



## Town Administrator's Report Board of Selectmen's Meeting of Sept. 23, 2019

Report covers from September 7, 2019 to September 20, 2019

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

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### A. Town Department Reports/Requests

#### (1) Town Building Committee Meeting and Public Forums Summary (\*)

The Town Building Committee met jointly with the Selectmen on September 11, 12, and 17, 2019. The meeting on the 11<sup>th</sup> was a working session to review with our design team the latest project cost estimates (at the 60% CD design phase). The meetings on the 12<sup>th</sup> and 17<sup>th</sup> were public forums designed to provide overall background on the project design and information concerning the project cost and its impact to taxpayers. A Special Town Meeting will vote this evening on whether to approve the remaining cost of the project, which is presently estimated at \$15.5M. Over the course of these meetings, the Selectmen, the Finance Committee, and the Town Building Committee reached consensus on a recommendation for funding the proposed project: \$2M from the Sale of Real Estate Fund, \$1M from Free Cash, with the balance (\$12.5M) to be borrowed.

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

#### (2) Economic Development Committee Meeting Summary (\*)

Town Planner Matt Coogan and I attended the subject meeting on September 17, 2019. The meeting featured continued interaction with Raul Gonzalez of the Metropolitan Area Planning Council (MAPC) concerning the production of a new Economic Development Plan for the Town. The meeting also included: a) an initial review of the Planning Board's preliminary mixed-use zoning district proposal for the downtown area, which the Planning Board hopes to bring to Town Meeting in May of 2020; b) discussion among the members concerning whether and how outdoor entertainment at commercial establishments in Town should be regulated; c) and whether alternative funding sources may exist for the promotion of the Town's resources and attractions.

At the meeting, the Committee determined that: a) an economic development-related, on-line public survey will be prepared in time to announce its availability at the Fall Town Meeting; b) a roundtable breakfast with local businesspeople will be held on November 21, 2019; and c) a general Open House for the public will be held on January 8, 2020. These events will help form the basis for the production of the Economic Development Plan going forward.

With respect to the mixed-use zoning district proposal, the Committee understands that the Planning Board will likely bring the proposal forward to the Annual Town Meeting in May of 2020 and that the Committee and the Essex Housing Coalition will be asked to understand and support the proposal.

With respect to the question of a possible policy for the regulation of outdoor entertainment events, the Committee had some discussion and would like to take the matter up at its next meeting on November 13, 2019 to try and reach a consensus recommendation.

Finally, with respect to the possible restoration of funding for the promotion of Town resources, the Committee agreed that a review of fiscal year 2020 revenue to date needs to take place closer to the Fall Town Meeting, when more revenue data is available.

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

## **B. Computer Systems**

### (1) Uninterruptible Power Supply (UPS) Replacement, Public Safety Network

The UPS unit that was serving several public safety related communication devices in the fire and police headquarters failed during the week of September 9, 2019. The device is intended to protect against momentary lapses in power when the power grid goes down and the emergency generator has not yet started (and during the return to grid power). I worked with the police and fire departments to replace the failed unit with a spare unit and all systems were promptly restored to operation. I have ordered additional spare batteries to have on hand – replacing what was used during this incident.

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

### (2) IT Audit Component of Annual Financial Audit

Each year, our financial auditor engages its IT department to conduct an audit of the Town's IT systems. As in past years, I was contacted by a representative of our auditor and I provided him with various network and system reports and protocols for review. I also provided him with last year's external penetration testing results, which had no findings. We spoke by telephone on September 18, 2019 so that he could understand our current computing environment, including any system changes that have occurred since the fiscal year 2018 audit. If the auditor has any findings or recommendations, we will be notified.

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

## **C. Personnel**

No items.

## D. Procurement/Ongoing Projects

### (1) Amendment of YMCA Summer Camp Provision Contract (\*)

At the last meeting, the Board agreed that the subject contract is going well and that the YMCA should continue to provide its services for the next three years. The Board also asked if the YMCA would consider memorializing a half-day counselor-in-training (CIT) program and its associated fee as a contractual obligation. The YMCA has agreed to this addition and will provide a suggested contract amendment document for the Board's review and approval.

**Recommendation:** Board vote to amend the contract to include the CIT program, if available by meeting time.

### (2) Continued Discussion Regarding Mosquito Ditch Remediation (\*)

At the last meeting, the Board agreed that if there will be an attempt to secure property rights from private marsh owners for possible mosquito ditch remediation by the Army Corps of Engineers, it will be a matter for the Annual Town Meeting in May to consider, as opposed to the Fall Town Meeting. Since the last meeting, I have provided more information to personnel from the Army Corps of Engineers and I am not sure that I will have any feedback by meeting time.

**Recommendation:** Board review as necessary, if new information is available by meeting time.

### (4) Procurement of Asbestos Abatement Services, 11 John Wise Avenue

At the joint meeting of the Selectmen and the Town Building Committee on September 11, 2019, the Board decided that it would be advantageous to the Town to have the asbestos that is present in the existing structures at 11 John Wise Avenue removed under a separate contract, prior to the General Contractor for the proposed public safety building project coming on board. To that end, our Project Manager is already working with our industrial hygienist subconsultant to put together the necessary solicitation for quotations from abatement companies. We will be able to release the solicitation upon a favorable project funding vote by Town Meeting. The project will involve prevailing wage (rates have already been requested) and advertisement in a number of required venues. Abatement will be necessary as part of the Town's finalization of a demolition permit for the structures. This course of action will allow the selected General Contractor to avoid delay associated with getting their own abatement subcontractor on board and the various notification periods that are associated with the abatement process.

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

## E. Insurance

No items.

## F. Facilities

### (1) Parking, Speed Limit, and Crosswalk Questions Along Routes 133 & 22(\*)

At the last meeting, the Board agreed that Senator Tarr should be contacted to help coordinate a review of various matters that involve the State Highway (Route 133) and State-numbered Route 22, which both run through Town.

With respect to Route 133, patrons of Farnham's Restaurant park along the side of the highway adjacent to the establishment. Over the years, Mass DOT has added no parking signage in various locations and has added some cross-hatched striping to emphasize the no parking zone. Patrons are generally ticketed if they are in the zone and others have on occasion parked beyond the prohibited zone, which sets up its own safety concerns. With respect to Route 22, families that live along the route would like to see speeds lowered and more crosswalks added.

It is possible that all of the above concerns could be lessened with some physical alterations (roadside alterations for the Farnham's situation and installation of crosswalks and lower speed limit signs along Route 22). The Senator's office is arranging for a preliminary meeting involving the District 4 Highway Director, Chairman Spinney, the Senator, and myself.

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

### (2) Donation of Tree Maintenance Work, Centennial Grove

At the last meeting, I informed the Board that YMCA personnel have observed the need for tree maintenance at the Centennial Grove, to improve safety during the summer camp. With the Board's concurrence, I contacted local tree contractor Mayer Tree and the company has agreed to conduct some maintenance at the Grove as a donation to the Town. If other issues remain after this work is completed, we can discuss it further with the YMCA in the spring.

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

### (3) Memorial Park Restroom Schedule

The restrooms at Memorial Park will drop back to a Thursday-Sunday schedule for the month of October and will be closed for the season as of November 1, 2019. I have reminded the Police Department about this normal schedule change.

*Recommendation:* No further action is necessary.

## **G. Fiscal/Budget**

No items.

## **H. Complaints**

No items.

## **I. Meetings Attended**

### (1) Visit to Senior Center to Review Status of Public Safety Building Proposal

Town Building Committee Chairman O'Donnell, Police Chief Francis, and I visited the Essex Senior Center on September 11, 2019 to review the status and cost estimate associated with the proposed, new public safety facility. Members of the Council on Aging and the Council on Aging Director were also present. At the event, we provided a brief overview of the project layout and its associated cost. Those in attendance had a chance to ask a variety of questions.

*Recommendation:* No further action is necessary.

### (2) Public Outreach Meeting for Proposed Recreational Marijuana Retail Store

I attended the subject meeting along with the Selectmen on September 16, 2019. The meeting is required by State regulations to be offered by any proponent of any new recreational marijuana facility seeking to locate in a community. In this case, BB Botanics has proposed to site a retail store at the corner of Route 133 and Harlow Street and residents from that area were well-represented. At the meeting, many residents had questions and expressed opposition to the proposal. We are presently awaiting a proposed Host Community Agreement from BB Botanics that will seek to work out impact fee terms and any special considerations that the Town is interested in pursuing. The Agreement is subject to negotiation, with input from Town Counsel and available guidance from the Cannabis Control Commission.

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

### (3) Essex Housing Coalition Meeting Summary (\*)

The Essex Housing Coalition met on September 16, 2019 and Selectman Phippen, Town Planner Matt Coogan, and I were in attendance. The meeting featured a discussion concerning the Planning Board's preliminary draft of a mixed-use zoning district bylaw for the downtown area. The Coalition is hopeful that it can be supportive of the proposal as the Planning Board continues to prepare it for the Annual Town Meeting in May of 2020. The Coalition will be meeting again on October 29, 2019 and will discuss plans for a community housing forum that may help residents to better understand the terms and importance of more intentional housing consideration (as supported by the Town's Strategic Plan).

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

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

(1) Continued Review of Draft Fall Town Meeting Warrant (\*)

I have revised the draft Fall Town Meeting Warrant in accordance with the Board's guidance from the last meeting.

*Recommendation:* **Continued Board review and discussion of the draft warrant.**

(2) Discussion of Final Special Town Meeting Motion, Public Safety Facility (\*)

I have prepared the final Special Town Meeting motion for this evening's single-article Special Town Meeting concerning the funding of the proposed, new public safety facility. The motion is reflective of the consensus position of the Finance Committee, the Town Building Committee, and the Board of Selectmen.

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

## **K. Legal Issues**

No items.

## **L. Grants**

(1) DER Culvert Grant Engineering Scope of Services Development and Contract

As the Board may recall, the Town recently received a \$41,000 grant from the Massachusetts Division of Ecological Restoration (DER) to study the future possible replacement of a culvert that passes under the Southern Avenue end of Apple Street and the possible elevation of the roadbed there, to eliminate flooding at storm surge tides. I met with Engineer Charles Wear of Meridian Engineering on September 12, 2019 and we developed a scope of services that would take us through the required milestones and deliverables of the grant. We are presently verifying some elevations in the project area to confirm that the culvert is within the zone of tidal surge flooding. Once we have more information, we can move toward a contract with Meridian for the design work.

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

(2) Massachusetts IT Grant Application, Accounting Software

As the Board may recall, the recent municipal collaboration study produced by the Collins Center had as one recommendation the possibility of a joint grant application for new accounting software. We have learned from Manchester that officials there are not presently in a position to switch to a new product, since the product they have is still fairly new. In Essex, the Town Accountant is interested in pursuing a grant to acquire the municipal accounting software offered by

MUNIS, since that is the most commonly used accounting package in the State. The program is web-based and the quote from MUNIS includes full migration from our current product, training, and the initial purchase price and customization of the application for use in Essex. The Town Accountant and I have reviewed the State's IT Grant application and, once we have final figures from vendors concerning the cost of the system, we will submit the grant application per the Board's authorization back in August. The deadline for the application is October 16, 2019.

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

(3) Additional Green Crab Trapping Grant Funding, Grant Contract (\*)

As in years past, the State has made available up to \$12,500 in grant funding to allow the Town to pay green crab harvesters to trap and kill green crabs within Essex. Harvesters get a special permit from the Division of Marine Fisheries (DMF) and then sign individual contracts with the Town to trap and dispose of crabs via composting or sale as bait.

*Recommendation:* **Board vote to authorize the Chairman to sign the necessary grant paperwork.**

**M. Emergency Planning**

No items.

**N. Other Items**

No items.

*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.*