



Town Administrator's Report Board of Selectmen's Meeting of April 4, 2011

Report covers from March 19, 2011 to April 1, 2011

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

A. Town Department Reports/Requests

(1) Shellfish Advisory Input

At the last meeting, the Board asked that I provide the Shellfish Advisory Commission with a copy of the work plan for the Shellfish Constable's position. The Commission will review the work plan and will provide comments back to the Selectmen. Also, as requested by the Board, I asked the Commission to comment on the practice of boaters leaving trailered boats at Clammers' Beach parking areas in between tides. I have provided the work plan and have asked for comment on the boat issue and will provide the Board with feedback after the Commission addresses those issues.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) Continued Expunging of Computer Hard Drives

I have continued to expunge data from the hard drives of old client computers and servers in preparation for offering that equipment to the schools. I have processed a total of 4 more systems, including two old servers.

Recommendation: No further action is necessary. Total time – 1.5 hours.

(2) New Accounts

A new dispatcher and a new part-time patrolman have begun service and were in need of computer accounts. I configured the necessary network, e-mail, and Internet accounts during the week of March 21, 2011.

Recommendation: No further action is necessary.

(3) BudgetSense Update

Our accounting software vendor released a major update to our BudgetSense accounting software during the week of March 28, 2011. I downloaded and installed the update and performed the necessary database maintenance procedures.

Recommendation: No further action is necessary. Total time – ½ hour.

(4) Cloud Computing Model

As the Board is aware, the Treasurer/Collector has been working with a software vendor to test new, web-based collection software that appears to be very promising. The software will be offered as “Software as a Service” (SaaS) – also known as “cloud computing” – and several challenges exist to utilizing this emerging technology in the municipal setting (including the Public Records Law and municipal contracting standards). The Treasurer/Collector and I have been discussing these challenges with the vendor and with Town Counsel and we will soon participate in a conference call where all parties will have the opportunity to work out the remaining issues. If all issues can be worked out and memorialized in a proper, written, municipal contract, it is possible that a move to this new model could occur in time for the new fiscal year (July 1, 2011 – fiscal year 2012).

Recommendation: I will update the Board as necessary.

(5) Motherboard Replacement

The Fire Officers’ computer experienced slow boot times and, eventually, unreliable boots lately. After ruling out the hard drive, I worked with the manufacturer to arrive at the motherboard as the source of the problem. I arranged for the motherboard to be replaced as part of the on-site warranty service that we had purchased with the system. The system should again perform well after the technician completes his work.

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

C. Personnel

(1) Resignation of Shellfish Constable

The Shellfish Constable resigned his position on March 23, 2011, with an effective date of April 15, 2011. The Selectmen discussed the vacancy on March 29, 2011 and decided to offer a promotion to Deputy Constable William Knovak. Mr. Knovak is presently considering that offer.

Recommendation: I will update the Board as necessary.

D. Procurement/Ongoing Projects

(1) Pocket Park Planning and Design Project

(*)

At the last meeting, the Board reviewed a series of questions from our planning consultant associated with the subject project. The Board provided me with feedback after learning about the results of the meeting that Selectman O’Donnell and I had attended with MassDOT officials. I provided our consultant with final answers and Selectman O’Donnell will work with the consultant and the Long Term Planning Committee to move the project into the final design and permitting

phase. Recently, the consultant has begun to discuss wetlands permitting for Paglia Park with our Conservation Agent. The topic of permitting for the Village Pocket Park and the Woodman's Beach Pocket Park was raised but I explained that those areas are already covered by the Notice of Intent that is held by the MassDOT for the Route 133 Reconstruction Project. We are still awaiting word from MassDOT regarding their review of the latest Village Pocket Park design plan.

Recommendation: **Board discussion as necessary.**

(2) Route 133 Reconstruction Project Spring Kickoff Meeting

I attended the subject meeting along with Selectman O'Donnell on March 24, 2011 in the MassDOT office in Essex. MassDOT officials, a representative of the construction contractor, and members of the Chamber's Route 133 Reconstruction Task Force were also present.

Very soon, the construction contractor will be mobilizing forces to perform loaming, seeding, and restoration of disturbed areas, along with the re-pouring of various section of concrete sidewalk from Water Street to roughly the vicinity of the Flying Dragon. This type of work will proceed until about the middle of April. Around the middle of April, actual roadway reconstruction will begin from about the vicinity of the Flying Dragon toward the causeway bridge. Jersey barriers will be put in place down the center line of the road for about 750 feet with wide openings at various intervals.

A police officer will be stationed at a main opening in the barrier line during the work day to allow vehicles to reach businesses and residences that are on the side of the active construction lane. Officers will also be positioned at each end of the barrier line for additional assistance to motorists in the construction lane. Flaggers will be used to control the alternation of traffic from each end through the open lane (non-construction lane).

The roadway crew will work in one lane for four or five days and will then move over to the other lane. Once the first 750 feet has been completed, the process will be repeated for approximately 750 additional feet until the bridge is reached. During non-work hours, the road will be open with two lanes, one in each direction. Depending on the stage of construction, some or all of the lane(s) will be dirt with ramps in and out of the construction zone and ramps right through the openings in the Jersey barriers to accommodate an approximately 12 inch drop between lanes. A curbing and sidewalk crew will follow the roadway crew as each portion of new roadway is completed. Curbing and sidewalk work is not expected to require a lane closure.

The goal is to complete reconstruction work between Water Street and the causeway bridge by Memorial Day. Although not certain, the contractor would

like to actually have the top (finished) course of pavement down so that major construction in the area in question will be complete. After Memorial Day, the contractor plans to work in the area between the causeway bridge and John Wise Avenue (around Ernie's) and will use similar techniques as described above. In this area, it is likely that either Pickering Street or Winthrop Street will be used to detour one lane of Route 133 traffic. The detour will likely be opened just after school begins and will likely be closed just before school ends. The detour may not be used at all during lighter traffic volume times. School will likely almost be over when work starts on the post-causeway section and may be nearing completion when school reopens in the fall.

The contractor would like to have ALL major construction completed by late October and minor issues like plantings and line painting may happen next spring (since these are weather-sensitive). However, the contractor would like to have all items completed this fall, if at all possible.

Recommendation: I will update the Board as necessary.

(3) Sample Conomo Point Bridge Lease Value Appraisals (*)
At the request of the Board I have requested a quotation from an appraiser relative to conducting a sample appraisal in both the northern and the southern section of Conomo Point. I have provided the appraiser with Assessors' data regarding each of two properties north and two properties south which were equidistant from the value median for each of the areas. I also provided him with a map of the area. He is presently developing his quotation.

Recommendation: **Board discussion as necessary.**

(4) Quantum of Vote for Conomo Point Bridge Lease Article (*)
Various parties have inquired as to whether the Conomo Point bridge lease authority article (Article 3 at the upcoming Annual Town Meeting) will require a 2/3s vote versus a simple majority.

Recommendation: **Board discussion as necessary.**

E. Insurance

(1) Annual Building Inspections
A representative of our insurer will be inspecting the Town Hall, the Senior Center, and the DPW Barn during the week of April 4, 2011. I have informed all staff about the inspections. The inspector will make recommendations about his observations and we will respond appropriately and take all feasible actions.

Recommendation: No further action is necessary.

F. Facilities

(1) Senior Center Elevator Repair

A recent inspection of the subject elevator by a State Inspector indicated that a particular emergency key switch was no longer functioning properly. As such, I authorized our maintenance company to make the necessary repair and to handle the reinspection of the system by the State Inspector.

Recommendation: No further action is necessary.

(2) Repair and Resetting of Centennial Grove Sign

At the last meeting, I reported on the status of the subject sign, which had been knocked down by vandals some years ago. The Board asked that I investigate painting the chipped portions of the sign and potentially using new sign posts to obscure other damage. The Town Custodian will be purchasing matching paint to repair the chipped areas and the Superintendent of Public Works will work with his forces to fabricate sign posts and reset the sign at the beginning of Centennial Grove Road.

Recommendation: No further action is necessary.

(3) Summer Camp Preparations

I met YMCA Camp Director Merri-Lynn Lathrop at the Grove during the week of March 21, 2011. We reviewed the various facilities together and she requested a formal inspection be made by the Building Inspector since a certificate will be required for each of the three buildings to be used. She indicated that the camp would need a rescue backboard and a life-saving ring and I offered to see if the Town had that equipment already. We reviewed the waterfront and the dock configuration and I indicated that the two old fishing docks will be disposed of this year and a new fishing dock is being donated by Skip Crocker (he purchased the materials and supplied his own labor and craftsmanship).

The Building Inspector made an inspection on March 26, 2011 and he has been in touch with the YMCA's maintenance staff regarding minor items that need to be repaired or otherwise improved. If any item is beyond the scope of what the YMCA can handle, we will work with volunteers to ensure compliance.

The Fire Chief has arranged to provide the camp with an old backboard that is no longer used and the Chief of Police is able to provide the camp with a lifesaving ring from the Harbormaster Division.

The Superintendent of Public Works plans to haul the old docks to a facility in West Gloucester, which will be a cheaper option than bringing a container on site. He will assist the camp staff with the moving of dock structures to the water when that becomes necessary. Skip Crocker will situate the new dock when he is ready

to transport it (the dock will be towed across the lake by boat). He and I visited the Grove so that I could show him the fishing dock's traditional location.

Recommendation: I will update the Board as necessary.

(4) Winter Moth / Canker Worm Treatment

Our tree contractor has asked if we desire to have pest treatments for trees on the grounds of Town Hall and in Memorial Park, as we have opted for in the past. I asked the Superintendent of Public Works about his preference for Memorial Park and I will order the necessary spraying for the Town Hall grounds after he provides his input.

Recommendation: No further action is necessary.

(5) Memorial Park Restroom Schedule

As the Board may recall, we will be testing a new schedule for the Memorial Park restrooms this year. The restrooms will be open seven days per week from April 1 right through to September 30. From October 1 through October 31, the restrooms will be open Thursday through Sunday only. Hours are as follows:

From April 1 until Memorial Day, the hours will be 8:30 a.m. to 5:00 p.m. (7 days).

From Memorial Day until September 30, the hours will be 8:30 a.m. to 8:00 p.m. (7 days).

From October 1 until October 31, the hours will be 8:30 a.m. through 5:00 p.m. (Thursday through Sunday).

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) Fiscal Year 2010 Audit

Our auditor completed a draft of the subject audit and provided it to the Town Accountant and myself for comment. We discussed the various recommendations with the auditor by conference call and provided management's responses for the final document during the week of March 21, 2011. The final audit is now available.

Recommendation: No further action is necessary.

(2) Final Finance Committee Budget Recommendation

The Finance Committee will attend the present meeting to discuss their final recommendations for the Town's FY12 budget. Recently, due to an expected

increase in school aid, the Town's Manchester Essex Regional School District apportionment was reduced by approximately \$92,000. However, in fiscal year 2013, the new Federal Census figures will be used in the apportionment formula and planning for an increase (due to an Essex population increase and a Manchester population decrease) will be necessary.

Recommendation: Board discussion regarding the final recommendations with the Finance Committee at the present meeting.

H. Complaints

No items.

I. Meetings Attended

(1) Essex Merchants' Group Meeting

I attended the subject meeting on March 30, 2011. I provided the merchants with an update regarding the Route 133 Reconstruction Project, including a timeline of what to expect between the present and this coming fall.

Recommendation: No further action is necessary.

J. Final Judgment

(1) Revised Conomo Point Plan

Department of Environmental Protection officials will be discussing the revision to the Conomo Point Plan with Town officials via conference call on April 5, 2011. I will participate in the call along with Town Counsel and Chairman Randall.

Recommendation: I will update the Board as necessary.

K. Town Meeting, By-Laws, and Regulations

(1) Draft Town Meeting Motions

(*)

I have begun to draft motions for the upcoming Annual Town Meeting.

Recommendation: **Preliminary Board review of the draft motions.**

(2) Alewife Brook Maintenance Permitting

(*)

As the Board may recall, the Conservation Commission recently approved a renewal to the permitting of the subject maintenance activity under the auspices of a Request for Determination of Applicability (a negative determination was made). The Department of Environmental Protection reviewed that decision (the

Department is copied on all such decisions) and has indicated that a full Notice of Intent will be required.

Recommendation: **Board discussion relative to a future permitting process.**

(3) Legislative Hearing, Conomo Point Special Legislation

I attended the subject hearing of the State Legislature's Municipalities Committee along with all three Selectmen, three members of the Conomo Point Planning Committee, other Town officials and various leaseholders on March 29, 2011. Senator Tarr and Representative Ferrante both provided testimony in favor of the measure along with Chairman Randall, Conomo Point Planning Committee Chairman Lynch, and Essex resident Barry Weiner.

The Committee took no formal action on the matter at the hearing. Presently, the various Committee members are assembling information and the Committee has several options relative to acting on the proposal. Senator Tarr and Representative Ferrante are both working with the leadership to expeditiously move toward the passage of the law in time for the Annual Town Meeting.

Recommendation: I will update the Board as necessary.

L. Legal Issues

(1) Use of Community Preservation Funds

(*)

At the last meeting, the Board inquired as to whether Community Preservation funds could be used to purchase new, period light posts and lanterns in the downtown area under the auspices of historic preservation. I have confirmed that this will not be possible. The Community Preservation Act contemplates that historic resources to be preserved already exist (as opposed to making new purchases).

Recommendation: **Board discussion as necessary.**

(2) Use and Interpretation of HIPAA Policies

The Board of Health Administrator and the Public Health Nurse have reviewed the Town's new HIPAA Security and HIPAA Privacy policies in detail and have a variety of questions regarding the correct application of the policies, especially when State public health statutes and regulations are also considered. I will arrange a conference call with Town Counsel to discuss the elements in question so that the correct application may be arrived at.

Recommendation: No further action is necessary.

M. Grants

(1) Massachusetts Downtown Initiative Grant

As the Board may recall, the Long Term Planning Committee applied for the subject grant toward the end of last year. We have learned that the grant application was not funded. The level of competition for the available funding was apparently very high.

Recommendation: No further action is necessary.

N. Emergency Planning

(1) Essex Regional Emergency Communications Center Meeting

The Chief of Police, the Fire Chief, and I attended the subject meeting on March 25, 2011. After a brief, plenary session, the large group split up into the three advisory boards that will govern the new center. The Chief of Police is a member of the Police Advisory Board, the Fire Chief is a member of the Fire Advisory Board, and I am a member of the Financial Advisory Board. Each of the three boards organized by electing officers and I was elected as the Financial Advisory Board's recording secretary. Mayor Thatcher Keezer will serve as Chairman and Wenham Town Administrator Jeff Chelgren will serve as Vice-Chairman.

The various boards will continue to meet separately, on a regular basis and the Financial Advisory Board plans to meet monthly, on the third Friday of each month. The various boards are tasked with all of the necessary planning to have the project administratively ready for the new center's physical opening in the fall of 2012.

Recommendation: I will update the Board as necessary.

O. Other Items

(1) Denial of Waiver for Secondary Wastewater Treatment

The USEPA recently denied the City of Gloucester a continued waiver regarding the need to upgrade the City's wastewater treatment plant to secondary treatment standards. In conjunction with a public hearing that was held on March 24, 2011, the Board asked that I develop a letter to the EPA opposing this denial. I developed the letter as requested and the Chairman signed and sent the letter on March 23, 2011.

Recommendation: I will update the Board as necessary.

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