



## Town Administrator's Report Board of Selectmen's Meeting of January 9, 2017

Report covers from December 17, 2016 to January 6, 2017

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

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### A. Town Department Reports/Requests

No items.

### B. Computer Systems

No items.

### C. Personnel

#### (1) Safety Committee Quarterly Meeting

I attended the subject meeting on December 22, 2016, as a member of the Committee. The meeting featured discussions regarding the upcoming driving simulator training for DPW, police, and fire and regarding a renewed commitment to quarterly facility self-inspections in various Town buildings.

*Recommendation:* No further action is necessary.

### D. Procurement/Ongoing Projects

#### (1) Release of Northern Conomo Point Public Waterfront Access Bid Documents

The Invitation for Bids relative to the Northern Conomo Point Public Waterfront Access Improvement project was made available to prospective bidders as of December 28, 2016. Advertisements have run in the Gloucester Times, the Central Register, and CommBuys, and the IFB has also been posted locally. Thus far, a total of 30 prospective bidders have obtained bid packages. A pre-bid conference will be held on January 19, 2017 at 10:00 a.m. at the Essex Library and bids are due by noon on February 1, 2017.

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

#### (2) Town Hall/Library Renovation Project Weekly Meetings

I attended the subject meetings on December 21 and December 28, 2016 and on January 4, 2017. The contractor is now focusing work exclusively on the interior of the building, with much of the plaster work already completed (exclusive of the third-floor meeting hall, 95% of the wall boarding is complete, and over 75% of the actual plastering is complete). Interior trim work is also moving along rapidly. Certain exterior work like completing downspout replacements and the new portico roof will also soon be completed.

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

(3) Cost Estimate for Crack Repair and Surface Restoration, Library Ceiling (\*)

Although the Library ceiling will be freshly painted as part of the existing scope of work, the ceiling plaster has some longstanding stress cracks, varies in texture from one area to another, and has evidence of old patch work. Our architect has solicited a quotation for repairing the ceiling and providing a consistent texture throughout the space, which may be available by meeting time. The work would be purely aesthetic.

*Recommendation:* **Board discussion relative to this potential option for additional work.**

(4) Drop-down Projector Screen & Lighting Controls – New Meeting Hall (\*)

In order to properly frame the area at the front of the new public meeting hall in Town Hall, our architect needs input regarding the style and size of drop-down projector screen that the Town will be installing. Our architect has some recommendations or the Town can arrive at its own specification. It is possible that Barry O'Brien, the Town's representative to the Cape Ann Regional Cable Advisory Committee, who is in the field, could assist with the selection.

Also, we are informed that a choice needs to be made regarding where light switches for the meeting hall should be placed. Presently, our architect is recommending that the recessed can lighting that will serve as the main lighting for the space be switched from the rear of the meeting hall (Town Hall main stairway end). All other lighting (such as display cases and accent lighting) could be switched from the front of the room, near the new, rear Town Hall stairway.

*Recommendation:* **Board discussion relative to the screen and light switching choices that are necessary.**

(5) Potential for Extra Storage Space Adjacent to New Meeting Hall (\*)

At the front of the new Town Hall meeting space, on either side of the new, grand window (which is on the west-end wall), two eave spaces exist that will be enclosed with plastered wallboard. It is possible to install some type of panel access doors in these areas that would allow for the storage of extra meeting room chairs or other items. Our architect could get pricing from our contractor that would allow these areas to be functional.

*Recommendation:* **Board discussion regarding access to these potential storage areas.**

(6) Fire/Police Headquarters Replacement Site Engineering Options Update (\*)

Consulting Engineering Firm Reinhardt Associates began a study to recommend site planning options involving the fire/police headquarters building and various features of Memorial Park in late November of 2016. Presently, the firm has provided a preliminary draft of possible layout scenarios, projected cost estimates, and pros and cons for each option. The Board can review the draft and perhaps solicit a review by the Town Building Committee, which plans to meet on January 17, 2017. Later, a public forum could be pulled together to showcase the recommendations and it is possible that the matter could be brought to the Annual Town Meeting for design and construction funding in the spring.

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

(7) Affirmative Marketing Compliance Officer's Quarterly Report

I filed the subject report with the State for the quarter ending December 31, 2016 during the week of December 26, 2016. The report summarizes the utilization of any women or minority-owned contractors on State-funded projects. The Town had no such utilization over the past quarter.

*Recommendation:* No further action is necessary.

(8) Army Corps of Engineers Dredge Spoil Re-Use Feasibility Study (\*)

We have learned that the Army Corps of Engineers has approved funding for a feasibility study associated with the potential re-use of Essex River dredge spoils in the Essex River system. The Corps has provided the Town with a letter announcing this work, along with a copy of the Federal Interest Determination that was necessary to get to this stage. Given that the Town is interested in working toward using the natural environment as a means to mitigate the expected effects of climate change and sea level rise, the study may help unify dredging needs and these mitigation needs. Presently, it is my understanding that the Corps will soon be working with the Town to establish a detailed project scope, schedule, and cost estimate.

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

(9) Asbestos Abatement Required at 8 Conomo Lane (\*)

Our industrial hygienist has completed his pre-demolition asbestos surveys for 4 and 8 Conomo Lane. While the structure at 4 Conomo Lane has no asbestos, the structures at 8 Conomo Lane have a substantial amount, which could cost approximately \$30,000 to abate. I am in the process of soliciting written responses from abatement contractors for this work.

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

## **E. Insurance**

No items.

## **F. Facilities**

### (1) Sewer Main Break

The sewer main broke beneath the Essex Causeway (Main Street) sometime during the early hours of December 20, 2016. The Department of Public Works was informed and brought in a private contractor with heavy equipment to uncover the problem and to repair the pipe. Wastewater definitely made its way into the Essex River and the Shellfish Constable and the Division of Marine Fisheries were both informed about the issue. Clam flats were immediately closed and shellfish from that day's catch were ordered returned to the River. The DMF decided that certain clam flats nearest the pollution source were to remain closed into early January. The repair was expensive since pump trucks had to intercept sewage flows at an upstream pump station while work was going on. Work lasted into the evening.

*Recommendation:* No further action is necessary.

### (2) Centennial Grove Master Plan Process

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At the last meeting, the Board expressed that a process should be explored in the coming year relative to producing a Master Plan for the Centennial Grove. The plan would include recommendations for buildings, grounds, sanitary facilities, activities/programs, services, equipment, and any other necessary considerations. At a public forum this past fall, residents had expressed an interest in more fully utilizing the Grove Cottage, perhaps as a place to access new Town docks with kayaks and canoes. The Board and the Historical Commission have also been looking at the prospect of restoring or replacing the Folsom Pavilion. These investments will certainly also require the construction of a modern restroom facility if they are to be well-utilized, especially as potential rentals.

In speaking with Town Planner Matt Coogan about the Master Plan process, he recommended speaking with Steve Winslow in Gloucester, whom we have partnered with in the past, with respect to the recent update of the Town's Open Space Plan. Mr. Winslow has this type of planning expertise and has also been successful in obtaining park improvement grants from the State. Mr. Winslow indicated that State grant money would not be an option in our case, since the facility is not open to the general public (only to residents). However, he also indicated that he could work with a landscape architect to incorporate public input and the Board's goals into a Master Plan. He recommends that a comprehensive survey of the facility first be developed, which could cost \$10,000. The Master Plan would be driven by the Town's goals for the facility thereafter.

**Recommendation: Board discussion relative to a potential fiscal year 2018 budget request for funding to develop a Master Plan.**

## **G. Fiscal/Budget**

### (1) Approval of Fiscal Year 2018 Capital Budget Update/Request (\*)

At the last meeting, the Board reviewed the draft final FY18 Capital Budget Update and provided me with final guidance. I have put the document into draft final form for the Board's vote and subsequent transmittal to the Finance Committee. The Board may wish to discuss the section regarding the public safety building replacement further, since we have only recently begun to get recommendations on this matter via the ongoing Reinhardt Associates study.

**Recommendation: Board vote to approve and submit the FY18 Capital Budget Update, with possible amendments to the public safety building section.**

### (2) Approval of the Fiscal Year 2018 Selectmen's Operating Budget Request(\*)

At the last meeting, the Board reviewed the draft final FY18 Selectmen's Operating Budget request package. I have put the document in final form for the Board's vote and subsequent transmittal to the Finance Committee. The revised budget includes a request to consider hiring a Youth Program Coordinator or Director and providing that person with a limited expense budget.

**Recommendation: Board vote to approve and submit the FY18 Selectmen's Operating Budget Request.**

### (3) Re-visitation of Department of Revenue Management Review Report (\*)

As the Board may recall, the Department of Revenue had conducted the subject Management Review in September of 2015 and various Town departments, the Selectmen, and the Finance Committee studied and met concerning the report in January of 2016. At that time, the list of recommendations was categorized and certain items were dropped (either because they had already been completed or they were dismissed as not being well-suited to our operations). The Board asked that the report be brought back up for discussion in a year's time.

Since last January, several of the remaining recommendations (improving transmission of grant-related contracts to Town Accountant, going out to bid for a new auditor, and including more specific authority wording for the Finance Committee in the Town Meeting budget vote) have been accomplished or are in the works. Recommendations 1, 2, 3, and 7 (pertaining to a Town bylaw review; codification of Town Administrator responsibilities in the bylaws as a result of that review and its potential revisions; adoption of a budget process bylaw; and enhanced personnel management as a result of all of the foregoing) remain on the table for possible future implementation. The Board had indicated that, if any of

these matters were to be acted upon, it would be best to wait until we get through the process of moving back into Town Hall (which has been delayed).

*Recommendation:* **Further Board discussion relative to these topics.**

(4) Revised Bicentennial Committee Budget

At the last meeting, the Board reviewed a preliminary budget estimate from the Chairman of the Bicentennial Committee relative to what various events and activities would cost and what the funding sources would be. The Board asked that the budget document be revised to provide more detail and additional funding source breakout. As such, the Chairman of and the Finance Committee's representative to the Bicentennial Committee plan to produce a revised draft for the Board's review after the next Committee meeting. This revised document should be available to the Board at the meeting of January 23, 2017.

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

**H. Complaints**

No items.

**I. Meetings Attended**

No items.

**J. Final Judgment**

(1) Official Conclusion of Final Judgement Quarterly Reporting

As the Board may recall, Town Counsel had been authorized to write to the Office of the Attorney General (at the suggestion of the DEP) to request suspension of reporting activities associated with the Second Modified Final Judgment. We have learned from that office that Quarterly Reports that have been produced since 1996 can be discontinued. The sampling of catch basins and waterbodies was discontinued in 2007. The Office of the Attorney General will not actually be issuing a dismissal of the judgment but the Town will no longer have any regular requirements or milestones to comply with or report on.

*Recommendation:* No further action is necessary.

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

(1) Further Review of Draft List of Annual Town Meeting Topics (\*)

I have revised the draft list of potential Annual Town Meeting topics per the Board's guidance from that last meeting.

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

## **L. Legal Issues**

### (1) Summary of Recent FEMA Flood Map Appeal

As the Board is aware, FEMA recently provided the Town with a revised set of flood maps resulting from the Town's request for a Letter of Map Revision via our consulting engineering firm, the Woods Hole Group. The maps are presently in a public comment period and will not become effective until April 10, 2017. Generally, the maps tend to decrease the need for a property owner to maintain flood insurance, depending on specific location.

I spoke with our consultant and, generally, revisions are in two categories: a) floodplain boundary did not change but the maximum elevation of flooding (known as the Base Flood Elevation – or BFE) within that boundary is much lower (as much as three feet lower), or b) both the floodplain boundary and the BFE both got more favorable. In the first case, individual property owners may need to hire an engineer to produce a flood elevation certification plan that may show their property being higher than the base flood elevation, even though the property falls within the floodplain. In the second case, some property owners may find that their property is now completely out of the flood zone and others may be out based on specific elevation, as in the first case.

If a property owner can show that their property is above the base flood elevation via the flood certification from an engineer, they can apply for a Letter of Map Amendment (LOMA) that would potentially obviate the need for flood insurance. Even if the new maps show a property outside of the floodplain, it is a good practice for the owner to call this to the attention of their mortgage company, since the requirement for insurance may not automatically be reviewed. Further, it is possible for a property owner's land to be in a flood zone but for the structure to be out of the flood zone. In such a case, a property owner can ask their insurer and/or their mortgage company for a "structural determination", as opposed to just a "property determination". The revised maps are available at Town Hall.

*Recommendation:* No further action is necessary.

### (2) Quarterly Review of Executive Session Minutes

The Chairman has reviewed the Board's collection of executive session minutes from the past and has not found any minutes suitable for release at this time.

*Recommendation:* No further action is necessary.

## **M. Grants**

### (1) Downtown Boardwalk Project Monthly Report

I filed the subject report with the State during the week of December 26, 2016. The subject project has been on hold for some time now since a borrowing authorization from the Legislature has not yet been acted upon by the Governor. I am working with Senator Tarr's office to further advance our project need with the Administration and to explore alternative funding opportunities as well.

*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 December 20, 2016. The meeting featured a presentation from Mr. David DiGregorio, Deputy Director of the Massachusetts Department of Fire Services Hazardous Materials Emergency Response Program. Mr. DiGregorio provided a useful overview regarding his team's capabilities, which rely on specialized training and equipment, with a State-wide response time of only one hour. He also brought the group outside after the meeting to view and tour specialized HAZMAT response vehicles. The Town will receive insurance premium training credit as part of the MIIA Rewards Program.

*Recommendation:* No further action is necessary.

## **O. Other Items**

### (1) Christmas Holiday

The office was closed on December 26, 2016, in observance of the subject holiday.

### (2) New Year's Holiday

The office was closed on January 2, 2017, in observance of the subject holiday.

### (3) Town Administrator Leave

I was out of the office on vacation leave on December 23, 2016.

*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.*