



Town Administrator's Report Board of Selectmen's Meeting of June 22, 2009

Report covers from June 13, 2009 to June 19, 2009

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

A. Town Department Reports/Requests

(1) Southern Conomo Point Subcommittee Update (*)

The Southern Conomo Point Subcommittee met on June 18, 2009 to continue work regarding the development of a draft zoning district by-law for the southern section of Conomo Point.

Recommendation: **Update from Selectman Lynch as necessary.**

(2) Quarterly Town Business Coordination Meeting

At the last meeting, the Board determined that the next Town business coordination session will occur during the Board's meeting of July 13, 2009. As such, we have notified all boards and departments about this quarterly opportunity and have asked that each be prepared to discuss its top three priorities. The session will occur at 7:30 p.m. and the meeting will be held in the Senior Center (the school building will be closed for the summer).

Recommendation: No further action is necessary.

(3) Town Clerk Search Committee

At the last meeting, the Board appointed a new Committee to assist with the hiring of a new Town Clerk upon the retirement of the existing Clerk. I provided the Committee members with the Board's four-part charge as follows and the Committee is organizing a first meeting for sometime in early July.

1. To develop a Town Clerk position description using examples from other communities and the existing Town Clerk's knowledge of the duties required in Essex.
2. To define minimum qualifications to be memorialized in the position description and to develop selection criteria.
3. To develop and implement the necessary advertising process, screen applications, and conduct preliminary interviews.
4. To recommend a list of at least three final candidates to the Board of Selectmen for the Selectmen to consider.

Recommendation: I will update the Board as necessary.

(4) Temporary Dog Kennel Arrangement

Our former Dog Officer, Robert Steach, had received permission from the Fire Department to locate a kennel in an area of the Fire Station lower level for short-term harboring of lost or confiscated dogs. He then decided to resign to move on to other things and that arrangement did not come to fruition. I recently told our present Dog Officer, Amy Reilly, about the idea and she agreed that it would be a great short-term solution. She will be purchasing a portable kennel and any necessary supplies and will be implementing this new arrangement in the near future.

Recommendation: No further action is necessary.

B. Computer Systems

(1) Installation of Client Software Upgrades for Assessors' Database System

As the Board may recall, I had worked with the vendor for the Assessors' database system to install an updated version of the server side of that system on a new server. On June 17, 2009, I worked with the vendor to install updated software on the workstation side (starting with a seldom-used workstation for testing purposes). Since we are the first community to move to the latest version of Oracle on both the server and client sides, some technical difficulties occurred that our vendor is studying in order to provide resolution. At present, the Assessors' Office will continue to utilize the old server from its two other workstations until our vendor can make the new system operative.

Recommendation: I will update the Board as necessary. Total time – 2 hours.

C. Personnel

(1) Annual Distribution of Sexual and Discriminatory Harassment Policies

Both of the subject policies will be distributed with employee paychecks in early July as required by law.

Recommendation: No further action is necessary.

(2) Safety Committee Meeting

I attended the subject meeting on June 17, 2009. The meeting featured a discussion regarding continuing plans to improve water infiltration problems in the Fire Station basement and plans to offer basic level HAZMAT training to DPW employees, possibly this fall.

Recommendation: No further action is necessary.

(3) Teamsters Draft Contract

(*)

I will likely have additional information regarding the subject draft contract by meeting time.

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

(4) Essex Regional Retirement Board Investments

(*)

At the last meeting, I explained to the Board that the Essex Regional Retirement Board (ERRB) had requested that member communities express their views on potentially moving the ERRB's investments into the Pension Reserve Investment Trust (PRIT) – the State's pension investment vehicle. I had been waiting to collaborate with other towns regarding this topic and have been able to provide some background information to the Board along with the Town Accountant, the Town Treasurer, and the Chairman of the Finance Committee.

Based upon the available information comparing ERRB's investment performance versus the PRIT's performance over time, it appears that moving the ERRB investments to the PRIT will be beneficial to all member communities (due to a consistently higher rate of return). This move is recommended despite some up-front costs associated with the transaction and I am presently studying the issue with our Town Accountant relative to our FY11 budget tolerance.

The switch to the PRIT will help with returns in the future but will not eliminate a pending sharp increase in retirement assessments to the members since the recent market downturn has depleted funds in all investment portfolios. At present, the Legislature is considering moving the deadline at which pension systems must achieve full future funding by at least ten years (from the present target of the year 2028 to a potential new target of 2038).

Recommendation: **Board review of a potential letter to the ERRB indicating that Essex is in favor of moving all ERRB investments to the PRIT. I will have additional information by meeting time.**

D. Procurement

(1) Surplus School District Office Furnishings and Computers

As the Board may recall, a group of Town employees toured the old high school building in the past to identify office furnishings that could be transferred by the District for use in Essex Town government. I spoke with Assistant Superintendent Judy Mulligan during the week of June 15, 2009 and she indicated that all items will need to be picked up by June 30, 2009.

Also, in the past, we had been hopeful that some computer systems that had been identified as surplus could be provided to the two towns. However, I have now

learned that it is likely that no systems will be available as surplus since the District may have use for those systems within the two elementary schools. If no surplus systems become available, I plan on purchasing new systems for the near-site emergency operations center that I will be setting up in the Essex Elementary School later this year.

Recommendation: I will update the Board as necessary.

(2) Energy Service Company Retrofit

(*)

I have been in communication with the town administrators of Hamilton and Wenham and they have shared with me the details of their recent pursuit of a contract with an energy services company. Recent changes in law involving performance contracting have made it possible to contract with a company that will retrofit a building with more energy efficient equipment and will use the savings to pay for the equipment over time. If the company's calculations are off and the savings do not materialize, the company is still on the hook for the costs. The risk is that the preliminary analysis performed by the company will show that sufficient savings will not materialize to make their involvement feasible and, in such case, a town might be liable for the study costs.

Recommendation: **Review of the Hamilton and Wenham contracts and experience once those programs are in place with further discussion at that time.**

(3) Solar-Powered Trash Compactors

At the last meeting, the Board decided to use our Clean Energy Choice Program funds to purchase solar-powered trash compactors when that program closes out. I have informed the Superintendent of Public Works about that choice and he is supportive. I will make application for the equipment in August when the Massachusetts Renewable Energy Trust provides communities with application materials.

Recommendation: I will update the Board as necessary.

E. Insurance

No items.

F. Facilities

(1) Route 133 Reconstruction Project Kickoff Meeting

I attended a meeting hosted by the Resident Engineer for the subject project on June 15, 2009 along with Selectman Lynch, members of the Essex Division of the Cape Ann Chamber of Commerce, the Chief of Police, the Superintendent and Assistant Superintendent of Public Works, and the construction contractor's

General Manager. The group discussed a wide variety of topics including the expected construction schedule and what types of conditions to expect when work begins. I will post updates regarding the project at the Town's website (link on the homepage at www.essexma.org).

With respect to some pending items that I checked into after the meeting, MassHighway has indicated that: a) the requested underground conduits for future lighting will likely be installed and that steel and concrete pull boxes will likely be used, and b) the roadbed elevation increase is still being considered by the design group. The construction contractor has broken down the water line and drainage work into distinct zones and I have shared that information with the Chamber of Commerce Task Force so that they may express any preference they have regarding work sequencing. At this point, it appears that drainage work will begin on or about June 22, 2009 on the Spring Street side of the bridge.

Recommendation: I will update the Board as necessary.

(2) Town Hall Clock Issue

The Town Hall clock stopped operating multiple times during the week of June 15, 2009. I investigated the matter and found that the lever used to de-couple the clock weight system from the clock hand system when changing the time had stuck open. I returned the lever to its normal position and the weight system again operated the clock normally.

Recommendation: No further action is necessary.

G. Fiscal/Budget

No items.

H. Complaints

No items.

I. Meetings Attended

(1) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting on June 16, 2009 along with Selectman Randall. The meeting featured a discussion of upcoming Chamber events and we updated the group on new and continuing Town projects and initiatives as well as the Route 133 Reconstruction Project.

Recommendation: No further action is necessary.

J. Final Judgment

(1) Quarterly Report

(*)

I have prepared the Quarterly Report due July 1, 2009 pursuant to the Second Modified Final Judgment.

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

(2) Conomo Point Plan Deadlines

(*)

The Department of Environmental Protection recently modified and extended the deadlines contained in the Conomo Point Plan as follows:

On or before August 31, 2009 the Town shall provide to all lease holders on Town owned land at Conomo Point a written status update as to the return of the property to the Town as approved by Town Meeting.

A public forum shall be held during the summer of 2010 with homeowners on Town owned land at Conomo Point to discuss the procedures to be instituted for the return of the property to the Town. Sixty (60) days prior to the public forum the Town shall provide the Department with a copy of the draft procedures to be instituted for the return of the property to the Town and the date of the public forum. On or before December 31, 2010 the Town shall provide a copy of the final procedures to all homeowners on Town owned land at Conomo Point and the Department.

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

K. Town Meeting, By-Laws, and Regulations

No items.

L. Legal Issues

(1) Ramsey Dog Banishment Case

(*)

I will likely have additional information relative to the subject case by meeting time.

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

(2) Manchester Prisoner Lockup Agreement

(*)

The Chief of Police continues to renegotiate the subject agreement to reduce the amount of the annual base charge (approximately \$3,800) to a lower figure along

with the per-prisoner fee. My present understanding is that a new Agreement is being developed to cover the next one-year period. I will have additional information by meeting time.

Recommendation: **Board review and potential execution of the new agreement.**

M. Grants

No items.

N. Emergency Planning

No items.

O. Other Items

(1) Town Administrator Vacation Leave

I was out of the office on vacation leave for a portion of the afternoon on June 11 and June 18, 2009 and all day on June 20, 2009.

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