



Town Administrator's Report Board of Selectmen's Meeting of July 11, 2011

Report covers from June 18, 2011 to July 8, 2011

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

A. Town Department Reports/Requests

(1) Additional Building Department Office Hours

As discussed during the development of the FY12 budget, the Assistant Building Inspector will hold new, morning office hours. Now, in addition to the Building Inspector being available on Wednesday evenings from 5-7 p.m., the Assistant Building Inspector will be available on Monday mornings from 7:30-8:30 a.m. The Assistant will also be available for more on-site inspections.

Recommendation: No further action is necessary.

(2) Conomo Point Design Services Subcommittee (*)

At the Board's meeting of June 20, 2011, Selectman Coviello indicated that the Conomo Point Planning Committee had formed a subcommittee to develop the scope of work for a designer to assist with planning and facilities at Conomo Point. Committee members Marsh, Randall, Bediz, Witham, Drake, and Lynch will serve on that subcommittee and Selectman O'Donnell will serve as the Selectmen's liaison to the group. Selectman O'Donnell will provide suggestions for goals and direction to the Board at the present meeting. The full Conomo Point Planning Committee is scheduled to meet with the Selectmen on July 28, 2011.

Recommendation: **Board discussion relative to the subcommittee's overall goals and direction.**

(3) Town Building Committee Update

The Town Building Committee will meet with our Town Building Feasibility Study consultant on July 12, 2011 to discuss the consultant's recent progress. The Committee will also discuss the availability of the Lahey Clinic building and how that might fit into overall planning.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) Preparation for Assessors' Database Migration

The Board of Assessors has chosen to move from their present tax assessment database software to a new vendor. In preparation for the switch, I assisted the new vendor with the download of data so that it can be electronically uploaded to

the new system. In the future, I will assist the vendor with the installation of the new software on the Assessors' server in Town Hall.

Recommendation: I will update the Board as necessary. Total time – 1 hour.

(2) Regional Datacenter Update

The IT Officer for the City of Melrose is still in the process of me with some general cost figures relative to hosting the Town's files and applications.

Recommendation: I will update the Board as necessary.

C. Personnel

(1) Annual Distribution of Sexual Harassment Policy

I have distributed the subject policy in accordance with the law as I do each July (the beginning of each new fiscal year). Paper copies of the policy were distributed with employee paychecks.

Recommendation: No further action is necessary.

D. Procurement/Ongoing Projects

(1) 21st and 22nd Biweekly Updates, Route 133 Reconstruction Project

I issued the subject updates to the members of the Chamber of Commerce's Route 133 Task Force on June 20, 2011 and July 5, 2011, respectively. The reports explained the process for wrapping up work on the South Essex side of the causeway bridge and provided a preview of what to expect on the Essex Center side of the bridge after the Independence Day Holiday.

In between the two updates, I issued an interim update based upon a meeting among Selectman O'Donnell, the Resident Engineer, and myself that was held on June 24, 2011. Presently, the contractor has begun the partial depth roadway reconstruction on the Essex Center side of the bridge.

Recommendation: I will update the Board as necessary.

(2) Monthly Route 133 Construction Project Meeting

Selectman O'Donnell and I participated in the subject meeting on June 23, 2011 along with members of the Chamber of Commerce's Route 133 Task Force. The meeting focused on a wide variety of issues that require action or resolution as the project moves to the Essex Center side of the bridge. Issues included: pedestrian safety; correction of failed loaming and seeding in many areas; confirmation as to whether traffic sign placements were correct; miscellaneous issues with various abutters; the guardrail layout adjacent to Paglia Park; final choices for roadside plants; timing and starting point for Essex Center construction (including the use

of Winthrop Street as a detour); permanent utility pole easements; and other miscellaneous issues.

I am working directly with the Resident Engineer, the Project Designer, and Selectman O'Donnell to track and resolve the above and other issues. The next monthly construction meeting will occur on July 27, 2011.

Recommendation: I will update the Board as necessary.

(3) Causeway Planting Areas

Selectman O'Donnell reviewed her suggested designs for planting areas along the causeway at the Board's meeting of June 20, 2011. The Board agreed with the overall design and asked if abutters would consider trees instead of shrubs in several locations. Selectman O'Donnell will work to finalize both the design and the desired plants with MassDOT and with abutters. Plantings will take place in the fall.

Recommendation: I will update the Board as necessary.

(4) Re-Promotion of Essex Initiative

At the Board's meeting of June 20, 2011, the Board discussed the results of a summit that had been hosted by Representative Ferrante on June 16, 2011. The summit included a discussion regarding how to potentially improve ongoing operations, how to provide financial assistance to affected businesses, and how to re-promote Essex once the Route 133 Reconstruction Project nears completion.

Regarding ongoing operations, the Board agreed that the Chamber's subcommittee should provide suggestions for signage (both distant and local) to me as soon as possible for a rapid review and elevation up to Representative Ferrante's Office. The Board suggested that signs routing large trucks around our area also be used at distant points. The Board was not in favor of night work but did agree that work that could benefit from the proposed Winthrop Street detour should be the focus of the busiest summer months, in order to promote the most efficient traffic throughput during that time. We have since learned that the detour may not be necessary since MassDOT will be trying a "three-lane" initiative on the State road. The Board was pleased to hear that MassDOT will work closely with the contractor to promote the most business-friendly construction environment possible.

Regarding avenues for financial assistance to businesses, the Board supported the effort to organize a separate meeting with Mr. Andre Porter to explore loans, tax breaks, grants, or similar programs that may be available.

The Board was very much in support of all of the various re-promotion ideas that had been discussed at the summit and was pleased to hear that a follow-up meeting to pull that effort together is also being planned.

Recommendation: I will update the Board as necessary.

(5) Paglia Park Permitting

(*)

The Conservation Commission has recommended that the Board consider bringing in a wetlands scientist to collaborate with our landscape architect regarding the wetlands permitting for Paglia Park. The wetlands regulations pertaining to riverine areas and the various demarcations of zones is very complex and this type of technical assistance will help to round out the application. At the Board's meeting of July 6, 2011, the Board indicated that this would be fine. However, Selectman O'Donnell will first look at the topography of the land to determine whether the proposed boardwalk will meet the necessary slope requirements without being elevated – requiring a railing.

I have informed our consultant that we do not desire any further work until the topography question has been answered. Also, there is interest in potentially exploring expanding the park to include some aspect of the neighboring Spar Pond site.

***Recommendation:* Board discussion relative to the Spar Pond and any permitting that would be necessary to explore options there.**

(6) Permanent Utility Pole Relocation Easements

As the Board may recall, I had distributed to three project abutters easement paperwork from National Grid relative to several utility poles that are proposed to remain in their new locations (across from the seawall). One abutter is discussing the technical aspects further with National Grid, one abutter has signed the necessary paperwork, and one abutter is still considering the matter.

Recommendation: I will update the Board as necessary.

(7) Placement of Jersey Barriers

The Route 133 Reconstruction Project contractor placed Jersey Barriers on the Essex Center side of the causeway bridge during the week of July 4, 2011, in preparation for reconstruction work in that area, as planned. However, it became apparent that the barrier configuration could be improved upon for local businesses, churches, and upcoming events. As such, I walked the site with the Assistant Resident Engineer and changes were made, to the extent possible, to accommodate these community needs. I followed up with MassDOT after other suggestions were made by abutters when it became clear how the barriers would affect their operations.

Recommendation: No further action is necessary.

(8) Plan for Two-Way Traffic, Route 133 Reconstruction Project

During the week of July 18, 2011, it is expected that the Route 133 Reconstruction Project will be entering a segment of the roadway that is wide enough to accommodate both construction work AND two-way traffic. This new strategy will arrived at after MassDOT officials reviewed the available roadway width and it will obviate the need for the use of a Winthrop Street detour. If significant problems arise during implementation, another scenario will need to be worked out.

Recommendation: I will update the Board as necessary.

(9) Review of Route 133 Reconstruction Project Crosswalks

At the Board's meeting of July 6, 2011, the Board expressed great dissatisfaction with a crosswalk that will cross Main Street near Southern Avenue. Both the Chief of Police and the Board have gone on record to object to that design from a safety perspective. However, the curbing and sidewalks have already been completed in that area and a crosswalk change would mean demolition of those features, plus parts of the finished roadway surface. The design engineer has indicated that the crosswalk meets State and Federal safety standards.

The Board also discussed a planned crosswalk across Main Street at Martin Street. Both the Chief of Police and the Board have similar safety concerns for this feature. The Board asked that I set up a meeting among Selectman O'Donnell, the Resident Engineer, and the Project Designer to review this feature in the field to determine if other possibilities exist. We are presently in the process of pulling that meeting together.

Recommendation: I will update the Board as necessary.

(10) Manchester Essex Rotary Club Sponsorship of Pocket Park (*)

A representative of the Manchester Essex Rotary Club recently contacted me to offer the Club's sponsorship of one of the Town's new pocket parks. The Club would provide a bench and plantings and would maintain the area. Given that the exact layout and status of the Paglia Park is in flux, I suggested that the Village Corner Pocket Park may be appropriate. However, I explained that I wanted to review the matter with the Board and, perhaps, with the Village Restaurant owner, in case they already had plans to help with this area.

Recommendation: **Board discussion as necessary.**

(10) Conomo Point Appraisal Services RFP (*)

Chairman Jones and I hosted a site visit for prospective appraisers regarding the subject project on June 22, 2011. One prospective appraiser attended the site visit

and he later provided several written questions that I responded to by copying all RFP holders. In addition, he commented that it may be difficult for the industry to make the Town's September 9, 2011 completion deadline given the summer season. As such, after consultation with the Chairman, I issued an addendum that provides preference to a proposer that can meet the September 9 date with the possibility of extending the deadline (for less rating credit) until as late as September 30, 2011. On July 6, 2011, we received a total of two proposals. Both proposers have committed to a date of September 9, 2011.

***Recommendation:* Board approval of the project timeline addendum and review and evaluation of the proposals received. After proposals have been evaluated and ranked, the cost proposals will be opened and reviewed. The most advantageous proposal will be chosen and a contract award may then be offered.**

(11) Affirmative Marketing Quarterly Report

I filed the subject report with the State Office of Minority and Women Business Assistance in my capacity as the Town's Affirmative Marketing Construction Officer (AMCO) during the week of July 4, 2011. The report is designed to track the Town's usage of women and minority-owned businesses with respect to State-funded building projects. No usage occurred over the past quarter.

Recommendation: No further action is necessary.

E. Insurance

(1) MIIA Rewards Program

I reported to our insurer during the week of June 20, 2011 various items that the Town had accomplished over the past fiscal year relative to loss control training and awareness. We participate in this program each year and we receive discounts off of our premiums along with a better-prepared workforce for the outright avoidance of losses.

Recommendation: No further action is necessary.

(2) Certificate of Insurance

At the Board's meeting of July 6, 2011, the Board approved a request from a private landowner to issue a certificate of insurance from the Town's insurer during the one-day event associated with the launching of a new schooner on July 9, 2011. The property owner consented to the use of the property to park vehicles at no cost so long as the certificate was issued. I arranged for the certificate, which was provided to the owner in advance of the event.

Recommendation: No further action is necessary.

F. Facilities

(1) Potential Purchase of Lahey Clinic Building (*)

At the Board's meeting of June 20, 2011, the Board expressed interest in the potential of the subject building as an interim Town Hall and/or a future youth/recreation center. The Board asked that I provide an estimate of the annual expense if the building were to be purchased and financed over 30 years. According to the Treasurer, the annual payment would be around \$37,000 (about \$3,100 per month). Ten and twenty year terms under different programs are also possible. Those programs would require substantially higher annual payments but the total cost to the Town over the term of the loan would be much lower.

I provided the above data to the Board in advance of the Board's July 6, 2011 meeting and the Chairman indicated that he had been in touch with an attorney who represents the seller. The attorney informed the Chairman that the seller is willing to wait on the sale until the Town Meeting has a chance to consider the purchase – likely in November. Per the Board's request, I have added this issue to the list of potential articles for the next Town Meeting and the Town Building Committee will review the matter on July 12, 2011. Further, I discussed with Town Counsel the degree to which the building could be renovated prior to purchase.

Recommendation: **Board discussion regarding the scope of pre-purchase renovations.**

(2) Raking of Sand at Clammers' Beach

Residents have asked if the sand at Clammers' Beach that has moved into a pile toward the road over the winter (due to wind and tides) may be spread back out over the beach area, down to the high water mark. I contacted our Conservation Agent and he indicated that this was, in fact, possible, so long as only a few volunteers with no more than rakes and shovels conduct the work over a period of hours. More extensive work using machinery and/or placement of material below the high water line is prohibited. I relayed this information to a resident who will organize the effort.

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) Fiscal Year 2012 School District Budget (*)

The Regional School Committee voted on June 28, 2011 to amend the fiscal year 2012 District net budget to a lower amount using a combination of a higher-than-expected level of Chapter 70 funding and budget cuts. The District provided an official memorandum regarding this amendment to both communities during the week of July 4, 2011.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Second Preliminary Subdivision Plan Review Meeting (*)

I attended the subject Planning Board meeting along with the Selectmen and our consultant on July 6, 2011. The Planning Board had first discussed the Preliminary Subdivision Plan for the southern section of Conomo Point on June 15, 2011 and this second meeting featured a more detailed presentation and review. At the meeting, our consultant presented the plan and reviewed an extensive list of waivers with the Planning Board. Discussion included various scenarios for ownership, maintenance, and improvement of the roads on the property.

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

J. Final Judgment

No items.

K. Town Meeting, By-Laws, and Regulations

(1) Demolition Delay Bylaw Opposition Letter

At the Board's meeting of June 20, 2011, the Board reviewed an opposition letter to the subject bylaw that had been sent to the Office of the Attorney General, which is presently considering the approval of the bylaw. Town Counsel had asked if the Board desired to make a response to the opposition letter and the Board did support that action. As such, I asked Counsel to respond and that response is presently being finalized for transmittal.

Recommendation: I will update the Board as necessary.

L. Legal Issues

(1) Renewal of Lockup Agreement (*)

The Chief of Police worked out an arrangement with the Town of Manchester whereby this year's Lockup Agreement provides the option for the Town of Essex to make other arrangements after any single month has been completed. The Chief is actively exploring other arrangements with other communities in an effort

to bring costs down. The Chairman signed this new provisional agreement during the week of June 27, 2011 for ratification by the full Board at the present meeting.

Recommendation: **Board vote to ratify the new agreement.**

(2) Draft Conomo Point Bridge Lease Informal Discussion (*)
Chairman Jones, Town Counsel, and I met with three representatives of the Conomo Point leaseholders on June 22, 2011.

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

M. Grants

No items.

N. Emergency Planning

No items.

O. Other Items

(1) Town Administrator Leave

I was out of the office on vacation leave for the entire week of June 27, 2011.

(2) Independence Day Holiday

The office was closed on July 4, 2011 in observation of the subject holiday.

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