



## Town Administrator's Report Board of Selectmen's Meeting of April 27, 2020

Report covers from April 11, 2020 to April 24, 2020

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

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### A. Town Department Reports/Requests

#### (1) Development of Second Draft of Host Community Agreement

At the last meeting, the Board provided the Clerk of the Host Community Agreement Advisory Committee with comments from Town officials and departments regarding the Committee's initial draft of a Host Community Agreement (HCA) between the Town and BB Botanics. The Clerk agreed to take the comments back to the Committee for incorporation into a second draft. Presently, the Committee is still working to produce that second draft. The Board also acknowledged that the Committee should begin work on a companion HCA with BB Botanics for a cultivation operation at the same property proposed for a retail operation (242 John Wise Avenue). The Committee plans to meet during the week of April 27, 2020 and more information will become available after that meeting.

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

### B. Computer Systems

#### (1) Vendor-Assisted e-mail Phishing Testing

Since our insurer, the Massachusetts Interlocal Insurance Association (MIIA), now insures the Town with a cybersecurity line of coverage, MIIA is offering the Town and other members free testing of Town e-mail users via simulated e-mail phishing. MIIA's vendor produced a fake phishing e-mail campaign to all Essex e-mail users during the week of April 13, 2020 to see how many users would click on a link to supposedly reset a password. I am happy to report that we had many users question the e-mail. While we did still have some users click on the fake link, we are told that our overall percentage of takers was lower than most other organizations tested. Those who did fall for the link have been provided with education relative to telltale signs, in an effort to eliminate errant participation in real threats that may arise.

The Town also performs phishing testing, external network penetration testing, and social engineering testing (based on phone calls) annually with our own vendor. We may be able to drop the paid phishing component now that we are being offered this service through our insurer, several times per year.

*Recommendation:* No further action is necessary.

## C. Personnel

No items.

## D. Procurement/Ongoing Projects

### (1) Public Safety Building Construction Project Update (\*)

While the steel for the project has been slightly delayed due to COVID-19 related work restrictions in Canada, our project contractor has been able to put additional workers on our site, since another one of their projects was shut down. Supporting structural ground work is continuing and the hope is still to move on to on-grade and structural concrete slab work in early May. Work on the roof and site runoff groundwater infiltration system and the under-slab trench drain system is also underway.

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

### (2) Change Order: Bedrock Removal for Public Safety Building (\*)

While the public safety facility construction project did carry an allowance for bedrock removal, the estimated quantity was very low in comparison with conditions actually found in the field by the contractor. Unfortunately, the one area of the site that was inaccessible to the drilling rig during the design phase, due to trees, heavy vegetation, and steep slopes, is the area where this bedrock was encountered. Areas that were accessible showed boulders underground, but not solid ledge.

Under these circumstances, Massachusetts public construction law allows the contractor to negotiate a price for the bedrock quantity beyond the engineer's estimate. In this case, the additional bedrock removed through March 4, 2020 carries a negotiated cost of \$68,504. The quantity of bedrock removed was about 350 cubic yards and the cost is based on actual work required, including hammering, drilling, and direct labor costs (not on a per-yard basis). All such costs have been verified by our Project Manager and our architect. This particular change order item has been added to Change Order 2.

*Recommendation:* **Board approval of the bedrock removal change order item as part of Change Order 2.**

### (3) Change Order: Public Safety Building Project Time Extension

Our Project Manager and our architect have worked extensively with our construction contractor to work through various project issues that have contributed to a need for the contractor to request a project time extension. Factors contributing to the extension include extra time spent removing bedrock, time associated with supply chain and labor issues stemming from the ongoing COVID-19 crisis, and a variety of small issues that, together, amount to substantive delay. Presently, the baseline completion date has moved from

December 16, 2020 to January 29, 2021. Once all other factors are calculated in, an adjusted completion date will be arrived at.

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

(4) Change Order: Public Safety Building HVAC System Credit (\*)

Our designers have determined that certain elements of the originally-designed, variable-rate refrigerant system are not necessary, which translates to a contract credit of \$1,654, included in Change Order 2.

*Recommendation:* **Approval of this credit as part of Change Order 2.**

## **E. Insurance**

(1) Quarterly Building Self-Inspection Checklists

I completed the subject checklists for the Town Hall and the Essex Senior Center for the quarter ending March 31, 2020. The checklists are aimed at identifying and correcting safety hazards in Town buildings. Other personnel fill out similar forms for other buildings. This quarter, I highlighted the proposed replacement of the flooring in the Senior Center, since tiles are coming up and presenting tripping hazards. The Annual Town Meeting in June will consider funding this work. I also highlighted an ongoing roof leak problem in Town Hall which the original contractor intends to review for us, once the various COVID restriction are lifted. Further, a new, exterior spotlight was installed to shine on the Town Hall parking area.

*Recommendation:* No further action is necessary.

## **F. Facilities**

(1) Town Hall Heat Pump/AC System Repair, Funding Authorization (\*)

The split system in Town Hall showed an error code during the week of April 6, 2020. After I reset all three condensers and checked some other basic items, the system did not come back up. As such, I contacted our HVAC contractor and they visited Town Hall on April 21, 2020. Our contractor attempted to repair the system but found that one of the three condenser units (which work in a series, with this one being the lead) ideally needs total replacement. This particular unit was not part of the most recent renovation work at Town Hall. Instead, it was part of the phase 1 renovations, which wrapped up in the spring of 2015, and has already been repaired twice. We have asked the contractor to research any warranty options that the unit still has available, which could offset the replacement cost. This repair will be essential soon, since the weather will be warming up and the system primarily serves as a cooling system.

*Recommendation:* **Board authorization of a line-item and/or Reserve Fund transfer for replacement of the failed unit.**

## **G. Fiscal/Budget**

### (1) School Budget Collaboration Group Summary

Selectman Phippen and I participated in a conference call with Essex Finance Committee Chairman Ben Buttrick and officials and personnel from Manchester and the Regional School District on April 13, 2020. The meeting focused on the potential need for the District to further reduce its proposed FY21 operating budget apportionments to the two towns in the face of predicted revenue shortfalls brought about by the ongoing COVID-19 crisis. School officials indicated that the District will make an attempt to reduce spending and to deliver reduced apportionments. Discussion was also held concerning the effects of the crisis on the Manchester Memorial School replacement project and the extent of the plan to replace the Eagle's Nest Playground at the Essex Elementary School.

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

## **H. Complaints**

No items.

## **I. Meetings Attended**

No items.

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

### (1) Further Review of Draft Annual Town Meeting Motions (\*)

At the last meeting, the Board briefly looked over draft motions for the Annual Town Meeting. At that time, discussion was held on how some of the articles with financial implications likely needed to be reduced or put off until the fall or even for a year. The Board asked for input from the Finance Committee, which met on April 14, 2020. At this point, the Finance Committee has recommended the following actions:

1. See if the DPW can get the new, fully-equipped dump truck funded using Chapter 90 highway funds. A request for funding is in the works.
2. Defer the major upgrade of sewer grinder pumps for a year, and just purchase a few replacement units, as necessary, from the sewer maintenance line item.
3. Defer the study to review potential re-use of the old public safety building until at least the fall.
4. Defer the design for causeway lighting until at least the fall.
5. Defer the water system upgrade project until at least the fall (the Water Department is still working with its engineering firm to decide on the most suitable place to start).
6. Reduce the Advertising of Town Resources from \$23,500 down to \$500.
7. Level fund the Reserve Fund at \$70,000.
8. Level fund line items for gasoline, diesel fuel, and oil heating fuel, due to a recent drop in the price of fossil fuels.

I have revised the draft motions to reflect this discussion.

*Recommendation:* **Further Board discussion relative to the draft motions.**

#### **K. Legal Issues**

No items.

#### **L. Grants**

##### (1) MVP Action Grant Monthly Report, Sediment Transport in Essex Bay

Personnel from Boston University will file the subject report during the week of April 27, 2020. The project is somewhat stalled since all of the laboratories at the University are closed due to the ongoing COVID-19 crisis (which has made ongoing sample analysis impossible). We are hoping to have the project extended through the end of this calendar year.

*Recommendation:* No further action is necessary.

#### **M. Emergency Planning**

##### (1) Update with Respect to COVID-19 Crisis and Response

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The Town government has continued to take a variety of steps to remain effective during the COVID-19 crisis. The Police Department continues twelve-hour shifts, with the same pair of officers working together (a positive test for one officer would only primarily affect one other officer). The Department of Public Works continues split work shifts, so that the entire DPW workforce is not exposed to a positive worker all at once. The Board of Health Administrator continues to work with the DPW Clerk and the Fire Department to get set up on FEMA's disaster funding reimbursement and grant system. Eventually, once the Town has a better idea of total COVID-related costs (being tracked presently), the Town will be eligible for a Federal reimbursement (likely 75%) and some related grants may be available. Further, on April 8, 2020, the Board of Health and the Selectmen jointly ordered the closure of Conomo Point to non-residents and to delay re-occupancy of seasonal residences until at least May 4, 2020. In conjunction with the Board of Health, the Selectmen may decide to revise the April 8 order at the present meeting.

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

#### **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.*