



## Town Administrator's Report Board of Selectmen's Meeting of Sept. 13, 2010

Report covers from August 21, 2010 to September 10, 2010

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

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### A. Town Department Reports/Requests

#### (1) Planning Board Office Move

At the Board's meeting of August 23, 2010, the Board determined that the Planning Board should move into the old EYC office on the second floor of the Town Hall. The Planning Board is presently working out of inadequate space in the Collector's Office. I contacted the Planning Board Chair about the proposed move and the Clerk replied to me that the move will be welcomed. Presently, I am working to close out the old EYC office, which may take some time, and the Planning Board office move will therefore occur at sometime in the future.

*Recommendation:* I will update the Board as necessary.

### B. Computer Systems

#### (1) File Backup System Improvement

As planned for this fiscal year, I have added a new feature to the Town's backup system. The new feature will allow us to store in an off-site location consecutive backups for a rolling, 30-day period to protect against data corruption. The feature is made possible using a web-based backup service.

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

#### (2) Water and Sewer Billing Software

I connected the water and sewer billing computer to the Town's network and worked with the water and sewer software vendor to improve the system's backup routine. This change will also allow the vendor to conduct web-based maintenance sessions on the system with the permission of the system operator.

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

#### (3) Network Cable Issue

The Treasurer/Collector's Clerk reported a network connectivity issue during the week of September 6, 2010. I investigated the situation and found that the network cable connector required replacement. I cut the old connector and crimped a new connector in its place.

*Recommendation:* No further action is necessary.

## C. Personnel

(1) AFSCME Collective Bargaining (\*)  
Management engaged the union in continued collective bargaining on August 26, 2010.

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

(2) Centennial Grove Committee (\*)  
At the Board's meeting of August 23, 2010, the Board chose Jennifer Painter for the "former EYC member" seat on the subject committee. Two of the Board members began to discuss the "at-large" seats but desired more information. Also, the Board added a "Planning Board" seat to the committee. I contacted the Planning Board Chair to inform her of that decision and she brought the issue to the Planning Board on September 1, 2010. The Planning Board has recommended Board Member Susan Robinson for the seat.

*Recommendation:* **Further Board discussion relative to the "at-large" seats.**

(3) Quarterly Personnel Board Meeting (\*)  
The quarterly Personnel Board meeting will be held at the present Selectmen's meeting since the Selectmen continue to act as the Personnel Board. The single business item that I am aware of involves the annual stipends for the Animal Control Officer and the Animal Health Inspector (in advance of a potential November Special Town Meeting).

*Recommendation:* **Board review of Personnel Board business as necessary.**

(4) Quarterly Safety Committee Meeting  
The Safety Committee will meet on September 21, 2010. I will attend as a member of the Committee.

*Recommendation:* I will update the Board as necessary.

## D. Procurement/Ongoing Projects

(1) Seawall Life Expectancy  
The Board had written to MassDOT regarding the agency's estimate of life expectancy for the new seawall, which is principally supported with steel pilings. The agency has replied to that inquiry and has stated that the life expectancy is 65 to 100 years.

*Recommendation:* No further action is necessary.

(2) Right of Entry Documents

I have now acquired five of the six Right of Entry documents necessary to implement a further roadbed elevation increase on the causeway next construction season. I am working with members of the business community to describe the need to the final abutter.

*Recommendation:* I will update the Board as necessary.

(3) Village Pocket Park

MassDOT staff are still planning to mark out the State Highway layout in the vicinity of the Village Restaurant to afford the establishment's owner a chance to better understand the location of a proposed pocket park on State property in that area. The process has been delayed due to a change in staff at MassDOT.

*Recommendation:* I will update the Board as necessary.

(4) Paglia Park Sign

I reviewed with the Conservation Agent the prospect of driving a new signpost to accommodate the new Paglia Park sign on the site. He indicated that a new post could not be driven unless included in a Notice of Intent (which will be created once the park design has been completed). As such, I asked whether the sign could be temporarily attached to an existing rock, signpost, guardrail, or any other existing feature of the site. He commented that this was acceptable since no new disturbance would be caused. The sign has been affixed to an existing signpost adjacent to the guardrail of the causeway bridge.

*Recommendation:* No further action is necessary.

(5) Route 133 Reconstruction Project Communication (\*)

Chairman Randall approached members of the Chamber of Commerce during the week of August 30, 2010 regarding the business community's need for more frequent updates on what to expect during the ongoing project. Subsequently, during the week of September 6, 2010, Chairman Randall met with the Resident Engineer regarding those needs and he followed up with members of the Essex Merchant's Group.

*Recommendation:* **Discussion with the Chairman as to the type and frequency of communication to be provided to the business community.**

(6) Curbing Change Request

Abutters to the Route 133 Reconstruction Project in the vicinity of 12 Eastern Avenue had asked the Town to explore with MassDOT the possibility of replacing a planned stretch of Cape Cod berm with granite curbing in that area. MassDOT has indicated that the change will be implemented as requested. I have informed the abutters in the area about this decision.

*Recommendation:* No further action is necessary.

(7) Annual Heating Oil Quotations

I have solicited quotations for the provision of heating oil to the Town for the upcoming heating season. Vendors indicate an amount above/below the Low Daily Boston Wholesale price for heating oil as published in the *Journal of Commerce*. Quotations will be due before the September 27, 2010 Board meeting and the Board will be asked to consider making an award at that time.

*Recommendation:* I will update the Board as necessary.

**E. Insurance**

No items.

**F. Facilities**

No items.

**G. Fiscal/Budget**

(1) Fiscal Year 2012 School District Budget Planning Meeting

I attended the subject meeting with the Selectmen from both Essex and Manchester and the Finance Committees from both communities on September 8, 2010. The Manchester Essex Regional School Committee and members of the administration were also present. The meeting focused on the relative likelihood of the need for Proposition 2 ½ overrides in both communities for fiscal year 2012 and the path that all three entities should embark upon in order to better quantify needs and educate the public about those figures. The group will meet again on October 13, 2010.

*Recommendation:* I will update the Board as necessary.

(2) Finance Committee Public Meetings and Draft Survey (\*)

The Finance Committee is planning to hold a series of public workshops this fall to educate and receive input from residents regarding the financial status and priorities of the Town. The Committee has asked the Board to comment on the draft survey.

*Recommendation:* **Board discussion relative to the draft survey and planned meeting schedule.**

(3) Annual Risk Assessment and Monitoring Program Reassessment

Each year, various department heads review the Town's present iteration of the Risk Assessment and Monitoring Program document and provide updates and changes based upon activities and circumstances that have occurred over the last year. This year's reassessment meeting will occur on September 28, 2010.

*Recommendation:* I will update the Board as necessary.

**H. Complaints**

No items.

**I. Meetings Attended**

No items.

**J. Final Judgment**

No items.

**K. Town Meeting, By-Laws, and Regulations**

(1) Passage of Governor's Bill

The Governor's Bill that was requested jointly among the Selectmen, Senator Tarr, and Representative Ferrante to ratify the actions of the 2010 Annual Town Meeting has been fully approved by the Legislature and the Governor. The official Town Meeting warrant had been posted one day late and a Legislative measure was necessary to cure that minor defect.

*Recommendation:* No further action is necessary.

(2) Draft List of Potential Special Town Meeting Topics (\*)

The Board received the subject list of topics in the past for further review at the present meeting. A Special Town Meeting could be held in November (perhaps November 15, 2010).

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

(3) Alcoholic Beverage Licensing Regulations (\*)

At the Board's meeting of August 23, 2010, the Board agreed that a new, annual training requirement should be added to the existing Alcoholic Beverage Licensing Regulations as a condition of re-licensure. I have provided the Board with a draft of the new provision (effective for re-licensure in November of 2011).

*Recommendation:* **Board discussion relative to the proposed, new language.**

(4) Shellfish Regulation Revisions

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At the Board's meeting of August 23, 2010, the Board asked that I transmit to the Shellfish Advisory Commission (SFAC) a revised set of proposed regulation changes after Town Counsel reviewed a preliminary draft that the SFAC had also seen. I provided that document to the SFAC with annotations explaining the differences between the drafts and the SFAC subsequently met to review. The SFAC has suggested that seasonal licenses for non-residents remain as an option with the condition that they be subject to the same application and payment deadlines as commercial licenses. A co-signature by an Essex resident on seasonal licenses is also an option.

*Recommendation:* **Additional Board discussion relative to the proposed changes.**

**L. Legal Issues**

(1) Village Restaurant Pedestrian License Revision

The attorney for the owner of the subject establishment contacted me just prior to the Board's meeting of August 23, 2010 to indicate a desire to list both the owner and the tenant of the property as the licensor. The Board agreed to sign the revised document outside of a meeting after Town Counsel reviewed and approved the addendum prepared by the owner's attorney. Town Counsel is presently conducting that review.

*Recommendation:* I will update the Board as necessary.

(2) OUI "Last Drink" Information

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At the Board's meeting of August 23, 2010, the Board reviewed an e-mail from the Office of the Attorney General indicating that information on where those convicted of OUI offenses had their last drink will be disseminated to all cities and towns monthly or as it becomes available. The Board is interested in providing all licensees with an informational notice about the program. With assistance from Counsel, I have developed an informational notice. Counsel does not consider the actual list of establishments to be a public record, however.

*Recommendation:* **Further Board discussion relative to a release of an informational notice.**

(3) Temporary Storage Shed, Legion Hall Annex

The Essex Shipbuilding Museum recently acquired a large collection of antique tools. While the Museum is evaluating the collection, the erection of a temporary, 8'x14' storage may be requested on the grounds of the Legion Hall, which the Museum leases from the Town. The shed would allow the staff to evaluate each tool and to either dispose of it or decide how to incorporate into its display and/or

archive system. The museum is presently considering its options and will request permission for the shed only if needed.

*Recommendation:* I will update the Board as necessary.

(4) Youth Commission Records Potential Data Breach

I have worked extensively regarding the disappearance of a wide variety of Youth Commission records, some of which may contain personal and financial information. The procedures required for such a potential situation include various notifications to various State and Federal agencies and a public notice program. I will continue to work with Town Counsel to take all appropriate measures. Those with questions may reach us, toll-free, at (888) 532-2322. The full public notice is available at [www.essexma.org](http://www.essexma.org).

*Recommendation:* I will update the Board as necessary.

## **M. Grants**

(1) MIIA Loss Control Grant Program

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We have been informed by our insurer that the subject grant program will fund \$2,500 of the project necessary to automate the winding of the clock. The program cannot extend full funding to the Town since, although safety hazards are serious in the clock tower, only a few workers have access to the area. The grant program is aligned to invest in improvements that will result in safer conditions for the most possible workers. It is possible that other Town funding sources could be used to defray the remaining costs.

*Recommendation:* **Board discussion relative to proceeding via additional funding sources.**

## **N. Emergency Planning**

(1) Emergency Operations Center (EOC) Training

I participated in the executive summary portion of the subject training offered by the Cape Ann Emergency Planning Team on September 8 and 9, 2010. Other Essex staff participated in the entire training event. The training explained what an EOC is intended to accomplish and how an EOC might be established

*Recommendation:*

## **O. Other Items**

### (1) Labor Day Holiday

The office was closed on September 6, 2010 in observance of the subject holiday.

### (2) Town Administrator Leave

I was out of the office on vacation leave all day on August 27, 2010, during the morning of August 30, 2010, and during the afternoon of September 2, 2010. I was also out of the office all day on September 3, 2010.

*This report is available at [www.essexma.org](http://www.essexma.org) on the morning after any regularly scheduled Essex Board of Selectmen's Meeting.*