 Roadway Resurfacing Contract

The Superintendent of Public Works, the DPW Clerk, and I have developed an Invitation for Bids relative to upcoming Chapter 90 paving work. The IFB includes a price adjustment mechanism for liquid asphalt. When the IFB is released in May, contractors who have been pre-approved by MassDOT will have the ability to submit bids for work primarily involving Southern Avenue with a bid deadline of June 7, 2012. Work will be conducted over the summer, when school is not in session.

Recommendation: I will update the Board as necessary.

(4) Request for Proposals for Town Offices Relocation

Since the Annual Town Meeting and the Annual Town Election will both consider the purchase of property for the relocation of Town Offices, I have revised the RFP for that purpose (issued last fall) and will solicit proposals in advance of Town Meeting. The RFP will be advertised on March 28, 2012 and proposals are due no later than April 30, 2012.

Recommendation: I will update the Board as necessary.

(5) Physical Alterations to Southern Conomo Point Construction Estimate (*)

Our consultant incorporated the Fire Chief's input concerning the public safety turnaround on Cogswell Road into the draft physical alterations plan for the Southern Conomo Point Subdivision. The consultant has now also incorporated other, minor elements that were part of the Planning Board's approval and I have learned from the Fire Chief, the Chief of Police, and the DPW Superintendent that the as-designed alterations are in line with what was expected.

Also, the Planning Board approved the draft construction plan at their meeting on March 21, 2012. Our consultant was present and he agreed to provide a small area of widening to the traveled way at the end of Cogswell Road at the request of the Planning Board. He will now work on filing a Notice of Intent with the Conservation Commission that will follow the alterations in the draft construction plan. Subsequently, he will provide a comprehensive construction estimate for consideration by Town Meeting.

Recommendation: **Board discussion as necessary.**

(6) Solid Waste Disposal Successor Contract

Covanta, the Town's current solid waste disposal contractor, has provided the Town with a draft contract for an additional ten years of service. The contract carries an effective date of January 1, 2013 and provides for 24 hours of transfer station attendant coverage (three days) per week with an option to move to four days, for an additional fee. The contract language has been taken from our decades-old format that was used for our previous contract extension and has been presented in a new, consolidated document by Covanta. The Superintendent of Public Works and I are presently reviewing the contract language and the various cost factors. Town Counsel review will likely not occur until the new fiscal year.

Recommendation: I will update the Board as necessary.

E. Insurance

(1) Risk Management Seminar

I attended a seminar presented by Mr. Gordon Graham regarding risk management along with the Chief of Police and the Assistant Superintendent of Public Works on March 15, 2011. The seminar was sponsored by our insurer and, similar to past Graham seminars, provided a variety of useful strategies for minimizing risk as part of day-to-day government operations.

Recommendation: No further action is necessary.

(2) Safety Committee Meeting

I attended the subject meeting as a member of the Committee on March 21, 2011. The meeting featured a discussion regarding how the Town, through the Safety

Committee, might work toward eliminating various risks. Our insurer analyzed a risk management survey that I had responded to and has recommended a variety of items that could help the Town to further minimize risks. The Committee opted to work together on a “circle check” protocol. Circle checks refer to inspections performed each time a vehicle is used by walking around the vehicle. The content of the checks will vary by department. The Committee will delve more specifically into this topic at the next meeting.

Recommendation: No further action is necessary.

(3) Health Insurance Renewal Rates

The Town’s health insurance rate increase for fiscal year 2013 was established by our insurer at 2.93%. However, since our insurer had applied for a one-time Federal subsidy (program is now exhausted), the effective increase for FY13 will be zero percent.

Recommendation: No further action is necessary.

F. Facilities

(1) Additional Changing Facility at Centennial Grove

At the last meeting, the Board authorized the YMCA to construct a new changing facility next to the existing facility at the Grove. The new facility will not require the removal of any trees and will be constructed to match the design of the existing facility. The Town will pay for the materials. With the Board’s permission, the YMCA will also paint various game markings on the concrete slab at the top of the knoll overlooking the beach. I have worked with the Board of Health and the Conservation Agent to obtain the required building permit sign-offs and the Essex Home Center has agreed to provide the materials at a reduced cost. Work will begin in the near future.

Recommendation: I will update the Board as necessary.

(2) 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. The Board briefly reviewed this topic at the last meeting in anticipation of more in-depth discussion at the present meeting. Consideration must be given to how sponsorship signage will match with future signage for other purposes and exactly what streetscape elements will be made available for new sponsorships.

***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.**

(3) Cost of Potential Lahey Purchase and Renovation (*)

At the last meeting, the Board discussed how the cost of the potential purchase and renovation of the Lahey Building could be minimized. Subsequently, I provided the Board with a cost estimation spreadsheet tool that I had developed in the past so that additional discussion could be held at the present meeting. It may be wise to consult with the Superintendent of Public Works regarding the future connection for a sprinkler system since costly water main work may be required in that area to make that connection feasible.

***Recommendation:* Board discussion relative to the cost associated with the potential purchase and renovation of the Lahey Building.**

(4) Opening of Memorial Park Restrooms

Beginning Sunday, April 1, 2012, the Memorial Park restrooms will be open from 8:30 a.m. until 8:00 p.m. seven days per week. This schedule will continue through September 30, 2012 when restroom hours will scale back to Thursday-Sunday from 8:30 a.m. until 5:00 p.m.

Recommendation: No further action is necessary.

(5) Spring Maintenance on Field of Dreams Infields

The Superintendent of Public Works has arranged to have a contractor conduct the usual spring maintenance on both infields at the Field of Dreams. The Grove revolving fund will be used to pay for this work.

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) Fiscal Year 2013 Operating Budget

At the last meeting, the Finance Committee met with the Board to discuss the status of the FY2013 operating budget proposal and a number of decisions were made to work within the existing levy limit. Subsequent to the meeting, the Town received favorable news regarding health insurance rates, the North Shore Regional Vocational School District apportionment, and the Manchester Essex Regional School District apportionment. It appears that, with some further management of various departmental budget requests, the FY2013 operating budget can be balanced without the need to seek an override. The Finance Committee will finalize its budget recommendation in the near future and printing will occur in early April.

Recommendation: I will update the Board as necessary.

H. Complaints

No items.

I. Meetings Attended

(1) Informal Department Heads Meeting

I hosted the subject meeting as I do from time to time in my office on March 22, 2012. The meeting featured a discussion regarding a variety of ongoing projects and initiatives in the Town and provided a great forum for coordination of efforts. The next meeting will occur in May.

Recommendation: No further action is necessary.

(2) Attendance at Planning Board Meeting (Northern CP Zoning) (*)

I attended the Planning Board Meeting of March 21, 2012 along with Chairman Jones, members of the Conomo Point Planning Committee, and a representative of our consultant. The main focus of the appointment was to discuss the recently-developed draft bylaw for a new zoning district in the northern area of Conomo Point. The parties agreed that two changes recommended by Counsel should be made to the text for the Town Meeting Warrant (which is also the version I placed on file with the Town Clerk the following day in preparation for the April 11, 2012 public hearing on the matter). Other changes may be made by motion at Town Meeting after the draft bylaw has had the benefit of further review by the Selectmen, the Planning Board, the Conomo Point Planning Committee, Town Counsel, our consultant, and the general public.

Also, the Planning Board: a) approved the draft construction plan for the southern area of Conomo Point that will guide the various physical alterations that are necessary as part of the southern subdivision approval (see item D5, above); b) indicated that the southern subdivision Covenant was in order but would not be countersigned until a wetlands issue was addressed (see item L2, below); and c) arrived at final language for the various zoning bylaw changes they wished to pursue at Town Meeting (a public hearing on those items had been held earlier in the evening).

Recommendation: **Board discussion as necessary.**

J. Final Judgment

(1) Quarterly Report (*)

I have prepared the DEP Quarterly Report due April 1, 2012. The report highlights progress made with respect to the southern subdivision at Conomo Point.

Recommendation: **Board vote to transmit the Quarterly Report to the DEP.**

K. Town Meeting, By-Laws, and Regulations

(1) Board of Public Works Sewer Use Regulations

The Board of Public Works will consider changes to its Sewer Use Regulations that will be made contingent upon the Annual Town Meeting's decision relative to a proposed Sewer Service Area Bylaw change. If the bylaw change is accepted, the moratorium regarding allowing additional flow for properties in the Sewer Service Area will be lifted and such flow (up to 1,000 gallons per property) may be purchased for a reasonable fee. I am currently working with Town Counsel and the Superintendent of Public Works on draft revisions to the Regulations.

Recommendation: I will update the Board as necessary.

(2) Annual Town Meeting Warrant

I have prepared the final version of the Annual Town Meeting Warrant pursuant to the Board's guidance at the last meeting.

Recommendation: Various votes relative to the finalization of the warrant as listed on the agenda.

(3) Revised Facility Naming Policy

(*)

At the last meeting, the Board asked that I work with Town Counsel to revise the draft Facility Naming Policy to include a requirement that requests from the general public be accompanied by at least 50 supporting signatures in order to be considered. Counsel has developed a revised draft for the Board's review.

Recommendation: **Review of the revised draft policy.**

(4) Annual Town Report

The Annual Town Report has arrived from the printer's and is available at Town Hall for the public to pick up and review. The report was aptly compiled and managed, as usual, by the Selectmen's Assistant.

Recommendation: No further action is necessary.

L. Legal Issues

(1) Granting of Easement and Acceptance of Restrictive Covenant

At the last meeting, the Board discussed with a property owner the potential for the granting of an easement to formalize access to his property and the acceptance of a restrictive covenant to control the extent of future development. Both of those instruments have already been authorized by Town Meeting. The Planning

Board recently determined that the property owner's request to create new lots via the Approval Not Required (ANR) process cannot be acted upon due to lack of frontage on an existing way. However, the Planning Board had indicated to the owner that a subdivision application held great promise. As such, the Board determined that these items should be reassessed in the future as part of the subdivision review process, should a subdivision application be submitted.

Recommendation: I will update the Board as necessary.

(2) Countersignature and Recording of Covenant and Endorsed Plan (*)

At the last meeting, the Board signed a Covenant offering the necessary Performance Guarantee regarding the Definitive Subdivision Plan approval for the southern area of Conomo Point. The Planning Board considered countersignature of the Covenant at their meeting of March 21, 2012, which would allow that Board to formally endorse the approved subdivision plan. At their meeting, the Planning Board determined that the Conservation Commission should review a wetlands delineation matter that had been mentioned in the Planning Board's subdivision approval.

I contacted the Conservation Agent to explain the situation and he agreed that any wetland delineation issues could be worked out in the Notice of Intent for physical alterations in the area of Cogswell Road (since this is where the construction-related delineation question was anyway). The Agent will provide me with a note stating that the Conservation Commission considers the Subdivision Plan worthy of endorsement by the Planning Board (perhaps after the Notice of Intent has been filed). I will report the final resolution back to the Planning Board for further consideration. It is possible that the Planning Board's endorsement may be granted before Annual Town Meeting. Once both the countersigned Covenant and the endorsed plan have been returned to me, I will work with Counsel to record them at the Registry of Deeds. It is therefore also possible that recording may occur before Town Meeting (lots will become legally cognizable).

Recommendation: **Board discussion as necessary.**

(3) Conomo Point Rent Reduction

At the last meeting, the Board voted to approve a request for rent reduction from an elderly Conomo Point resident pursuant to the provisions of the Bridge Lease. The approval was made contingent upon the addition of the required "pains and penalties of perjury" statement to the request letter and my verification of income. The approval included a waiver for being submitted after the deadline prescribed by the Bridge Lease. Subsequently, I was able to verify income and the applicant added and signed the necessary statement. The authorized \$750 rent reduction will be deducted from the second quarter's rent payment.

Recommendation: No further action is necessary.

M. Grants

(1) Seaport Grant Kickoff Meeting

(*)

I met with personnel from Salem State University and engineering firm Vine Associates along with Selectman Coviello and Robert Coviello of the Long Term Planning Committee on March 14, 2012. The meeting featured an update from Salem State about their preliminary interaction with those in the area of the proposed new boardwalk adjacent to the Essex Causeway. Initial discussion shows the project as very feasible and support from those in the area is high. It is possible that the study will not only provide an important new feature for the Town but will also lead to other possible enhancements.

I reported on this status to the Department of Conservation and Recreation (DCR) and, on March 19, 2012, we received from Mr. Michael Driscoll of DCR a Notice to Proceed for Vine Associates to begin work alongside Salem State. As allowed by the program, I have applied to DCR for the first \$50,000 in funding to assist the Town with cash flow. Once invoicing surpasses that figure, DCR will pay the Town on a reimbursable basis. I am presently working with Vine Associates to coordinate their preliminary survey and geotechnical work with abutters. Survey work should occur during the week of March 26, 2012 and geotechnical work will likely follow shortly thereafter.

Recommendation: **Board discussion as necessary.**

(2) MAPC Bicycle Rack Grant Program

The Metropolitan Area Planning Commission (MAPC) has approved our grant application for three galvanized bike racks to be used at the Centennial Grove. We will be responsible for the shipping but the cost of the units will be fully covered by the grant. I have placed the order and the units should be available in about six weeks.

Recommendation: I will update the Board as necessary.

N. Emergency Planning

No items.

O. Other Items

No items.

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