



Town Administrator's Report Board of Selectmen's Meeting of August 9, 2010

Report covers from July 24, 2010 to August 6, 2010

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

A. Town Department Reports/Requests

(1) Council on Aging Van Driver Training

I had worked to set up both sensitivity training and CPR/first aid training for senior van drivers as required by the Federal grant that funded the majority of the new van's cost. Sensitivity training was offered on August 5, 2010 and the CPR and first aid training was offered on August 6, 2010.

Recommendation: No further action is necessary.

B. Computer Systems

(1) Town Clerk Printing and Software Problem

The Town Clerk informed me that her printer was not working and, after investigation, I determined that the Operating System had corrupted some software, causing a cascade effect that included the operation of the printer. I reinstalled the software, purged the print queue, and managed the appropriate services to correct the issue.

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

(2) Printer/Copier Maintenance

The small printer/copier that serves the duplication needs of the Town Clerk and Collector's offices experienced a toner issue recently. This small machine is not under a service contract and, after investigation, I found that a component had broken off of the toner cartridge which allowed toner to leak and to clog the system. After cleaning out the toner system and installing a new toner cartridge, copy quality returned to normal.

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

(3) Library Laptop and Wireless Printer Setup

The Library received a new laptop computer and a new wireless printer that I had helped to specify via a technology grant. The equipment arrived during the week of August 2, 2010 and I assisted the Library staff with setup and configuration. The equipment is working well.

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

C. Personnel

(1) Essex Police Benevolent Association Collective Bargaining (*)
Management met with the union for continued collective bargaining on July 27, 2010.

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

(2) AFSCME Collective Bargaining (*)
Management met with the union for continued collective bargaining on August 2, 2010.

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

(3) Teamsters Collective Bargaining
Management was scheduled to meet with the union for continued collective bargaining on August 3, 2010 but that meeting was postponed by the union.

Recommendation: I will update the Board as necessary.

(4) Centennial Grove Cottage Committee
At the last meeting, the Board reviewed the concept of the subject committee again and considered feedback provided by various parties. The Board asked that I work to advertise a broader committee to be known as the Centennial Grove Committee. Committee members will include a variety of representatives from various existing boards plus the Essex PTO, a former EYC member, and two, at-large members. Letters of interest are being accepted for the former EYC and at-large seats through August 16, 2010. I posted the notice on the Town's website at http://essexma.org/Pages/EssexMA_Selectmen/grove and the announcement was covered by the Globe and the Gloucester Times.

Recommendation: I will update the Board as necessary.

(5) Board of Public Works Vacancy (*)
An additional candidate (Mr. Brian Feener) has expressed interest in the subject appointment. I made the Planning Board aware of his interest and that Board has agreed to add his name to their list of recommended candidates.

Recommendation: **Further Board consideration of the list of remaining candidates (Mr. William French has accepted an appointment with the Planning Board).**

D. Procurement/Ongoing Projects

(1) Village Corner Parking

(*)

At the last meeting, the Board considered a response from the Federal Highway Administration concerning MassDOT's roadway design at the Village corner that does not allow for direct-access parking in that location. The Board agreed that discussions at both the State and Federal levels have gone as far as possible and asked that I pose to MassDOT the possibility of finalizing the area with half green space and half asphalt for rear-access parking. I spoke to the Resident Engineer about this possibility and he recommended that I write to the District Highway Director about the concept (which I did on July 27, 2010).

Also, Selectman O'Donnell and I met with Long Term Planning Committee Member Bob Coviello, Chamber Member Susan Lufkin, and Village Restaurant proprietor Kevin Ricci on July 28, 2010 to discuss the details of this new concept further. The group agreed that the concept should be pursued so long as Mr. Ricci was comfortable with the right of way agreement that MassDOT would be providing for review. In order to provide us with a sample right of way document, the Resident Engineer asked for a sketch of this new option, which Selectman O'Donnell produced and provided. MassDOT is presently working to provide us with a sample agreement.

Once a final decision has been reached regarding the Village Corner pocket park, Selectman O'Donnell and I will finalize the pocket park planning contract with Community Investment Associates.

Recommendation: **Board discussion as necessary.**

(2) Seawall Life Expectancy

At the last meeting, the Board reviewed a response from the District Highway Director regarding the Department's justification for not requiring further encasement of steel pilings used to support the new seawall. Since that response did not indicate the Department's estimate for life expectancy of the seawall, the Board asked that I work with Selectman O'Donnell to write the Department again for a specific estimate. Selectman O'Donnell and I finalized that letter during the week of July 26, 2010 and we are presently awaiting a response.

Recommendation: I will update the Board as necessary.

(3) Acquisition of Right of Entry Documents

(*)

We are continuing to work on obtaining all of the necessary Right of Entry documents from each of six abutters to the Route 133 Reconstruction Project that will allow the project contractor access to their properties to construct grading and ramping associated with an additional increase in roadbed elevation. The project design change will keep the roadbed out of tidal flood waters in most cases but

flooding is still expected under severe storm conditions. The Cape Ann Chamber of Commerce and the Essex Merchants' Group are assisting me with the process. Also, another abutter to the project, who is not being asked to sign a Right of Entry Agreement, asked whether plans to elevate the roadbed will affect the traditional flood elevation of water on the abutting parcels. I explained that the roadbed was slated for an elevation increase even in the original plans and that an additional increase is now being considered for one, specific area. I passed the abutter's concern along to the Resident Engineer but he is not equipped to comment on questions relative to future flood elevations and hydrology.

Recommendation: **Board discussion relative to flood elevation concerns.**

(4) Proposal for Route 133 Reconstruction Project Night Work

At the last meeting, the Board again discussed the potential for night work on the subject project and asked that I pose to the contractor, through the Resident Engineer, that pavement removal along the section between the causeway bridge and Woodman's potentially be done at night.

Selectman O'Donnell and I discussed this request with members of the business community on July 28, 2010 and with the Chamber of Commerce on July 29, 2010 and then approached MassDOT staff. The Resident Engineer posed this possibility again to the project contractor and we have learned that the contractor is not interested in performing any substantive night work on this project.

Recommendation: No further action is necessary at this time.

(5) Curb Design, Eastern Avenue

(*)

Two residents along a stretch of Eastern Avenue expressed their dissatisfaction with plans to install modified bituminous concrete berm (otherwise known as Cape Cod berm, an asphalt product) in front of their homes. They were expecting vertical, granite curbing that is typical to the surrounding area based upon their past conversations with MassDOT right of way personnel. The original plans showed the Cape Cod berm and MassDOT has explained that the pitch of the roadway in that area requires the Cape Cod berm for safety reasons. The Chief of Police and I met with one of the residents on July 29, 2010 (and I spoke to the other via telephone) and we again raised the concern with MassDOT representatives the following week.

The Resident Engineer informed us that the design engineer cites a safety hazard (short sections of curb with ramps up and down to driveways) as a reason for not changing the design (a vehicle could become airborne if encountering these ramps in a crash). I then brought this information back to the residents for their information, explaining that the design will not be changing based on MassDOT review to date. The Resident Engineer will continue to review the matter in the

event that something else can be worked out but, in the absence of an alternative, the design will not change.

Also, another resident questioned whether making a right-hand turn coming from Grove Street onto Eastern Avenue will require a vehicle to make a wide swing, potentially crossing the yellow line on the State Highway (or potentially being closer to a large truck that might be close to or over the yellow line on Route 133). He raised the issue after negotiating that turn with the new sidewalk in place in that area (albeit during construction with cones in place). I brought this issue to the Resident Engineer and he stated he would review the matter but was not aware of any issue. If the Resident Engineer finds any issue, he will let us know.

Recommendation: **Board discussion relative to these topics as necessary.**

(6) Route 133 Reconstruction Project Catch Basin Grates

The Resident Engineer informed me that all catch basin grates that are within the State Road Layout require lockdown equipment per State guidelines. This is due to an accident that occurred in the past couple of years on a high-speed highway with a tractor trailer that was traveling at 80 miles per hour. The guideline applies to all State roads, even though the road in Essex is a low-speed road with far less potential for this type of freak occurrence.

Grates that are on the section of road that is not considered State Highway (a portion of the project area is not State road) can still include lockdown equipment at no extra cost to the project. I posed this issue to the Superintendent of Public Works and, in the interest of uniformity, he will likely recommend that the lockdown grates be used in the non-State area as well.

Recommendation: No further action is necessary.

(7) Taintor & Associates Northern Conomo Point Planning Work

At the last meeting, the Board reviewed a letter from Mr. Paul Collins, representing the tenants at Conomo Point. The letter asked the Board to review a variety of topics with Taintor & Associates. The Board asked me to thank Mr. Collins for his comments and to indicate that the comments may be used in the future after the firm provides the work products that are presently required via the existing contract. I passed the Board's sentiment along to Mr. Collins as requested and I will bring the comments back up once Taintor's work products have been completed.

Recommendation: No further action is necessary at this time.

E. Insurance

No items.

F. Facilities

(1) Paglia Park

(*)

At the last meeting, I informed the Board that the grass at Paglia Park had been mowed and we learned that additional volunteers would be returning to pick up the clippings. The Board also agreed that a brown sign with white lettering should be erected at the park until a more elaborate, decorative sign can be designed and produced in the future. I updated the property owner about these developments.

Also, we have learned that the Essex Lions Club is willing to move the steering wheel monument from the Town Landing to the new Paglia Park as part of the design and implementation of this new area. Further, it is possible that a future Eagle Scout project could assist with the implementation of the park and the Manchester Essex Rotary Club has expressed interest in helping as well.

Recommendation: **Board discussion relative to the steering wheel monument.**

(2) Water Main Break

A utility crew broke the Martin Street water main near Town Hall on July 27, 2010 and appreciable damage was caused to Martin Street. Water was shut off to Martin Street addresses between Prospect Street and Winthrop Street from approximately 12:30 p.m. on July 27 until approximately 1:00 a.m. on July 28. The delay was longer than expected since flushing of the repaired line caused an air-release valve at Brook Pasture Road to fail – which required additional repairs and downtime. The utility has pledged to cover all assessment, repair, and restoration costs – which were all completed by the end of the workday on July 28.

Recommendation: No further action is necessary.

(3) Potential Automation of Town Hall Clock

(*)

At the last meeting, the Board expressed a safety concern about continuing to allow personnel to climb the ladders necessary to manually wind the Town Hall clock. The Board asked that I inquire with our clock contractor as to how we might keep all of the original hardware intact but actually wind and/or run the clock and the bell using automated, electric devices. Our clock contractor has commented that the preferred method is to simply automate the winding mechanisms to preserve the function and historic nature of the clockworks. He visited the Town Hall and is presently working on a cost proposal for such a system.

I also informed the Essex Historical Commission about the Board's safety concern since the Commission holds a restriction on the building and has interest in issues of this nature. I toured the clock tower with Commission Member Wilhelm on July 28, 2010 and he agreed that safety is a factor. He was hopeful that the

automatic winding, as opposed to electrification of the mechanism, would be feasible and would be the chosen option.

Relative to funding, I toured the clock tower with a representative of our insurer and he indicated that the new system has a reasonable chance for funding under our insurer's annual grant program.

Recommendation: **Board discussion relative to the funding and implementation of this proposed project.**

(4) Honeybee Hive Removal

A tree contractor was removing a hazard tree on July 28, 2010 at the request of the Department of Public Works when a very large beehive was discovered. Bee activity was high and the tree crew and all Public Works employees had to leave the area. The hive was actually a major public safety concern for passers-by. As such, I contacted an exterminator to investigate and, after he verified that the insects were honeybees, he contacted a beekeeper to have the hive removed (removal is actually more effective than extermination when honeybees are involved). After the removal of the hive was complete, the tree crew returned to remove the tree.

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) Regionalization Survey

The Department of Revenue's Division of Local Services (DLS) recently released a survey regarding the use of regionalization. I explained our existing, Regional School District and our DPW equipment sharing arrangements with Rockport. I also indicated that the Town will be part of the new, Regional Dispatch Center and that we may seek to collaborate with Manchester regarding youth programs in the future. DLS will compile the surveys from across the State in an effort to highlight and facilitate the most popular desires.

Recommendation: No further action is necessary at this time.

(2) Joint Meeting with Essex Finance Committee and Essex School Reps. (*)

The Essex members of the Manchester Essex Regional School Committee, the new District Superintendent, and the Assistant Superintendent for Finance will join the Board at its next meeting to begin school budget discussions for fiscal year 2012. This meeting will be a precursor to a meeting planned for September 8, 2010 at which Manchester officials will also be present. The parties have asked if an agenda can be formulated and circulated prior to the August 23 meeting.

Recommendation: **Board discussion relative to the meeting agenda.**

H. Complaints

No items.

I. Meetings Attended

(1) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting along with Selectman O'Donnell on July 29, 2010. We updated the group on the Route 133 Reconstruction Project and other ongoing Town projects and initiatives.

Recommendation: No further action is necessary.

J. Final Judgment

No items.

K. Town Meeting, By-Laws, and Regulations

(1) Draft List of Potential Special Town Meeting Topics (*)

I have developed the subject list of topics for the Board's consideration. A Special Town Meeting could be held in November (perhaps November 15, 2010).

Recommendation: **Preliminary Board discussion relative to the list of topics.**

(2) Proposed Changes to Clamming, Sea Worm, and Eel Regulations (*)

At the last meeting, the Board provided me with guidance relative to the revision of the subject regulations. I shared a copy of the draft with the Board members, the Selectmen's Assistant, the Town Clerk, and the Shellfish Advisory Commission (SFAC). I also had the draft document reviewed by Town Counsel.

The SFAC was satisfied with the draft changes according to SFAC Member Atkins. However, Town Counsel provided some comments that may require changes and the Town Clerk provided me with an analysis of non-resident annual permit revenue and usage (it has been appreciable). The Board should review the comments that have been made as the pathway to revision continues.

Recommendation: **Board discussion relative to the proposed changes and comments thereon.**

(3) Proposal for Mandatory Alcohol Permit Re-licensure Training (*)

The Board had asked that I bring the subject topic up at this time to consider whether plans should be made to require training for this coming re-licensure round. As the Board may recall, I had learned that the ABCC does not offer

annual re-licensure training and had referred me to the National Restaurant Association and the National Package Store Association.

Recommendation: Board discussion relative to an annual requirement versus the current approach of offering forums through the ABCC and other sources from time to time.

L. Legal Issues

No items.

M. Grants

(1) Safe Routes to School Infrastructure Grant

At the last meeting, the Board reviewed a request for comments regarding MassDOT's consulting engineer's proposal for two, specific infrastructure improvements in the vicinity of the Essex Elementary School. The Board was interested in pursuing both provided that the Fire, Police, and Public Works departments concurred. I have sent copies of the proposal to each of those departments and I will have their comments in advance of the Board's meeting of August 23, 2010.

Recommendation: I will update the Board as necessary.

N. Emergency Planning

No items.

O. Other Items

(1) Population and Employment Projection Survey

The Metropolitan Area Planning Council (MAPC) requested that each of its 101 member communities update MAPC's database on new development as the agency prepares to update the 25-year population and employment projections. I provided MAPC with data on the Lowland Farm development and a future development off of Choate Street (R-Way Farm) as projects that have occurred or have been planned since MAPC's last update was completed in 2007.

Recommendation: No further action is necessary.

(2) Survey Regarding "Zoning" of DCR Lands

The Division of Conservation and Recreation (DCR) requested all communities to respond to a survey regarding the best way to manage the various reserves, parklands, and woodlands that it manages. I completed the survey on behalf of

the Town and provided what general input I could since Essex does not have DCR lands within its boundaries.

Recommendation: No further action is necessary.

(3) Town Administrator Leave

I was out of the office on vacation leave on July 30, 2010 and for a portion of the afternoon of August 4, 2010.

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