



Town Administrator's Report Board of Selectmen's Meeting of Nov. 29, 2010

Report covers from November 13, 2010 to November 26, 2010

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

A. Town Department Reports/Requests

(1) Town Building Committee Meeting

I attended the Town Building Committee meeting along with Selectman O'Donnell on November 22, 2010. The meeting featured a discussion of a possible change order to include a basic analysis of the John Wise Avenue neighborhood characteristics as part of the study. The Committee determined that it will be most logical to proceed with the basic analysis of the John Wise Avenue site that is already included in the scope of work before considering a change order further. The base study may rule out that site on technical grounds, which would obviate the need for the proposed change in scope. The Town Building Committee meets next on December 20, 2010, at which time the study will be underway.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) Purchase of New Computer Systems (*)

I specified and received a quotation using the State Contract for 22 desktop computers and 1 laptop computer. The Special Town Meeting recently approved \$35,000 for this purpose and the order total is \$29,836.81. The remaining funds will be used for network equipment, peripherals, and software, as necessary.

Recommendation: **Board approval of the order.**

(2) Software Support License Renewals

I recently renewed support licenses for our server backup software, a portion of our antivirus software (others are renewed in June), and our SQL backup agent for the Accounting Server.

Recommendation: No further action is necessary.

C. Personnel

(1) Implementation of Collective Bargaining Agreements

The recent Special Town Meeting voted to fund and implement three collective bargaining agreements for fiscal years 2011-13. I have been working with department heads and the Town Accountant to establish the new rates of pay and

any retroactive provisions. All provisions applicable to the present fiscal year will soon be in place.

Recommendation: No further action is necessary.

(2) Informal Staff Meeting

I held an informal staff meeting in my office on November 18, 2010. Major department heads provided updates on projects and initiatives within their respective jurisdictions. The next meeting will be held in January of 2011.

Recommendation: No further action is necessary.

(3) HIPAA Declarations and Policies (*)

I have been working with Town Counsel to update our policies with respect to the Health Insurance Portability and Accountability Act (HIPAA). Counsel has reviewed and revised our existing HIPAA materials, and has recommended the following (all to supersede our existing situation): 1) Designation of the Town as a HIPAA Hybrid Entity (this allows only certain departments to be treated as “covered entities” under HIPAA). 2) Adoption of a new HIPAA Privacy Policy. 3) Adoption of a new HIPAA Security Policy. 4) Adoption of a new HIPAA Notice of Privacy Practices. 5) Future training regarding all of the above for specific individuals. Counsel is still working on a comprehensive public records and technology policy.

Recommendation: Board review and adoption of the various updated materials.

(4) Safety Committee Meeting

The next quarterly Safety Committee meeting will be held on December 15, 2010. I have placed a draft agenda in the Board’s reading folder.

Recommendation: I will update the Board as necessary.

(5) Personnel Board Meeting

The next quarterly Personnel Board Meeting will occur during the Selectmen’s meeting of December 13, 2010 (Selectmen currently serve as the Personnel Board). I have placed a draft agenda in the Board’s reading folder.

Recommendation: I will update the Board as necessary.

D. Procurement/Ongoing Projects

(1) Reverse 911 System (*)

The Special Town Meeting recently approved funding for the subject system, to be offered by a contractor. We have discussed various systems that are available

with other communities that have recently vetted this type of product and the Code Red system (which is the system used by all other Cape Ann communities) came highly recommended. I met with a Code Red representative and the Fire and Police chiefs on November 18, 2010 and they agreed that the system is the most suitable solution for Essex. The vendor has prepared a one-year contract and Town Counsel is presently reviewing. The pricing per-capita will never increase and a new contract can be signed each successive year if the Town is satisfied with the service.

***Recommendation:* Board signature of the new contract with Code Red (subject to final Town Counsel review and approval, if necessary by meeting time).**

(2) Night Work on Route 133 Project

Senator Tarr is exploring with the MassDOT Commissioner whether funding for night work in a portion of the project area could be offered. That work would be done by change order and would most likely need to be agreed upon by the contractor since night work was not specified in the original contract.

Recommendation: I will update the Board as necessary.

(3) Sixth Biweekly Project Report

I issued the subject report on November 22, 2010. The report indicated that construction will likely be winding down for the season soon and that no reconstruction or milling and paving will occur anywhere in the project this season. The members of the Task Force will meet with MassDOT officials and, likely, a representative of the contractor on November 30, 2010.

Recommendation: I will update the Board as necessary.

(4) Town Building Feasibility Study

(*)

The recent Special Town Meeting funded the subject study. We had previously conducted a solicitation of proposals under the Designer Selection Law and the firm of Reinhardt Associates had been selected by the Board, subject to appropriation. The firm has forwarded to the Board a signed contract for the original scope of work in the amount of \$47,500. We understand that the firm will work on Phase 1 (identification of space needs) between now and the next Town Building Committee meeting on December 20, 2010, at which the firm may be ready to issue a status update. We have arranged for the initial site visit by the firm to interview each of the key department heads about space needs to take place on December 9, 2010.

***Recommendation:* Board signature of the contract with Reinhardt Associates.**

E. Insurance

(1) Valuations of Town Buildings

Our insurance representative visited Town on November 17, 2010 and toured all of the major Town buildings in order to update their replacement values. I assisted him with access to several buildings and the DPW, Fire, and Police departments assisted with others.

Recommendation: No further action is necessary.

(2) Annual Insurance Policy Review

I met with a representative of our insurer on November 22, 2010 to discuss our present insurance coverages. She suggested that I work with various departments to determine if replacement cost should be added for a variety of special equipment (this will depend on the age and value of the items). We are presently reviewing the value of our computer/data processing coverage and the potential for other minor adjustments.

Recommendation: No further action is necessary at this time.

(3) Property Insurance Webinar

I participated in the subject webinar hosted by our insurer on November 23, 2010. The webinar reviewed each of MIIA's lines of insurance coverage and suggested best practices. I was able to confirm from my meeting with a MIIA representative the previous day that we are applying recommended practices.

Recommendation: No further action is necessary.

F. Facilities

(1) Fire Station Basement Drainage Project

The recent Special Town Meeting approved funding for improved drainage at the Fire Station to alleviate a wet basement issue (particularly in the basement locker room). The Fire Chief is working with a contractor to get that project underway. Certain aspects will be coordinated with the Department of Public Works.

Recommendation: I will update the Board as necessary.

(2) School Generator Update

The recent Special Town Meeting funded the Town's share of moving an existing generator to the Essex Elementary School and installing it at that location. The generator has been moved and will soon be fully integrated with the school's wiring system. The School District will provide us with an invoice in the future. I am presently awaiting a status update from the Facilities Director.

Recommendation: No further action is necessary.

(3) Centennial Grove Fishing Dock (*)

It is possible that a group would volunteer to build a new fishing dock for the Grove. However, that type of construction would not last as long as the maintenance-free product that was contemplated. It is also possible that local groups might contribute to the purchase of the maintenance-free dock.

Recommendation: **Board discussion as necessary.**

(4) Downtown Parking Lot Discussion (*)

The Board had asked that I discuss with the owner of a vacant restaurant whether the owner was willing to license to the Town an adjacent parking lot on the causeway during the remainder of roadway construction. I met with the owner on November 17, 2010 and the owner asked whether the Board desired to consider a much longer term arrangement (such as a long-term lease or a purchase). I indicated that I would bring the concept to the Board and that discussions regarding short-term versus long-term needs could resume after that point.

Recommendation: **Board discussion relative to the owner's proposal.**

(5) Town Records Preservation Update

The two professionals who are steadily working through the proper storage and preservation of the historic Town records in the Town Hall basement vault at a nominal cost have moved more slowly lately due to other priorities. One individual will continue to work in the coming months from time to time and the other individual will rejoin the effort later. A recent inspection of the vault indicated that the dehumidifier that had been purchased in the past had ceased to function. I called the manufacturer to determine if the device was still under warranty and learned that it was not (only the compressor itself, which was still working, was still under warranty). As such, I have ordered a replacement.

Recommendation: No further action is necessary at this time.

G. Fiscal/Budget

(1) Risk Assessment and Monitoring Program

As the Board may recall, major department heads met back in September for the annual update to the subject Program document. All comments have now been incorporated for this cycle, including new sections for the Town Clerk and a reference to the comprehensive public records and technology policy that I am continuing to develop with Town Counsel.

Recommendation: No further action is necessary.

(2) Request for FY12 Capital Project Budget Update (*)

The Town Accountant made the subject request on behalf of the Finance Committee during the week of November 15, 2010. I have provided a copy of last year's request package with annotations for discussion by the Board at the present meeting. I can update the package for FY12 using the Board's guidance.

Recommendation: **Board discussion and guidance relative to the update package.**

H. Complaints

No items.

I. Meetings Attended

No items.

J. Final Judgment

No items.

K. Town Meeting, By-Laws, and Regulations

(1) Family Use Flat

At the last meeting, in accordance with the recommendation of the Shellfish Advisory Commission, the Board voted to designate the area known as "Big Rock to the front end of Esker's Nub" as a family use (mess permit) area only. Family use diggers are still allowed on all other flats but commercial diggers are not allowed in the family use area. The Shellfish Constable will be in attendance at the present meeting to review his work plan with the Selectmen.

Recommendation: No further action is necessary.

(2) Petition for Special Legislation (*)

The recent Special Town Meeting authorized the Board to petition the Legislature for Special Legislation regarding property disposition procedures alternative to Chapter 30B of the General Laws. Town Counsel has prepared a cover letter that will make such petition and the Town Clerk has provided certified copies of the actual vote (letters will be sent to both our Senator and our Representative).

Recommendation: **Board signature of the subject petition letters.**

(3) Southern Conomo Point Subdivision Planning Meeting (*)

The Selectmen met with the Planning Board on November 17, 2010 to discuss the process that should be used to apply for both the Preliminary Subdivision review

and the Definitive Subdivision review for the southern section of Conomo Point. The two boards discussed various aspects of the process as well as specific questions regarding content and policy. It is likely that the best timing for the preliminary application will be after the Annual Town Meeting considers the southern zoning bylaw amendment but before the Office of the Attorney General approves said amendment (since time will be of the essence). Our consultant provided a set of notes from the meeting that the Chairman would like to discuss and attach to the Selectmen's minutes. The above process should be reflected in the Board's final set of procedures, which are due to the Department of Environmental Protection by December 31, 2010.

***Recommendation:* Board discussion regarding the next steps relative to the subdivision and the development of final procedures for transmittal to the DEP.**

L. Legal Issues

No items.

M. Grants

(1) Massachusetts Bays Program Research and Planning Grant

The Town of Ipswich has taken the lead on a grant application titled the Great Marsh ACEC Assembly. The grant is an effort to begin the development of a resource management plan for the Great Marsh Area of Critical Environmental Concern, which stretched from Gloucester to Newbury. Ipswich has asked each of four other communities to write letters of support for the grant the Essex Conservation Commission is working on that task for Essex. The grant maximum is \$40,000 and carries a 25% match requirement. The Town of Ipswich is prepared to provide the bulk of the match (combination of funds and in-kind services).

Recommendation: I will update the Board as necessary.

N. Emergency Planning

No items.

O. Other Items

(1) Thanksgiving Holiday

The office was closed on November 25 and 26 in observance of the subject holiday.

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