



## Town Administrator's Report Board of Selectmen's Meeting of October 15, 2012

Report covers from September 22, 2012 to October 12, 2012

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

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### A. Town Department Reports/Requests

#### (1) Quarterly Town Department Head and Board/Commission Chair Meeting

The usual, quarterly coordination of Town business meeting among the Selectmen and the various department heads and board/commission chairs will occur at the Board's meeting of October 29, 2012. The meeting will feature a discussion regarding the November 19, 2012 Special Town Meeting Warrant.

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

### B. Computer Systems

#### (1) Town Website Review and Suggestions

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At the last meeting, the Board agreed that I should meet with a resident interested in offering the Town feedback concerning the organization of the Town website. I met with Mr. Tom DeMeo on October 2, 2012, who had reviewed our website page usage pattern data in advance. Mr. DeMeo generally recommended that major documents such as Town Meeting warrants have live links embedded to bring interested parties to associated resources. He also suggested that various links could be tagged more effectively to provide additional information to users. He indicated that he would put his recommendations down in writing for the Board's consideration.

***Recommendation:* Board discussion regarding Mr. DeMeo's recommendations if available by meeting time.**

#### (2) Installation of Multi-Protocol Label Switching Fiber Connection

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Engineers for Comcast visited the Town Hall with personnel from the Melrose IT Department on September 26, 2012 to review what will be necessary to bring a MPLS fiber connection into the building. The MPLS switch will be located on the stage where a new IT closet will be installed. The connection can be bridged back to my office using ethernet cable until such time as the new closet is ready and all of the IT equipment will then be co-located with the MPLS switch (and connected via a much shorter run of ethernet cable). The vendor is presently working on the necessary agreement with Melrose and the Town will also be asked to sign associated paperwork.

***Recommendation:* Board vote to authorize the Town Administrator to sign the necessary MPLS paperwork, when made available.**

### (3) Criminal Justice Information System (CJIS) Access

The State agency responsible for providing municipal access to CJIS for law enforcement purposes will no longer be maintaining specific hardware or a specific connection for the system (CJIS presently runs on a separate, State-maintained terminal). Instead, CJIS will be transitioned to a web-based system that we will connect to over our own Internet connection. Each user will be required to log on to the new system using his or her own specific credentials. With assistance from our firewall vendor, I am able to offer this connection via a dedicated CJIS account on our firewall that all authorized personnel can log into before entering their specific CJIS credentials into the web-based portal. I also performed the initial installation of the new software prior to the Police Department's CJIS coordinator configuring and testing the new connection. The old system will transition to the new portal as of November 3, 2012.

*Recommendation:* No further action is necessary. Total time – 3 hours.

## **C. Personnel**

### (1) Annual Drug and Medical Testing for Senior Van Drivers

I am presently working with the Chairman of the Counsel on Aging to set up the required annual drug and medical testing for all drivers of the Town's Senior Van with fall renewals. All drivers must pass annual testing to continue in that role. Testing will be completed during the month of October.

*Recommendation:* No further action is necessary.

### (2) AFSCME Negotiations for Successor Agreement

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The representative for AFSCME Council 93 (DPW and clerical union) has requested that the Town commence negotiations for a successor agreement to the present collective bargaining agreement that expires June 30, 2013.

***Recommendation:* Board discussion regarding management's representation and a potential timeframe to commence bargaining.**

## **D. Procurement/Ongoing Projects**

### (1) Technical Advisory Contract for N. Conomo Point Design Work

At the last meeting, the Board voted to approve a contract with consultant Nicholas Cracknell to advise the Conomo Point Planning Committee and the Board regarding the procurement and management of a designer for Northern Conomo Point design and planning work. The Board required minor modifications to Mr. Cracknell's initial proposal and the contract was signed during the week of September 24, 2012. Mr. Cracknell began by attending a pre-proposal site visit on September 28, 2012 (along with Chairman Jones, Selectman O'Donnell, and me) to answer questions from designers interested in making

proposals (two firms were in attendance) and by developing a proposal rating tool for use by the Conomo Point Planning Committee.

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

(2) Responses to Request for Services

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Of the eight designers that had been invited to make proposals relative to the Town's Request for Services for design and planning work regarding Northern Conomo Point, a total of two firms actually made proposals by the October 9, 2012 deadline. The Conomo Point Planning Committee met on October 11, 2012 to review proposals and to develop a recommendation for finalists to the Selectmen. Presently, the Selectmen should review the Committee's recommendation and should set up final interviews for their meeting of October 22, 2012.

*Recommendation:* **Board review of the Committee's recommendation and scheduling of interviews for October 22, 2012.**

(3) Town Hall / Library Improvements Project

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The Board reviewed the preliminary construction estimate for the Town Hall / Library basement work at the last meeting and proposed that an additional \$200,000 should be sought from the Town in order to address a figure that is three times as much as our preliminary estimate of \$100,000 (based upon the use of an exterior drain method). As the Board requested, I asked our designer to continue to compile the list and costs associated with all of the other potential project elements. In the end, depending on funding, the Town will at least emerge with organized, prioritized, and cost-estimated project elements and can implement as many as possible with available funding. Since some of the work elements are exempt from ADA and architectural access calculations, it is likely that even the higher amount of money will not trigger retrofits under either body of rules.

CVI Consulting, a subcontractor to our designer on this project, has initiated its analysis of the basement water problem. On October 10, 2012, the DPW dug a test hole alongside the exterior of the Town Hall basement and cut out a 2'x2' observation hole through the basement slab. Testing demonstrated that the Town Hall basement is surrounded by marine clay and that free movement of groundwater toward the exterior of the foundation is very limited. The testing may cause the consultant to recommend the use of an interior method instead. I also showed the sub-consultant a plan of the Town Hall property that included topography and wetland setbacks in order to better understand the potential for gravity discharge of roof runoff and groundwater. We walked the site to review potential options since the Conservation Agent indicated that discharge into the wetlands buffer, if diffused properly, could potentially be permitted using the much-streamlined Request for Determination of Applicability (RDA) process.

**Recommendation: Board review and discussion of the draft work element matrix and any update our consultant has on the basement work by meeting time.**

(4) Quarterly Affirmative Marketing Report

I completed and filed the quarterly Affirmative Marketing Report in my capacity as the Town's Affirmative Marketing Construction Officer (AMCO) during the week of October 1, 2012. The report is required to document the Town's use of Women and Minority-Owned Business entities on State-funded construction projects. The Town had no such utilization over the past quarter.

*Recommendation:* No further action is necessary.

(5) Downtown Board Walk Feasibility Project Technical Review (\*)

I met with a representative of the Army Corps of Engineers, our engineering consultant, a representative of the Department of Environmental Protection, Selectman O'Donnell, and marina owner Ed Perkins on October 9, 2012 to discuss the Town's proposed design of a downtown boardwalk with floats. The discussion was necessary since the floats represent an encroachment into the Federal channel. The basic understanding of the group at the conclusion of the meeting was that the boardwalk itself can likely be permitted without issue but the floats would likely not be permitted. Therefore, it will be possible to pursue boardwalk permitting and future Seaport construction funding but the Town would have to work at requesting a realignment of the Federal channel for future floats to be permitting. Realignment of the channel would also open the door to dredging of the harbor since dredging is generally not undertaken in any area with existing encroachments.

**Recommendation: Board discussion regarding both near-term and long-term goals for amenities, dredging, and associated funding.**

(6) Bid Opening and Contract for Used Aerial Fire Apparatus (\*)

The Fire Chief opened sealed bids for a used aerial fire apparatus on October 11, 2012 and I and a member of the Fire Department were also present. Just one dealer (New England Fire Equipment and Apparatus Corporation) bid on the truck and has offered a 1997 Seagrave, 100' aerial ladder truck at a cost of \$165,000 with \$10,000 provided as a credit for our old truck. Added to the net cost of \$155,000 are various options that the Fire Department may end up purchasing, making the not-to-exceed value of the contract \$179,100.

**Recommendation: Board vote to award the contract to NEFEA Corp. in an amount not to exceed \$179,100 (net).**

(7) Southern Conomo Point Subdivision Improvements and Covenant (\*)

The contractor hired to make various improvements to Sumac Drive and Cogswell Road, including the construction of two hammerhead turnarounds for public safety vehicles, began work on September 27, 2012 and work is almost completed. Engineers from Horsley Witten have been on site on a full-time basis to oversee all of the work. Horsley Witten will be working on the development of as-built plans and will be seeking a certificate of compliance from the Essex Conservation Commission relative to the project aspects that were performed in the buffer zone. The same contractor has been hired by Horsley Witten as a subcontractor to install the necessary granite bounds to mark the roadway rights of way.

The completion of the above-described work will satisfy two of the major conditions in the Planning Board's subdivision approval, which is also referenced in the Covenant for the project. The Covenant ensures that all of the conditions required by the Planning Board are met before the various properties can be released for sale and also includes: the establishment and posting of a house number on each dwelling (if not already present); the availability of off-street parking for each property; and the Board of Health's approval of potable water and septic system compliance (see below).

The Board of Health will soon be issuing a statement approving most of the septic systems and most of the potable water systems in the southern area since septic systems that did not pass inspection are all under enforceable upgrade deadlines and since most properties have an acceptable alternative potable water system for use when municipal water is off for the season. The properties that will not be listed on the Board of Health's clearance letter are properties that have not had the required septic system inspection and properties where the Board of Health does not have adequate information regarding potable water. As additional properties clear the water and septic requirements, the Board of Health will certify them as well.

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

## **E. Insurance**

(1) Monthly Pothole Log

I received from the Department of Public Works a copy of the pothole log for the month of September. Now that we are approaching the colder months, our insurer reviews our logs and responses concerning potholes as part of the MIIA Rewards Program. I have filed the form with our insurer and will continue to do so through next April. No potholes were logged during the month of September.

*Recommendation:* No further action is necessary.

## F. Facilities

### (1) Ship's Wheel Monument Placement

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At the last meeting, the Board agreed that a small storage shed at the Town Landing should be moved to another location on the property and that the ship's wheel monument should be slightly moved and reconfigured to allow for maximum visibility and aesthetic value. I contacted the Conservation Agent to inquire as to whether any permitting will be necessary since both the monument and the shed are objects that are placed on the ground (as opposed to objects that create new soil disturbances). He commented that, so long as we are just planning to pick up the objects and place them down in other locations on the site (with no excavation required), no formal permitting is required. As such, it appears that plans can be made for exact positioning and the logistics of the moves.

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

### (2) National Grid Gas Line Work

I have confirmed that all of the National Grid gas line work that the utility had been considering has been put on hold indefinitely since the State Highway was recently completely reconstructed. I have been assured that the Town would be notified in advance if the utility ever had a plan to re-initiate any of those projects.

*Recommendation:* No further action is necessary.

### (3) Winterization of Field of Dreams Sprinkler System

Our irrigation contractor plans to blow out the sprinkler system lines and winterize the system on October 26, 2012. The irrigation well will also be turned off for the season at that time.

*Recommendation:* No further action is necessary.

### (4) Centennial Grove Winterization

I am presently working with the Superintendent of Public Works, the Selectmen's Assistant, and a plumbing contractor to accomplish of the usual Centennial Grove winterization tasks including the winterization of Grove Cottage pipes, the removal of the portable toilets, and the removal and storage of the swim float and fishing dock. The various tasks will be completed throughout the month of October.

*Recommendation:* No further action is necessary.

### (5) Completion of Grove Cottage Porch Floor Repairs and Refinishing

A second volunteer group that offered to help with the subject project is preparing for the final stage, which is to stain and seal the repaired floor. I am told that work will be wrapped up this season.

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

(6) Asbestos Assessment in Fire/Police Headquarters

An asbestos assessment and management consultant surveyed the Essex Fire and Police Headquarters during the week of September 24, 2012. This work has been funded by a grant from our insurer and the consultant will determine whether any asbestos is present and, if so, whether removal or management is necessary. A full report is pending.

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

(7) Site Visit to View Gloucester City Hall Renovations

Selectman O'Donnell and I visited Gloucester City Hall with a member of the City's Building Committee, Mr. Steve Dexter, and a representative of a contractor presently restoring elements of the exterior of City Hall (Campbell Construction). Mr. Dexter had invited us for a tour of the work since he knew that we are also facing the need for costly repairs on the exterior of the Essex Town Hall. At the site visit, we were able to ascend the staging (which will soon be taken down) and look very closely at wood, slate, window, and metalwork restoration efforts. The value of the present phase of the Gloucester work is approximately \$2.6M, which is part of a larger project with previous phases. The City is using Community Preservation Act funding for the work. The site visit provided very useful insight regarding the large scale and scope of exterior restoration work and many of the issues that had to be overcome to arrive at a finished product.

*Recommendation:* No further action is necessary.

(8) Quarterly Building Self-Inspection Checklists

I completed the subject checklists for the Town Hall and the Senior Center as part of the MIIA Rewards program. The results of these inspections are discussed at quarterly Safety Committee meetings and representatives from other departments cover the other Town buildings. I did not find any new safety issues associated with either building this quarter.

*Recommendation:* No further action is necessary.

**G. Fiscal/Budget**

No items.

**H. Complaints**

No items.

## **I. Meetings Attended**

No items.

## **J. Final Judgment**

No items.

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

### (1) Draft Special Town Meeting Warrant and Potential Special Election (\*)

At the last meeting, the Board reviewed the various draft warrant articles for the November 19, 2012 Special Town Meeting and suggested that an article should be considered for additional funding for the Town Hall / Library improvement project. That additional funding could be appropriated via free cash or could be approved via an additional debt exclusion. If the latter route is chosen, the Board must notify the Town Clerk of the specific ballot language at least 35 days prior to the Special Town Election that would be necessary. The Finance Committee has recommended that additional borrowing be sought since the recently-certified free cash will likely be used for other purposes. It is also possible that the final approach to the basement work will be less expensive if the interior method is ultimately chosen (based on soil testing that was recently performed).

***Recommendation:* Board review of the draft Special Town Meeting warrant, including discussion relative to the mechanism for seeking additional Town Hall / Library improvement funds.**

## **L. Legal Issues**

### (1) UMass Vaccine Clinic Third Party Billing Contract (\*)

The University of Massachusetts has been providing third party billing services to the Board of Health for vaccination clinic insurance reimbursements. The old contract has expired and the Board of Health desires to continue with UMass for this service. The new contract does contain minor changes to wording and to the scope of services but nothing is substantively different from the previous contract.

***Recommendation:* Board signature of this third party billing contract.**

### (2) Extension to Purchase & Sale Agreement Relative to Assignment

At the last meeting, the Board agreed that the tenant leasing 92 Conomo Point Road should have a two-week extension to the signing deadline for the Purchase & Sale Agreement for that property since she is in the process of working to assign both the Agreement and the Bridge Lease to a third party. That offer for extension was contingent upon the Town's receipt of a letter of intent from that

third party, which our office did receive during the week of September 24, 2012. The present leaseholder may request an additional extension.

Also, at the Board's request, I reviewed with our appraiser the reasoning behind a \$2,000 dwelling value that was assigned to this property, since the tenant had commented that it seemed very low. Our appraiser pointed out that only one of his summary tables had that incorrect information in it and that the other portions of his appraisal all showed an \$8,000 value for the improvements on that property (which I reported back to the tenant).

*Recommendation:* Board discussion as necessary (listed as a separate agenda item).

(3) Quarterly Review of Executive Session Minutes

Chairman Jones reviewed executive session minutes for potential public release and found no minutes that are suitable for release.

*Recommendation:* No further action is necessary.

## **M. Grants**

(1) Seaport Advisory Grant Quarterly Report

I completed and filed the subject report during the week of October 1, 2012. The report indicates that we are presently awaiting a site visit from the Army Corps of Engineers so that our engineering consultant can get the necessary design guidance he needs to complete his work and merge his analysis with the Salem State economic analysis. Once a draft final report is produced, the Town will have an opportunity for review and comment and the final feasibility report can then be relied upon for further planning and implementation.

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

(2) Massachusetts Downtown Initiative (MDI) Revised Grant Application

At the Board's meeting of September 17, 2012, the Board officially withdrew the concept of just resubmitting the Town's 2011 MDI grant application for planning and design at the Town Landing in favor of a revision. The Town's Cultural District Coordinator, Ms. Jean Grobe, had contacted the grantmaker and had learned that chances for successful funding would be increased with additional tailoring of the old application. Ms. Grobe completed the application during the week of September 24, 2012 and, after signature by the Chairman, the application was submitted by the September 28, 2012 deadline.

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

## **N. Emergency Planning**

### (1) Cape Ann Emergency Planning Team Monthly Meeting

I attended the subject meeting along with other Essex officials on October 4, 2012. The meeting featured reports from the various subcommittees and the group discussed our recent successful coordination of the eastern equine encephalitis presence. The familiarity with officials from other communities and the sense of trust established within the group is evident in how events are taking on regionally-based consideration.

Also, I explained to the group that I am presently working with Town Counsel to develop a Continuity of Operations Plan confidential sharing agreement among the four communities. The cost of the legal work will be split among the three towns and Gloucester's City Solicitor will review the first draft when that becomes available. The goal is to allow key officials to view other communities' COOP's in the event that concepts that one community has incorporated could help improve others. Knowledge of other communities' documents will also provide good background to communities that might assist a given community in a crisis.

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

## **O. Other Items**

### (1) Columbus Day Holiday

The office was closed on October 8, 2012 in observance of the subject holiday.

*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.*