



## Town Administrator's Report Board of Selectmen's Meeting of Dec. 28, 2009

Report covers from December 12, 2009 to December 25, 2009

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

---

### A. Town Department Reports/Requests

#### (1) Census Bureau New Construction Survey

As part of the 2010 census finalization process, the Census Bureau has asked the Town to provide information regarding new residential construction between March of 2009 and the present. I asked the Building Inspector to list all of the qualifying projects and I then geocoded (using census tracts and blocks) each project and provided the Census Bureau with a digital inventory file.

*Recommendation:* No further action is necessary.

#### (2) Department Heads Quarterly Meeting

At the last meeting, the Board agreed to hold the next department heads quarterly discussion session during the Board's meeting of January 25, 2010. The session will feature an update from the Town Building Committee.

*Recommendation:* No further action is necessary.

#### (3) Village Initiative Technical Assistance (\*)

As the Board may recall, Ms. Carolyn Britt of Community Investment Associates (CIA) provided Selectman Lynch and I with a proposal to assist the Long Term Planning Committee with the implementation of the Village Initiative. Subsequently, Ms. Britt also informed us about two, potential grant opportunities – the Essex Heritage Partnership Program (which requires a match), and the Metropolitan Area Planning Council's District Local Technical Assistance Program (which favors the submission of regionally-orientated proposals). It is possible that these programs could be considered by Ms. Britt along with her Village proposal (which is presently being considered for funding via an Annual Town Meeting appropriation).

*Recommendation:* **Board discussion relative to the interplay among and relative need for these programs.**

### B. Computer Systems

#### (1) Conservation Commission Software

The Conservation Commission would like to utilize a feature available via their existing tracking software that would signal the need to sign off regarding each individual case as expiration dates approach. This feature is not part of the base

package and the Commission's Clerk will acquire the feature, will have two recent software updates applied, and will begin to institute an annual maintenance program with the vendor. The Clerk will also explore with the vendor a variety of software problems that she has noticed and will seek guidance on resolutions.

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

(2) Replacement of Tape Drive

The tape drive in the Water Filtration Plant server experienced a hardware failure during the week of December 21, 2009. Since I had just taken a similar server from the fire and police network off line, I was able to utilize the tape drive in the offline server as a replacement part in the active server. The replacement drive is working well.

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

**C. Personnel**

(1) AFSCME Collective Bargaining

The management team engaged the union in the initial collective bargaining session concerning a successor agreement on December 16, 2009.

*Recommendation:* Board discussion in executive session at the next meeting when all three members are present.

(2) Selectmen's Assistant Compensation Comparison (\*)

At the last meeting, the Board asked that I compare the salary of the Essex Selectmen's Assistant to the same position in comparable communities. I have completed that exercise and further Board discussion is warranted.

*Recommendation:* **Board discussion relative to a potential market-rate adjustment.**

(3) Safety Committee Meeting

I attended the subject meeting on December 22, 2009. The meeting featured ongoing discussion relative to a groundwater issue in the Fire Station along with an update from the Town Building Committee members present.

*Recommendation:* No further action is necessary.

**D. Procurement/Ongoing Projects**

(1) Causeway Seawall and Capstones

The Resident Engineer for the Route 133 Reconstruction Project informed me during the week of December 15, 2009 that the capstones on the present causeway

seawall will likely all be reserved for future use by the Town. As such, we have arranged with the Superintendent of Public Works to have the stones stored at the DPW yard until needed. With the removal of the capstones, crews have begun to install the steel sheeting that will be necessary to hold back water when the replacement wall is constructed in the spring.

*Recommendation:* No further action is necessary at this time.

#### (2) Route 133 Intersection Configuration

At the last meeting, the Board reviewed a letter from the Massachusetts Department of Transportation that was written in response to the Board's inquiry about the turning radius and an open space associated with the Route 22/Route 133 intersection. The letter instructed the Town to work out the details for loaming and seeding of the open space directly with field personnel and commented that a 30' truck could negotiate particular turn into the Village Restaurant. The letter pointed out that the Willow Court entrance is suitable for larger delivery trucks.

At the request of the Board, I contacted the Resident Engineer regarding the loam and seed area and he indicated that he will work with us to make the necessary specification changes toward the end of the project when that work element approaches.

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

#### (3) Disposition of Tangible Supplies

In order to offer supplies that the Town wishes to dispose of to the public, the Town must adopt a written procedure. I worked with Town Counsel to develop a procedure for the Board's consideration and the Board approved the procedure on December 16, 2009.

*Recommendation:* No further action is necessary.

#### (4) Assessors Remapping Contract

The Board of Assessors agreed at their last meeting to move forward with a contract with Cartographic Associates for the first stage of the Assessors' maps revision process (\$24,950). The firm reviewed Town Counsel's comments regarding the draft contract and assented to those comments. The Assessors have finalized the detailed scope of work with the contractor and the Selectmen have signed the contract (pursuant to a past vote). Work will get underway in the near future and the Board of Assessors will manage the contract.

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

(5) Northern Conomo Point Proposal

(\*)

Selectman Lynch and I met with personnel from Community Investment Associates (CIA) and Taintor & Associates on December 16, 2009. We discussed a proposal to provide planning services for the northern section of Conomo Point and the consultants have since revised that document to address input provided to them at the meeting. The draft scope of services is available for Board review at the present meeting and a contract with Taintor & Associates (with CIA as a subcontractor) that references that scope can be pulled together for the Board's meeting of January 11, 2010. Further modifications to the scope may be suggested by the Conomo Point Planning Committee between the present meeting and the January 11, 2010 meeting.

*Recommendation:* **Board discussion relative to the draft proposal.**

**E. Insurance**

(1) Wellness Activities and Screenings

At the last meeting, the Board was interested in whether our insurer offers health insurance rate discounts if employees participate in wellness activities and/or health screenings. I contacted our insurer and I have learned that, although this type of program is common in the private sector, it is not yet available in the public sector. Our insurer will continue to monitor the availability of any type of new incentive program and will keep us informed.

*Recommendation:* No further action is necessary at this time.

(2) Freeze-up Prevention Program Checklists

I completed the subject checklists for the month of December during the weeks of December 14 and 21, 2009 as part of the MIIA Rewards Program. The checklists help to stay aware of freeze-up hazards during the cold months.

*Recommendation:* No further action is necessary.

**F. Facilities**

(1) Future Use of Cemetery Parcel

(\*)

At the last meeting, I indicated that Town Counsel was researching the deed history for the portion of the Spring Street Cemetery that fronts on John Wise Avenue. That review has not yet been completed. The next logical step will be to have an engineer develop an "ANR" plan to create a separate parcel. This new plan may be used by the Board of Public Works to reference when deliberating over declaring the area "surplus" and may be referred to in any future Town Meeting vote. The actual filing of the plan can wait until after the completion of the feasibility study and the consideration of the matter by the Board of Public

Works and the Town Meeting (since there is no need to create a new lot unless the project is to move forward).

***Recommendation:* Board discussion relative to the development of a draft “ANR” plan as a companion to the feasibility study process (perhaps once the status of the feasibility study funding is known). Funds could be added to the Town Property budget line for this purpose.**

(2) Historic Town Records

A resident who has assisted the Town with funding and technical coordination of the preservation of historic Town records in the past would like to accomplish additional preservation work. The Town still has over \$4,700 in a special appropriation for records preservation and the two skilled preservationists who have been working on the project will require some additional funding for labor. The Town Clerk has also been helping to oversee the process. Further, it is possible for Community Preservation Funding to be approved by the Community Preservation Committee at some point in the future, if required. I will continue to work with the preservation group relative to this issue.

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

**G. Fiscal/Budget**

(1) Regional School District Tentative Budget Hearing (\*)

I attended the subject hearing along with Chairman Jones on December 15, 2009. District officials presented the tentative FY11 operating budget and officials from both Essex and Manchester asked a variety of questions and provided comments. The District’s Business Manager explained a variety of major factors that have presented cost increases to the District including health insurance, special education costs (up 63%), transportation reimbursement decreases, Chapter 70 aid level funding, and increased enrollment. She has asked for the Board’s comments regarding the Town’s overall school budget increase tolerance.

***Recommendation:* Board discussion relative to the budget presentation and basic targets.**

(2) Draft Fiscal Year 2011 Operating and Capital Budget Discussion (\*)

I provided the Board with some draft materials at the last meeting relative to the FY11 budget development process. I have also received the Youth Director’s first draft of the proposed EYC FY11 budget.

***Recommendation:* Board discussion relative to finalization of the various budget materials with an eye toward the Finance Committee’s January 12, 2010 deadline.**

(3) Accounting Software Maintenance Contract

As the Board may recall, a letter had been sent to our accounting software vendor asking for a reduction in the cost of next year's maintenance contract due to the difficult fiscal times. The vendor was able to apply a small discount (\$400).

*Recommendation:* No further action is necessary.

(4) Completion of FY09 Audit

Our auditor completed the field work component of our audit during the week of December 7, 2009 and provided us with a request for additional information during the week of December 14, 2009. We have provided all of the requested information and are presently awaiting additional feedback.

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

(5) Certification of the Fiscal Year 2011 Tax Rate

The Department of Revenue certified the real estate revaluation that the Board of Assessors has been working on during the week of December 14, 2009. During the week of December 21, 2009, the Department certified the fiscal year 2010 tax rate at \$12.26 per thousand. Tax bills will be mailed by the usual deadline of December 31.

*Recommendation:* No further action is necessary.

**H. Complaints**

No items.

**I. Meetings Attended**

(1) Town Building Committee Meeting

I attended the subject meeting on December 21, 2009. The Committee voted on the final version of the Request for Qualifications that will be used to hire a designer to conduct a feasibility study relative to the future of Town buildings (subject to funding by the Town Meeting). The Committee will meet jointly with the Selectmen on January 25, 2010 to update the Board and department heads on their efforts and to finalize the not-to-exceed fee. Meetings are scheduled weekly in March of 2010 to allow the Committee to review and rank designers' proposals.

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

## **J. Final Judgment**

### (1) Quarterly Report

(\*)

I have prepared the Quarterly Report due January 1, 2010.

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

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

### (1) Draft Annual Town Meeting Topics

(\*)

I provided the Board with a draft list of Annual Town Meeting topics at the last meeting.

*Recommendation:* **Board discussion relative to the prioritization and selection of potential warrant articles.**

## **L. Legal Issues**

### (1) Farm Bar and Grille Entertainment License Hearing

I attended the subject hearing along with Selectmen Jones and Lynch on December 16, 2009. At the hearing, Town Counsel took testimony from opposing sides relative to a history of noise complaints at the establishment. The Board ultimately decided that the establishment's entertainment license should be limited to Friday and Saturday nights only, until 12:00 midnight, and that no noise should be audible past the establishment's property line.

*Recommendation:* No further action is necessary.

### (2) Amendment to Division of Marine Fisheries Memorandum of Understanding

At the last meeting, the Board reviewed a proposed amendment to the MOU among the City of Gloucester, the Towns of Essex and Ipswich, and the Division of Marine Fisheries that relaxes the various rainfall closure thresholds due to recent improvements in water quality. The Board voted to approve the amendment and to sign the document outside of a meeting once the original is provided (which occurred during the week of December 14, 2009).

*Recommendation:* No further action is necessary.

## **M. Grants**

No items.

## **N. Emergency Planning**

No items.

## **O. Other Items**

### (1) Town Administrator Leave

I was out of the office on vacation leave for a portion of the afternoons of December 15 and 24, 2009, for a portion of the morning of December 22, 2009, and all day on December 18 and December 28, 2009.

### (2) Christmas Holiday

The office was closed on December 25, 2009 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.*