



Town Administrator's Report Board of Selectmen's Meeting of July 27, 2009

Report covers from July 11, 2009 to July 24, 2009

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

A. Town Department Reports/Requests

(1) Traffic Management for Emergency Responders

At the last meeting, the Fire Chief indicated that call firefighters have sometimes had trouble making it through to the fire station without delay as a result of the Route 133 Reconstruction Project. It is possible that police officers with access to our emergency frequencies could better detect a firefighter who was having trouble getting through. At the request of the Board, I developed a letter to the District Highway Director for the Chairman's signature with input from the Fire Chief. The letter asks the Director to consider our call firefighter protocols versus the Department's decision to utilize civilian flaggers on the project and to provide the Town with recommendations to best protect public safety.

Recommendation: I will update the Board as necessary.

(2) Town Planning Update

Consulting Planner Carolyn Britt met with the Zoning Board of Appeals on July 15, 2009 to discuss their needs. The Board indicated that she might assist them with the development of more comprehensive application information that can be provided to applicants seeking variances. Beyond that, the Board will allow the remainder of their allotted consulting time to be used on Planning Board issues.

Recommendation: No further action is necessary.

B. Computer Systems

(1) Potential for On-Line Payments

In the past, the Board had discussed the possibility of offering an on-line payment option for taxes and fees (using a third party vendor). At that time, I had indicated that Town Counsel was working on an all-towns memo regarding that topic and any associated liability. I have learned that the referenced memo is presently expected to be released by the firm within the next few weeks and I will bring the topic up for discussion at that time.

Recommendation: I will update the Board as necessary.

(2) Final Migration to New Vision Server

The communication problem between our client computers and the new Assessors' database server was solved during the week of July 13, 2009. Part of

the solution involved the factory configuration of the network interface card and the system manufacturer assisted me with correcting that issue. One of three clients was used by Vision technicians to troubleshoot the problem and two clients remain to be migrated. The technician who will assist me with the migration was on vacation during the week of July 20, 2009 and will therefore assist me with the remaining tasks during the week of July 27, 2009.

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

(3) Water Department Computer Maintenance

The Water Department Clerk reported storage space problems on one of the Water Filtration Plant lab computers during the week of July 20, 2009. I performed maintenance on the system and it is now operating normally. I also performed maintenance on the Water Filtration Plant network server to correct a backup tape drive issue.

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

C. Personnel

(1) Town Clerk Search Committee Update

(*)

The Town Clerk Search Committee met for the first time on July 14, 2009. The Committee finalized a draft position description based on examples from other communities and on the experience and knowledge of the existing Town Clerk (who is a Committee member). The Committee also finalized a draft position vacancy announcement and began to work on various interview topics.

***Recommendation:* Board review of these new documents; potential approval of the position description in the Board's capacity as Personnel Board; and the provision of guidance to the Search Committee regarding next steps based upon the Committee's remaining charge.**

(2) MMPA Compensation System Validation

As a member of the Massachusetts Municipal Personnel Association (MMPA), I participate in the regular updating of a new, web-based tool that allows for the convenient gathering of wage and salary comparables across Massachusetts communities. The Association is preparing to archive the fiscal year 2009 data and asked all communities to validate all entries prior to that occurring. I have completed the validation procedure and data entry for fiscal year 2010 will begin in the near future.

Recommendation: No further action is necessary.

D. Procurement

(1) Energy Service Company (ESCO) Contract Update

I met with a representative of the LINC company and teleconferenced with a representative of Johnson Controls on July 16, 2009 and to learn more about the programs and services that ESCo's typically offer. The ESCo representatives stated that they generally look at inefficient lighting, inefficient plumbing fixtures, and old/inefficient HVAC equipment. They then generally put out to bid and manage the installation of new equipment that produces sufficient energy savings to pay for itself in a relatively short time period.

The Essex Senior Center and DPW barn are new and were built to modern energy conservation standards. The Water Filtration Plant is relatively new and equipment has been kept updated. The other two major buildings (the Town Hall/Library and the Fire/Police Station) are old and inefficient. However, after the representatives looked at the total electricity, water, and heating oil budgets for those buildings, they quickly indicated that, even if we usually fully expend those budgets (which we generally do not), the amounts are so relatively small that their payback scenario is not workable.

Given the likelihood that an ESCo would not even bid on a project in Essex based on our numbers, it is not worth pulling together a Request for Proposals or going out to bid. In fact, our numbers would likely detract from the overall package if bundled with the needs of other communities. Also, if the uncertainty of the future use of our buildings is factored in, the program becomes even less likely to be productive here (a point with which the representatives also agreed). The Town of Ipswich and the Regional School District had already informed me that they were not interested in participating and I informed the other two towns that are considering this program (Topsfield and Manchester) to move along with out us (if they do decide to go forward). I also provided the towns of Hamilton and Wenham with that update.

It is possible that another type of program that just deals with lighting replacement based upon utility incentives would be a good fit for our buildings. I will update the Board on that if something is found to be feasible.

Recommendation: No further action is necessary at this time.

(2) Causeway Seawall Granite Blocks

I have been able to discuss the subject blocks further with the Route 133 Project Resident Engineer. I have learned that the contractor may be able to provide granite capstone blocks for placement on Woodman's Beach and may be able to provide additional blocks for future use which can be placed on a private property abutting the causeway. A certain quantity of the blocks will actually be shipped to a stone cutting contractor and will be cut into veneer slivers to be used as facing

for the new seawall. It is possible that the lower blocks (as opposed to the capstone blocks) can be used for this purpose – leaving the capstone blocks intact for use by the Town. The contractor is not presently interested in retaining any blocks beyond what is necessary for the facing of the new seawall.

Recommendation: I will continue to monitor this situation and will update the Board as necessary.

(3) Repair and Maintenance of Town Hall Clock (*)

At the last meeting, the Board indicated that I should seek an additional assessment of the repair and maintenance needs for the Town Hall clock. A second clock specialist did visit the Town Hall at no cost during the week of July 13, 2009 and provided recommendations similar to the first assessment. However, the second analysis was more detailed and the specialist was able to isolate the immediate needs to keep the unit running.

Recommendation: **Authorization to proceed with the recommendations of the second specialist using the Luther Burnham Fund.**

(4) Delivery of Mini-Loader

The mini-loader that the Town Meeting approved this past May was delivered to the DPW during the week of July 13, 2009. This new piece of equipment will assist the DPW greatly with the clearing of snow and ice from sidewalks, among other functions. I assisted the Superintendent of Public works with final lease/purchase, vehicle registration, and insurance paperwork.

Recommendation: No further action is necessary.

(5) Request for Business-related Construction Signage

At the last meeting, the Board discussed the need to ask the Massachusetts Highway Department about the possibility of providing signage indicating that the downtown area is “open for business” during the Route 133 Reconstruction Project. The Board asked that I develop a letter for the Chairman’s signature in concert with the Chamber of Commerce’s Route 133 Reconstruction Project Task Force. The group reviewed the draft during the week of July 13, 2009 and the Chairman signed and sent the letter during the week of July 20, 2009.

Recommendation: I will update the Board as necessary.

(6) Temporary Utility Pole Move

I have been informed by National Grid that work to move several utility poles to allow for the installation of a new seawall on the causeway is scheduled to begin during the first week of August. Proceeding at this time will likely allow the Route 133 construction contractor to begin seawall work this fall, avoiding the busiest season. Other poles along the causeway may be reset within inches of

their current locations to allow for sidewalk and curb cut adjustments but none of those are expected to be major. Regarding the seawall pole move, I have been in contact with both Verizon and Comcast since those utilities will need to move their wires after National Grid moves the poles and the electric wires. Representatives from all three utilities have been put in touch with the Resident Engineer from MassHighway in order to understand the technical details of what will be required.

Recommendation: I will update the Board as necessary.

E. Insurance

(1) Management Training Focus Group

I participated in a focus group conference call on July 13, 2009 to assist our insurer with the development of various management training courses that they will offer as part of the FY10 MIIA Rewards Program. The courses presently being considered offer management training to both seasoned and beginning managers across a wide range of topics including: conflict management, management style analysis, transition, customer service, and effective communication. The call participants were able to provide our insurer with feedback that will make the content of each of the proposed courses more relevant and the call was very productive.

Recommendation: No further action is necessary.

F. Facilities

(1) Town Building Committee Update

The Town Building Committee met on July 20, 2009 to continue to develop a strategy for the future management of Town building needs. The Committee had as a guest a local developer who was willing to volunteer his time to share his expertise regarding historic building redevelopment. He commented that historic buildings such as the Town Hall are commonly converted to housing (with a senior and affordable component) and that such projects are made viable by the issuance of saleable tax credits. The State and Federal governments issue the credits to the developer as an incentive to create new senior and affordable housing and to preserve the exterior of a historic building and the developer is able to sell the credits to high wealth individuals in need of tax relief. Without such incentives (which function as gap funding), the developer explained that the high cost of building restoration often discourages developers from getting involved (since rehabilitation of old buildings is always more expensive than new construction). Conversion to housing is targeted since the tax credits are generally not available for conversion to commercial space.

The developer will tour the interior of the Town Hall and will look at the Fire Station and the Town's vacant land off of John Wise Avenue and will report back to the Committee for their meeting of August 3, 2009. It is likely that he will report that a Town Hall conversion to housing project is feasible. If so, the Building Committee may recommend a project that would pay a developer as a consultant to produce "pro-forma" estimates that would provide information regarding: a) the cost of rehabilitating the Town Hall/Library building for continued use as such (for comparison purposes); b) the cost of constructing a new building for fire and police off of John Wise Avenue; c) the cost of constructing a new building at the present Fire Station site that would house a new library and Town offices; and d) the expected benefit (i.e. cost-neutral to perhaps limited positive sale revenue plus new tax revenue) of converting the present Town Hall/Library building to housing as described above.

A Request for Qualifications (RFQ) could be carefully crafted to solicit proposals prior to Town Meeting's consideration of funding. If funded, the pro-forma analysis could be implemented and the Town Meeting would subsequently have the benefit of actual figures that may be used to compare and contrast building options. One scenario that may be considered could involve: a) the construction of a new public safety building on John Wise Avenue; b) the construction of a new Town Hall/Library at the current Fire Station site once the fire and police departments move out (possibly taking advantage of library grant programs); and c) the conversion of the existing Town Hall/Library to housing as described above once the Town offices and Library move out. This type of plan would provide smooth sequencing for continuity of departmental operations, could be phased in over time to help spread out costs, and would allow the future use of the Town Hall/Library to be cost-neutral (at the very least). The above concepts and ideas will be further evaluated on August 3 and the Building Committee will make an initial recommendation to the Selectmen shortly thereafter.

Recommendation: I will update the Board as necessary.

G. Fiscal/Budget

(1) School Building Assistance Funding

(*)

At the last meeting, I had indicated that the School Building Assistance Bureau was in the process of working out a new funding agreement with the Manchester Essex Regional School District. Selectman Lynch had begun to discuss the matter with District officials and will update the Board on this topic at the present meeting.

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

(2) Mosquito Control Question

At the last meeting, I informed the Board that a resident had requested mosquito spraying be resumed in Essex. The Board asked that I confirm that the Northeast Massachusetts Mosquito Control and Wetlands Management District still required municipalities to join the District for three fiscal years at a time. I did confirm that to be the case and, as per the Board's guidance, I contacted the resident to indicate that, upon revisiting the issue, the Board is not interested in spraying at this time.

Recommendation: No further action is necessary.

H. Complaints

No items.

I. Meetings Attended

(1) Essex Regional Retirement Board Investment/Governance Mtg. (*)

I attended the subject meeting hosted by Senator Tarr and Representative Hill on July 23, 2009 along with other town administrators, town managers, and other municipal employees. The meeting focused on a potential plan to move Essex Regional Retirement Board (ERRB) investments to the State-administered Pension Reserves Investment Trust (PRIT) and on providing more direct decision-making and oversight authority to each ERRB member community. ERRB is hosting a meeting on August 25, 2009 to provide member communities with additional information regarding investments. It is also likely that the group that recently convened with Senator Tarr and Representative Hill will have a follow-up meeting that may include a wider spectrum of municipal officials.

Recommendation: **Board discussion relative to the present status of the ERRB investment and governance discussion.**

J. Final Judgment

(1) Status Update Letters for Conomo Point Tenants

At the last meeting, the Board voted to send letters to all Conomo Point tenants in response to a recent letter from the Department of Environmental Protection which required that: "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."

The Selectmen's Assistant prepared the letters and they were mailed to each tenant during the week of July 20, 2009. File copies were retained in each tenant's lease folder.

Recommendation: No further action is necessary at this time.

K. Town Meeting, By-Laws, and Regulations

(1) Southern Conomo Point Subcommittee Update

The consultant working with the Southern Conomo Point Subcommittee completed the next draft of a zoning district by-law for that area during the week of July 20, 2009. The by-law will define zoning requirements for the southern area of Conomo Point prior to the creation of separate lots there. I posted the draft document on the Town website as requested by the Subcommittee and the full Conomo Point Planning Committee will review the document on July 30, 2009.

Recommendation: I will update the Board as necessary.

(2) Historical Commission Demolition Review By-law

At the last meeting, the Chairman of the Historical Commission indicated that the Commission was interested in exploring a new by-law provision that would give the Commission a reasonable amount of time to review requests for demolition permits relative to historically significant buildings. The Commission could at least document the building prior to demolition or could perhaps find a party willing to relocate the building. The Board asked that I consult Town Counsel for guidance on how such a review is usually enacted. I have learned from Counsel that this type of provision is usually enacted as a General By-law and Counsel has sent the Commission a comprehensive package on the topic that includes examples and answers common questions. I have placed a copy of the letter in the Board's reading file.

Recommendation: I will update the Board as necessary.

L. Legal Issues

(1) Option to Purchase 61A-Designated Land

(*)

The owners of a parcel that is presently held under the Chapter 61A agricultural designation have agreed to sell the property to a private buyer and a purchase and sales agreement has been developed. The Town has been officially informed of this pending transaction. Under the General Laws, the Town has the option to: a) match the sale price (\$300,000 in this case) and purchase the property as Town land; b) assign its purchase option to a willing non-profit, conservation organization; or c) waive its purchase option and let the private sale proceed.

Recommendation: **Board discussion relative to the subject parcel and the Town's options.**

M. Grants

(1) Senior Mini-Bus Grant

(*)

At the last meeting, the Board began to discuss a potential opportunity for the Essex Council on Aging to operate a new mini-bus to provide transportation to

Essex seniors. The vehicle would be owned by Seniorcare but would be operated, maintained, and insured by the Town. The Town would own the vehicle in five years or 100,000 miles and would need to contribute approximately \$14,000 toward the approximately \$58,000 cost (grant funds to cover the remainder). No appropriation presently exists for this purpose and funding may need to be sought via donations and/or via an appropriation to be considered at a fall Town Meeting.

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

(2) Rivers and Harbors Grant Program

At the last meeting, I informed the Board about the subject grant program. The program is not presently funded but the Division of Conservation and Recreation (DCR) is accepting applications in order to prioritize needs for when funding may become available in the future. The Board agreed that I should confer with various individuals familiar with dredging needs within the Essex River and I have since concluded that exercise. I have sent that scope of work to Mr. Kevin Mooney of DCR since he had agreed to help estimate the cost of the work for our grant application. That scope is represented by the Town's original dredging plans that were produced around 1984 and will call for a 60-foot-wide channel (as opposed to the 30-foot-wide channel that was actually created in the past). Once he provides the cost figures, I will finalize the application and file with DCR.

Recommendation: I will update the Board as necessary.

(3) Seaport Bond Bill Grant Application

The Salem State Center for Economic Development and Sustainability has continued to work on the subject grant application for a feasibility study concerning a public boardwalk and floats adjacent to the Essex causeway. Presently, the Center envisions a completed draft grant application will be available for the Board's review in early August.

Recommendation: I will update the Board as necessary.

(4) Safe Routes to School Grant Program

As noted previously, the State's consultant working on analyzing the need for physical improvements near the Essex Elementary School (such as additional sidewalks) has been working on a preliminary graphic depicting draft recommendations. That document is almost complete and the consultant recently contacted me with several final questions. Once the graphic is delivered, I will seek comments from the Chief of Police and the Superintendent of Public Works and will bring the document before the Board for discussion.

Recommendation: I will update the Board as necessary.

(5) Commonwealth Capital Application

As in years past, each municipality must file a Commonwealth Capital application in order to be eligible for certain State grant programs. The application is filed via an on-line tool and, similar to past years, I have reviewed the requirements and verified our account access. The Town is not presently involved with any grant programs that require the Commonwealth Capital application and I will consult with other departments to complete the application if that becomes necessary. The application may be necessary to apply for the grant that Consulting Planner Carolyn Britt may recommend in the final phase of her work. In that case, the Planning Board will need to provide input to the application before it is finalized and submitted.

Recommendation: No further action is necessary at this time.

N. Emergency Planning

(1) Near-Site Emergency Relocation Center Update

I met with Principal Eric Gordon on July 16, 2009 to view the space in the Essex Elementary School which would be used by the Town on a temporary basis as a near-site emergency relocation center should the need ever arise. The near-site center would allow employees from an affected building or buildings to report to the school in order to carry on Town business until other temporary quarters could be set up. The space will accommodate pre-positioned laptop computers with Internet access that could have data directly installed or could connect to our disaster recovery server in Manchester, NH. The space consists of a conference room that would be adequate for our temporary needs and I have ordered a locking storage cabinet to securely store our emergency equipment and supplies.

I have also conferred with the District's information/technology staff and have learned that no surplus computers will be available as a result of the move to the new high school/middle school building. As such, I have ordered equipment that will be compatible with the computing environment at the school and will configure that equipment for emergency use when it arrives.

Recommendation: I will update the Board as necessary.

O. Other Items

(1) Town Administrator Leave

I was out of the office on leave for a portion of July 14, 2009 and for a portion of July 17, 2009.

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