



Town Administrator's Report Board of Selectmen's Meeting of Sept. 26, 2011

Report covers from September 10, 2011 to September 23, 2011

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

A. Town Department Reports/Requests

(1) Planning Board Acceptance of Definitive Subdivision Plan Application (*)

The Planning Board accepted from our consultant the application for the Definitive Subdivision of the southern area of Conomo Point on September 21, 2011. The Board has scheduled public hearings concerning the Plan for October 19, 2011 and November 2, 2011.

Recommendation: **Board discussion as necessary.**

(2) Quarterly Department Heads, Boards, and Commissions Meeting

The usual, quarterly Town business coordination session will occur at the next Selectmen's meeting on October 3, 2011. We have informed the various department heads, boards, and commissions.

Recommendation: No further action is necessary.

B. Computer Systems

(1) Additional Betterment Data Processing

Our new Assessors' software vendor is continuing to work on the import of the sewer betterment data from our old tax collection software into the Assessors' software. Preliminary export attempts that I had run with the assistance of the tax collection software vendor were not sufficient to match the data to the records in the new location. As such, I worked further with the old vendor to process additional queries and the appropriate linking data was made available to the new vendor. The betterments have now all been fully migrated.

Recommendation: No further action is necessary.

(2) Melrose Datacenter Update

(*)

Town Counsel's first draft of the comprehensive intermunicipal agreement with the City of Melrose to provide data center storage, processing, and support has been reviewed by Melrose. I have reviewed the City's comments on that draft with Town Counsel and I will be meeting with the City's Information Technology Officer during the week of September 26, 2011 to discuss the draft document and its costs in more detail. We are confident that minor adjustments to the current draft will result in an acceptable contract.

Recommendation: Board vote to sign the agreement outside of a meeting, once the final version is accepted by Town Counsel.

C. Personnel

(1) Safety Committee Meeting

I attended the subject meeting as a member of the Committee on September 21, 2011. The meeting featured a discussion regarding the Committee's upcoming goals.

Recommendation: No further action is necessary.

D. Procurement/Ongoing Projects

(1) 27th Biweekly Route 133 Reconstruction Project Update

I issued the subject update to the members of the Chamber's Route 133 Task Force on September 12, 2011. The project has now been completed, except for minor activities, of which some are quite detailed-oriented. The subject update serves as the final project update.

Recommendation: No further action is necessary.

(2) Route 133 Reconstruction Project Punch List Walk

I met with and walked the construction project zone with the contractor's Project Manager, MassDOT staff, and Selectman O'Donnell on September 12, 2011. We reviewed dozens of small, outstanding items and the contractor agreed to address every issue. The process took about three hours. Several other comments about construction issues were also brought to our attention after the site visit and those were added to the list. We will continue to monitor progress until all work items have been resolved. A status update will occur at the Route 133 Task Force's final meeting with MassDOT officials on September 28, 2011.

Recommendation: I will update the Board as necessary.

(3) Final Utility Pole Work, Route 133 Reconstruction Project

Two major initiatives remain with respect to utility poles within the project zone. First, several poles were temporarily moved to the opposite side of the street and need to be permanently set in that new area. As the Board may recall, easements for this work were obtained and National Grid is presently in a final design stage on the project. We expect that this pole work will take place in October.

Second, the utilities will need to remove all of the old utility poles that were attached to the new poles when pole locations were being moved for the project. The removal of the "old wood" will occur after Verizon runs a new cable within the project area, replacing older cables (this work has begun). I have indicated to

all parties that any sections of new concrete sidewalk that are left with holes after poles are moved or removed will need to be repaired in-kind by the moving party (since the State's contractor will likely be demobilized by early October).

Recommendation: I will update the Board as necessary.

(4) Placement of Stone Benches in Project Area

Selectman O'Donnell is coordinating the placement of the stone benches (granite capstones from the old seawall) in the Route 133 Reconstruction Project area. The contractor was available during the week of September 19, 2011 to assist with the deployment of these granite blocks. The process was not yet complete at the time of printing of this report.

Recommendation: No further action is necessary.

(5) Installation of Plantings in Project Area

(*)

Selectman O'Donnell will coordinate the installation of the various roadside plantings within the Route 133 Reconstruction Project area in the field during the week of September 26, 2011. A landscaping subcontractor will be available to conduct the work, which we have requested to include mulching and landscaping fabric for weed control, and Selectman O'Donnell will ensure accurate placement.

Recommendation: **Board discussion as necessary.**

(6) Pocket Park Design and Project Uniform Design Standards

(*)

Our landscape architect consultant responsible for the subject work has been waiting for additional input from the Town before proceeding any further. Overall Route 133 Reconstruction Project design changes and the associated work schedule, coupled with new ideas and input from the Long Term Planning Committee, have required this delay. It is possible that the landscape architect's remaining time could be refocused to meet current needs.

Recommendation: **Board discussion as necessary.**

(7) Potential Enrollment in Peak and Demand Response Programs

(*)

At the last meeting, the Selectmen reviewed the prospect of the Town's participation in two programs offered by our electricity supplier to save money in the future. However, it was acknowledged that the programs would need to be implemented in the field by the Department of Public Works, which may not have the resources to meet program requirements. As such, as requested by the Board, I asked the Superintendent of Public Works about the programs. Although some level of benefit may be realized by the Town, it is not presently clear whether that benefit would outweigh the potential cost of equipment replacement should the necessary procedures result in damage. Also, all of these issues are tied to worker

safety and may require a specialized contractor to implement. The Superintendent will continue to consider the matter.

Recommendation: **Board discussion as necessary.**

(8) Successor Heating Oil Supply Contract (*)

Quotations for the supply of heating oil to the Town were due on September 22, 2011. One quotation was received, from Fox Hill Oil Company, in the amount of 28 cents per gallon above the low daily Boston wholesale price, which is continuously published in the Journal of Commerce. Fox Hill is the Town's present vendor and the present price is 25 cents above that index.

Recommendation: **Board execution of a successor contract for heating oil with Fox Hill Oil for the upcoming year.**

(9) Procurement for Potential Property Purchases (*)

The Board has discussed the potential purchase of railroad property for a recreational trail and the potential purchase of an existing building for Town offices to move to. The former transaction is expected to cost less than \$25,000 and, as such, no formal procurement process would be necessary. The latter transaction would require a formal Request for Proposals (RFP). It is possible to craft and release an RFP for the Town office property on a timeline that would correspond with a fall Town Meeting.

Recommendation: **Board discussion relative to the Town office procurement process and timeline.**

(10) Renewal of Centrex Telephone Contract (*)

The Town uses the Centrex telephone system provided by Verizon to take advantage of rates established by the State under a State contract and to utilize various calling features like call transfer and call forwarding. The present contract expires on October 31, 2011 and I am working with Verizon to develop the paperwork for a successor contract.

Recommendation: **Board approval of the successor Centrex contract, if available by meeting time.**

(11) Renewal of Pedestrian License, Village Restaurant (*)

The present license for pedestrians to pass over the Village Restaurant property between the street and the stairs from the municipal parking lot expires on November 16, 2011. I developed a successor license which incorporates mid-term changes to the description of the licensors and I have provided that document to Village Restaurant representatives for signature.

Recommendation: Board countersignature of the successor license outside of a meeting, once it has been returned by the property owner.

E. Insurance

No items.

F. Facilities

(1) Rail Trail Update

(*)

At the last meeting, the Board learned that the railroad that is willing to sell some former railroad land to the rear of Martin Street has arrived at a selling price of \$24,995. At this juncture, if the initiative is to move forward, it is necessary to work with Town Counsel regarding the timing and structuring of a purchase & sales agreement with reference to any and all necessary factors. It is possible that this would take place after a Town Meeting vote.

Also, as the Board may recall, prior to any Town Meeting that will consider the purchase, the Community Preservation Committee must meet to arrive at their own recommendation. The Committee had been scheduled to meet on August 31, 2011 to consider the matter but did not achieve a quorum. As such, I contacted various Committee members to determine when the Committee might pull together a new meeting and I assisted with the coordination of a meeting for September 19, 2011.

At the meeting, the CPC expressed interest in the project should it be connected to the purchase of the Lahey Building. If not, the Committee does not see much merit (since the Town would be unable to complete a loop consisting of the rail trail, Landing Road, and Martin Street – returning at the rear of the Lahey property). It is possible that an article to purchase the railroad property could follow an article to consider the Lahey property, in the event that the final recommendation of the CPC is contingent upon the acquisition of Lahey.

Recommendation: Board discussion as necessary.

(2) Centennial Grove Service Project

(*)

At the last meeting, the Board agreed that the Church of Latter Day Saints could take on as a service project some minor repairs to the garage at the Centennial Grove cottage along with a cleanout of the garage and the organization of its contents. I passed that along to the church but have not heard back as of yet. I also plan to suggest that the exterior porch on the Cottage be repaired, sanded, and re-sealed since it is presently very weathered.

Recommendation: Board discussion relative to the porch project.

(3) Town Building Committee Update

(*)

At the last meeting, the Board was waiting for the Town Building Committee's recommendation concerning whether the purchase of the Lahey Building should be placed on the fall Town Meeting warrant. The Committee voted on September 13, 2011 that the issue should be considered by the Town, with various conditions.

At the request of the Building Committee, I have also inquired to our Town Building Feasibility Study consultant as to what it would cost for the consultant to provide a detailed cost estimate concerning the renovation of the Lahey Building, should the Town approve its purchase. As noted above in this report, purchase of the Lahey Building, or any other property, would need to be preceded by the issuance of a Request for Proposals pursuant to Chapter 30B of the General Laws.

Recommendation: **Board discussion as necessary.**

(4) Winterization of Field of Dreams Irrigation System

I have arranged for our irrigation contractor to blow out and winterize the irrigation system at the Field of Dreams on October 11, 2011. I have informed the Superintendent of Public Work about this schedule so that the control shed can be accessed as necessary.

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) School District Seasonal Budget Discussion

(*)

At the last meeting, the Board asked me to review the schedule relative to the School District budget discussion from last season in order to develop a meeting plan for the coming budget season. The Selectmen's Assistant was able to determine that the Board met with the School Committee on four occasions between September and December. A series of discussions was held that began with conceptual planning and culminated with more specific recommendations.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting with Selectman Coviello on September 15, 2011. We updated the group concerning the culmination of the Route 133 Reconstruction Project and regarding other Town issues and initiatives.

Recommendation: No further action is necessary.

(2) Regional Emergency Communications Center Finance Advisory Board

I attended the subject meeting on September 16, 2011. However, a quorum of Board members was not achieved. Those of us assembled were provided with an overall status update from the Chairman, along with news from the Executive Committee. I will be involved in the preliminary screening committee relative to the hiring of an executive director and that committee will be meeting on September 28, 2011.

Recommendation: I will update the Board as necessary.

J. Final Judgment

(1) Quarterly Report

(*)

I have prepared the Quarterly Report that is due to the DEP as of October 1, 2011. The report updates progress on the issues at Conomo Point.

Recommendation: **Board approval to transmit the report.**

K. Town Meeting, By-Laws, and Regulations

(1) Statewide Public Works Mutual Aid Agreement Law

(*)

As the Board may recall, back in April of this year, the Board opted into the Statewide Public Safety Mutual Aid Agreement Law (Chapter 40, Section 4J). At that time, the State had not recommended that communities opt into the subject Public Works Law (Chapter 40, Section 4K). Opting into Section 4K allows municipal officials to share public works resources in support of everyday, non-emergency operations (as opposed to during emergencies, like Section 4J allows for public safety resources).

The Executive Office of Public Safety and Security has now announced its recommendation of the adoption of Section 4K. I had asked the Superintendent of Public Works and the Board of Public Works for a recommendation on the adoption of this new section and they discussed the matter on September 12, 2011 and have recommended adoption.

Recommendation: **Board discussion and potential adoption of the statute.**

(2) Recommendation Concerning the Acceptance of Lowe Hill Road (*)

At the last meeting, the Board requested a recommendation from the Superintendent of Public Works regarding the suitability of Lowe Hill Road for consideration of acceptance as a public way by Town Meeting. I made an inquiry to the Superintendent and, through BPW Member Feener, I learned about several overall concerns. The road layout includes a culvert and bridge which, if accepted by the Town, could add to the Town's future maintenance and capital improvement costs. Also, the road does not have the typical "hammerhead" at its end to allow for turnaround of emergency vehicles and is not configured particularly well for snow stockpiling.

Recommendation: Board discussion relative to continuing the road acceptance consideration process.

(3) Conomo Point Chapter 30B Special Legislation (*)

At the last meeting, the Board voted to renew its support for Special Legislation authorized by the Special Town Meeting of November 15, 2010. Town Counsel helped prepare the necessary transmittal letter and I developed numerous exhibits for certification by the Town Clerk, along with a variety of other supporting documents. The package was hand-delivered to the State House on September 14, 2011. I may have additional information available by meeting time.

Recommendation: Board discussion as necessary.

L. Legal Issues

(1) Recognition of Authorized Parties, Conomo Point Leases (*)

At the last meeting, the Board discussed the need to update the parties who are presently authorized to act on behalf of leaseholders at Conomo Point. Deaths have resulted in shifts within various leasehold arrangements that need to be updated for the record. Town Counsel has since drafted suggested language for the Board's acknowledgement of these types of changes, with one case also requiring acknowledgement of an intra-family transfer that was undertaken in the past.

Recommendation: Board vote to acknowledge various authorized party changes and the intra-family transfer to the extent that Town Counsel has been provided the appropriate paperwork from the various parties and recommends action.

M. Grants

(1) Downtown Boardwalk Feasibility Study (*)

The Department of Conservation and Recreation Waterways Division will soon provide the Town with the official contract for the Seaport Advisory Council

Grant for an Essex River boardwalk. The Town will enter into a standard contract with Salem State University to conduct the scope of work. The \$155,000 grant does not require a 20% match from the Town but it does accrue said match for a future payment if the project should go into a design/permitting and/or a construction phase. I am told that the State will provide the Town with \$50,000 up front for disbursement to our vendor as invoices arrive and the balance is dealt with on a strictly reimbursable basis.

***Recommendation:* Board signature of the DCR contract and the standard contract with Salem State outside of a meeting, when available.**

N. Emergency Planning

(1) Initial Damage Assessment Report, Hurricane Irene

Since the Massachusetts Department of Emergency Management (MEMA) is currently assessing whether Essex County sustained enough hurricane damage to warrant Federal aid, it was necessary to provide the agency with the subject report. The cost of the storm to Essex, including all labor, equipment, and known damage is just over \$9,000. I completed and filed the report after the DPW, Police Department, and Fire Department provided me with all of their costs. If the reports from all Essex County towns surpass a certain dollar threshold, Federal aid may be offered. A detailed report will be necessary should that occur and I have also completed an information sheet naming the Superintendent of Public Works as the Town's primary contact, as per our usual practice.

Recommendation: I will update the Board as necessary.

O. Other Items

(1) Use of YMCA for Half-Day School Activities Program

At the last meeting, the Board agreed that it would be fine for the Essex Shipbuilder's Athletic Association to cede their offering of activity programs on school half-days to the YMCA so long as the YMCA would offer the programs on-site. It is my understanding that ESAA is in agreement with the on-site requirement and the two organizations will likely work together on a transition in the future. The organizations will work directly with the School District concerning these matters.

Recommendation: No further action is necessary.

(2) Town Administrator Leave

I was out of the office on vacation leave on the afternoon of September 14, 2011.

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