



Town Administrator's Report Board of Selectmen's Meeting of Dec. 13, 2021

Report covers from November 27, 2021 to December 10, 2021

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

A. Town Department Reports/Requests

(1) Strategic Planning Committee Meeting Summary (*)

I participated in a Strategic Planning Committee (SPC) Meeting on December 2, 2021, along with Chairman Preen (who is a member of the SPC) and the Town Planner. The SPC has been steadily developing content for each focus area of the second iteration of the Essex Strategic Plan and the Committee was able to arrive at a fairly complete working draft at the meeting (with thanks to the compilation efforts of the Town Planner). Some gaps did still exist in the draft and certain Committee members will work with the Town Planner in advance of the next meeting (January 13, 2022) to complete those areas. The Committee hopes to arrive at a draft that can be put out for public review and comment early in 2022.

Recommendation: **Board discussion as necessary.**

(2) Affordable Housing Trust Informational Forum Summary (*)

The Essex Housing Coalition, which is coordinated by the Citizens' Housing and Planning Association (CHAPA), offered a remote-based public forum on the topic of the benefits of establishing an Affordable Housing Trust on December 6, 2021. The forum was widely advertised and featured a presentation from Shelly Goehring of the Massachusetts Housing Partnership (MHP). Ms. Goehring explained how the establishment of a trust (which requires Town Meeting action) could benefit the furtherance of affordable housing options in Essex. Meeting participants asked a variety of questions.

To view the presenter's PowerPoint presentation, [click here](#).

To view the recorded video of the forum, [click here](#).

Recommendation: **Board discussion as necessary.**

B. Computer Systems

(1) North Shore Regional IT Collaborative Meeting Summary

Members of the Collaborative met virtually on December 9, 2021. Presently, IT staff from the anchor community (the Town of Danvers) are working in earnest to implement a new, regional "security fabric" solution. As the Board may recall, the Collaborative recently received \$100,000 in State grant funding toward this solution and Essex appropriated a small amount of funding as a local match at the recent Fall Town Meeting. Danvers expects that the system will be rolled out

early in the new year. Also, Danvers is putting together pricing on hosting all of the Town's virtual servers as of fiscal year 2023. Our physical host server that runs all of our virtual servers is coming up on end of life. Rather than replace it, we could simply move all of those virtual machines over to the Danvers datacenter for them to run, support, and back up. We would access the servers using our direct fiber optic connection to Danvers and we would have a backup connection via a VPN over the Internet.

Recommendation: I will update the Board as necessary.

(2) Implementation of On-line Permitting Software Purchase

At the last meeting, the Board signed a contract with OpenGov to provide the Town with on-line permitting software for use by the building, electrical, and plumbing & gas inspectors. OpenGov has countersigned the contract and is preparing for the process that will be involved with rolling out the new application. The roll out had not begun at the time of printing of this report.

Recommendation: I will update the Board as necessary.

(3) Board Review and Approval of IT Policies and Listings (*)

Each year, our financial auditing firm conducts an Information/Technology audit alongside the regular financial audit. As part of the fiscal year 2021 audit process, our auditor has recommended that the Town's IT Asset Management and Disposal Policy, IT Policies and Procedures, Hardware Inventory, and Software Inventory documents be reviewed and approved by the Board annually. I have provided these documents to the Board members.

Recommendation: **Board approval of the various documents.**

C. Personnel

(1) Town Administrator's Performance Review and Goal Setting (*)

At this time each year, the Board arranges to review my performance and to set goals for the upcoming year. In the performance area, I will rely on the detailed reports filed with the Board at each Board meeting as a record of my activities and accomplishments. As the Board may recall, my evaluation template was updated with six specific goals at the outset of this past calendar year for use at this time.

Also, it is necessary to work with the Board to develop goals for the upcoming calendar year. In addition to the general roles and responsibilities in my position description, which I will continue to update the Board on in detail for each new Board meeting, I recommend the following specific scope and welcome discussion with the Board:

- Continue to coordinate the restoration of the site of the former police and fire headquarters building at 24 Martin Street. Work will involve coordination of any work that is feasible during the winter, resumption of restoration work in the spring of 2022, and the subsequent finalization of design and delivery of a new display building for the Town's antique fire pumper. Further, given that the dispute with respect to the roof defects on the new public safety facility has not been settled, I will continue to coordinate that situation and press on for a resolution that does not cost the Town additional money (unless the Town wishes to upgrade new materials).
- Serve as coordinator and administrator of the second DER Culvert Grant program and apply to the MVP grant program for Apple Street roadbed elevation final design and permitting for both of the low areas on the road. This work will continue to make progress toward the eventual construction of these improvements, which are intended to preserve Apple Street as the only other viable alternative, north-south transportation route through Essex when the State Highway floods at the Essex causeway. Work will involve reporting, reimbursement requests, and project closeout for the DER project and an application for MVP funding. If we are ready and eligible for Federal construction funding by the fall of 2022, I will develop the necessary grant application.
- Now that the Route 133 Essex River Bridge replacement project has begun in earnest, I will serve as the Town's chief liaison to the project. Work will involve my attendance at regular construction meetings and coordination of all relevant matters with the Board, other departments, the business community, and the general public.
- Continue to work collaboratively with the Superintendent of Public Works and the Board of Public Works to implement recommendations of the Town's water system facilities plan. The Town is already using its recent ARPA funding for a project that will modernize and improve its three public water supply wells. Funding for other water system element improvements may be funded by the Annual Town Meeting via the State Revolving Loan Fund or with any additional Federal grant funding that is offered. I will work with our engineering consultant and the Superintendent of Public Works with respect to coordinating that effort, including all necessary procurement work. This goal is dependent upon the ultimate direction that is set by the Board of Public Works.
- Manage the Conomo Point Seawall replacement project. Work will involve interfacing with our engineering contractor and our construction contractor to complete the work on time and within the allowable grant funding. Work will also involve participating in regular construction meetings and the production and submission of all necessary grant requests for reimbursement and reporting. I will continue to serve as the Town's primary contact for the project and I will offer a public tour of the completed project in the spring for other municipalities and any other interested parties (per the requirement in our original grant application).

- Serve as the Town's primary contact and coordinator of the Essex zoning bylaw evaluation project. Work will involve coordination between the Selectmen, the Planning Board, the Metropolitan Area Planning Council (MAPC), and the general public. When the present Community Compact Cabinet grant wraps up, I will be involved with the application for and, hopefully, the administration of a new grant for planning and zoning. The work will all along be aimed at collecting adequate public input and educating the voters about recommendations and benefits of the proposed changes.

***Recommendation:* Preliminary Board discussion relative to this year's evaluation process using the current template and the goal setting process for the upcoming calendar year.**

(2) Board Discussion with Respect to Upcoming Union Collective Bargaining (*)
The union representing the Town's clerical and DPW workers (AFSCME) would like to begin negotiating a successor collective bargaining agreement since the present agreement expires on June 30, 2022. I expect that the other labor union operating in Town (the Essex Police Benevolent Association – EPBA) will also soon request that negotiations begin with respect to that agreement. The Board has traditionally formulated management bargaining teams consisting of one selectman, the town administrator, and the applicable department head (Chief of Police for EPBA and DPW Superintendent for AFSCME). The Board could also include other members, such as a Finance Committee representation. I generally report back to the Board, in Executive Session, at regular Board meetings after each negotiating session.

***Recommendation:* Board discussion with respect to the formulation of management bargaining teams and a general schedule for commencement of negotiations.**

D. Procurement/Ongoing Projects

(1) Old Fire Station Site Restoration Update (*)
Chairman Preen and I participated in site restoration project meetings on November 30 and December 7, 2021. At the last meeting, the Board authorized Chairman Preen to approve both the time and materials change order for the unforeseen drainage work and a lump-sum change order for other, additional items desired by the Town.

The following provides an update on these major items:

- a) The general contractor has not yet provided pricing on the lump-sum change order for the enlargement of the concrete building slab, the addition of a yard hydrant, and the addition of a subdrain system (all in response to revised plans and specifications provided by our architect).

However, our architect did not get plans for this work to the contractor until the week of December 6, 2021.

- b) The site work subcontractor for the project has still not provided the general contractor with a tally of the time and materials work that was necessary to replace the failed storm drain line that was running beneath the edge of the former building. Until this occurs, we have no way of reviewing the costs or moving on to a formal change order.
- c) The site work subcontractor will be digging the trench that will carry an underground conduit for the electrical service to the future shed and the existing parking lot lighting system. A second subcontractor will be used to actually place of the conduit but our general contractor reports delays with that subcontractor as well.
- d) With respect to the other elements of the original contract work (such as granite curbing, concrete work, site grading, etc.), we were told recently that the site work subcontractor is having problems getting the necessary materials. This position was a change from their original statement that they did not want to continue the job until the spring since they felt that their partial work would be damaged during the winter.

Recommendation: **Board discussion as necessary.**

(2) Purchase of Prefabricated Shed for Viewing of Antique Fire Pumper (*)

At the last meeting, Chairman Pereen relayed to the Board the input of the Essex Fire Department with respect to the design of the antique fire pumper viewing shed that will be placed at the old fire station site at 24 Martin Street. As requested, I made some changes and worked with a supplier to revise the plans and specifications. Thereafter, the Fire Chief approved the new documents and I prepared for the necessary procurement process. Presently, we will directly seek quotes from three prefabrication vendors, beginning on December 15, 2021, when the project will also run in the Central Register, on Comm-Buys, on the Town website, and via local posting (as per State procurement requirements). To allow sufficient time for vendors to quote the project during the holiday season, quotes will be due no later than January 5, 2022.

Recommendation: I will update the Board as necessary.

(3) Award of Engineering Contract - Public Water Supply Well Improvements (*)

Proposals for the design, bid assistance, oversight, and Federal funds management associated with a proposed project for the modernization and improvement of the Town's three public water supply wells were due on December 8, 2021. All work will proceed via the Town's recent allotment of American Rescue Plan Act (ARPA) funds and the chosen firm will be responsible for proper management and compliance associated with ARPA. Despite a total of ten firms having requested copies of the RFP and a total of three firms attending the site visit on November 18, 2021, only one proposal was received (from EA Engineering, Science, and Technology, Inc.). Subsequently, a proposal review committee

consisting of Chairman Pereen, Board of Public Works Member Rullo, and myself reviewed both the technical and the cost proposals.

Recommendation: **Board vote to award the contract to EA Engineering.**

(4) Commencement of Work - Conomo Point Seawall Replacement Project (*)

The contractor for the Conomo Point Seawall Replacement project mobilized to commence work during the week of December 6, 2021. The contractor has also provided us with a preliminary project schedule. Work will begin in earnest very soon and will continue through May of 2022. Chairman Pereen and I will participate in a project meeting on December 15, 2021.

Recommendation: **Board discussion as necessary.**

(5) Route 133 Essex River Bridge Replacement Project Update

I participated in a construction meeting with respect to the subject project on December 7, 2021. Preparation for the construction of the temporary bypass bridge is underway and the bridge is still expected to be open to traffic sometime in March of 2022. In the meantime, the bridge that is going to be replaced will remain fully open to traffic. Mass DOT and the general contractor for the project will provide the Town with further updates as events warrant.

Recommendation: No further action is necessary.

E. Insurance

(1) Monthly Pothole Log

I received the pothole log for the month of November from the Department of Public works during the week of December 6, 2021. The log is aimed at documenting and quickly repairing any reported potholes. No potholes were reported during November.

Recommendation: No further action is necessary.

F. Facilities

(1) Provision of Cut Tree for Memory Tree Event

Each year, volunteers arrange for the Essex Memory Tree event which allows residents to place ornaments on the “Memory Tree” in memory of loved ones who have passed away. This year, organizers needed assistance in procuring a cut tree and I arranged for a tree to be delivered. Volunteers then set the tree up on the grounds of Town Hall. In some future year, a new tree may be planted for this purpose (the ceremony historically used a large evergreen in front of Town Hall but that tree was removed as part of the Town Hall renovation in 2017).

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) School Operating Budget Collaboration Group Meeting Summary (*)

I participated in a meeting of the Manchester Essex Regional School District operating budget collaboration group on December 3, 2021, along with Selectman Bradford and Finance Committee Chairman Buttrick. The meeting featured an explanation of the current status of the fiscal year 2023 operating budget proposal by District personnel. Generally, the District plans to again use \$335,000 in reserves to help bring the overall budget increase to no more than 3.5%. Even with those reserves, a substantial gap still exists and the District will work over the coming months to narrow that gap. The District will soon have a better picture of how the individual apportionments to the Town will break down.

Recommendation: **Board discussion as necessary.**

(2) Preliminary FY23 Selectmen's Operating Budget Request Package (*)

I have developed a preliminary version of the Board's fiscal year 2023 operating budget request package in response to the Finance Committee's annual operating budget memo. The Board will have a chance to review the package at its next two meetings as well.

Recommendation: **Board review as necessary.**

(3) Preliminary FY23 Selectmen's Capital Budget Update Package (*)

I have developed a preliminary version of the Board's fiscal year 2023 capital budget update package in response to the Finance Committee's annual capital budget memo. The Board will have a chance to review the package at its next two meetings as well.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Regional Administration of ARPA Funding

I participated in a call among area town administrators and personnel from the Metropolitan Area Planning Council (MAPC) on December 1, 2021 discussing American Rescue Plan Act (ARPA) funding administration services. MAPC was asked by communities to help procure the services of firm that will, for a fee, assist with the administrative burden of properly managing ARPA funding. The auditing firm of Powers & Sullivan was selected and three of the firm's partners will on the call. In Essex, since all ARPA funding received to date will be spent

on public water supply well improvements, and since the engineering firm hired for that work is required to also provide ARPA administration services, Essex does not have a particular need for MAPC's assistance at this time. However, if additional assistance is needed in the future, we have a ready source of expertise.

Recommendation: No further action is necessary.

J. Town Meeting, By-Laws, and Regulations

(1) Promulgation of Resident Parking Sticker Regulations (*)

At the last meeting, the Board briefly discussed the development of a draft set of resident parking sticker regulations that were authorized by the Fall Town Meeting. Regulations cannot go into effect until after the bylaw change that created this new authority is approved by the Office of the Attorney General. Chairman Preen, Town Counsel, and I developed a preliminary draft of the regulations and we asked the Town Clerk to review that document. The Town Clerk had a number of comments based upon her knowledge of the intricacies of applications she has seen over the years. Once we have a revised draft, we plan to share it with the Board of Public Works to determine if that Board was willing to adopt similar regulations with respect to the issuance of transfer station stickers. A transfer station sticker serves as a resident parking sticker and it would be useful to standardize the circumstances under which an individual may qualify for either type of sticker.

Also at the last meeting, the Board discussed the concept of creating a tiered pricing structure for the issuance of stickers. Those who meet the objective criteria would pay the standard \$5 fee (\$1 for seniors). Those who qualify only under the "occupant" standards could pay higher fees, depending on the circumstances.

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

(2) Continued Review of Preliminary Annual Town Meeting Topics (*)

At the last meeting, the Board briefly reviewed a preliminary list of article topics that could be proposed at the Annual Town Meeting in May of 2022. Additional discussion would serve to begin the process of prioritizing various possible items.

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

K. Legal Issues

(1) Possible Destruction of Old Legal Case File Records (*)

The Town's law firm saves old legal case files for a period of time and then ships the file boxes to the Town Hall, for more permanent storage. File boxes have accumulated to a point where adequate storage space is no longer available and we have not had need to access many of the older case records in many years. If

agreeable to the Board, it would be beneficial to our storage situation if no new records are sent to the Town (our law firm can destroy them at their own offices). With respect to certain case records that we already have in our custody, these could be professionally shredded after we receive permission to do so from the Secretary of the Commonwealth.

***Recommendation:* Board discussion with respect as to whether and which old legal case files should be destroyed.**

L. Grants

(1) Municipal Operating Budget Benchmarking Grant Update

As the Board may recall, area communities are cooperating in a Metropolitan Area Planning Council (MAPC) technical assistance grant project to compare the unit cost of certain municipal services among each other. I participated in a project update call on December 2, 2021 and MAPC is in the process of developing narratives for each participating community in order to explain nuances with respect to how each community categorizes and present certain budget figures.

Recommendation: I will update the Board as necessary.

(2) Apple Street Culvert/Roadbed Elevation Grant Update

As reported previously, the Massachusetts Division of Environmental Restoration (DER) requested that the Town and its engineering consultant revise the scope of services for the subject grant project since additional data collection and modeling will eventually translate to a smoother project permitting process, especially with respect to State permits. Our engineering consultant (TEC) moved ahead right away with setting up the recommended water level logging monitoring downstream of the culvert and I discussed other items with TEC and DER on December 3, 2021. We all agreed that progress by TEC will be limited by the length of time various State review processes will require, especially in light of DER's own request for the Town to make these scope changes. As such, the revised scope of work will acknowledge that TEC will only engage in work tasks that can reasonably be completed by DER's deadline of June 30, 2022. Chairman Pereen will sign revised contracts with both TEC and DER, as per the Board's past vote, when these become available.

Recommendation: I will update the Board as necessary.

(3) Award of State IT Grant for Public Meeting Broadcasting from Town Hall (*)

As the Board may recall, I had applied to the State IT grant program for equipment necessary to provide both one-way and interactive coverage of municipal meetings from the third-floor auditorium at Town Hall. The grant has been awarded in the amount of \$41,670 and it will enable our local cable access provider, 1623 Studios, to offer staffed meeting broadcasts four times per month.

Recommendation: Board authorization of the Chairman to sign the necessary grant paperwork.

M. Emergency Planning

No items.

N. Other Items

(1) Town Administrator Leave

I was out of the office, on leave, for short portions of each day on December 6, 7, and 8, 2021 and all day on December 10, 2021.

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