



Town Administrator's Report Board of Selectmen's Meeting of February 12, 2024

Report covers from January 20, 2024 to February 9, 2024

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

A. Town Department Reports/Requests

(1) Affordable Housing Trust Meeting Summary

The Essex Affordable Housing Trust met on January 25, 2024. I attended the meeting along with Chairman Pereen, who also chairs the Trust. The Trust members discussed the Trust's current major goal, which is to develop a Housing Production Plan (HPP) for Essex. While the Trust has sufficient funding to pay for such a plan outright, the Community Planning Grant, part of the Commonwealth's One Stop for Growth grant portal, will likely cover 90% of the project. As such, given that the development of a HPP with a consultant can cost up to \$100,000, and given that the grant program provides preference for a community contributing at least ten percent of the cost, the Trust voted to set aside up to \$10,000 as a project match. The Trust was in agreement that our new Town Planner should put together a grant application for this round of funding and she is already working on the first step – the Expression of Interest form.

Recommendation: No further action is necessary.

B. Computer Systems

No items.

C. Personnel

(1) Town Planner Commencement of Work

New Town Planner Valerie Massard began work during the week of February 5, 2024. I assisted her with the establishment of a VPN connection for remote computing and the configuration of her new Windows desktop, e-mail, Town website access, and access to the State's on-line system (One Stop for Growth Portal) she will be utilizing to apply for a Community Planning Grant for the development of a Housing Production Plan. Valerie will also become involved in the ongoing zoning review project with the Planning Board and, hopefully, a Metropolitan Area Planning Council (MAPC) Technical Assistance Program (TAP) grant for the update of the Town's Open Space Plan – if awarded. Valerie can plug into the ongoing process of updating the Town's Federal Hazard Mitigation Plan, a project also being managed by MAPC. Eventually, work will include coordinating the Municipal Vulnerability Preparedness 2.0 (MVP 2.0) grant which will assist the Town with the update of its MVP Plan.

Recommendations: No further action is necessary.

D. Procurement/Ongoing Projects

(1) Method of Construction of Centennial Grove Restroom Building (*)

At the last meeting, I informed the Board that we did not have any bidders on the modular restroom facility for the Centennial Grove when we recently went through a bid offering process for a precast concrete building using the Modular Construction Statute.

Another avenue could involve an architect and a site-built unit but that approach is usually more expensive than modular work (unless tradespeople and an architect are willing to donate labor, as was the case with the Folsom Pavilion). To that end, Chairman Pereen, Dan Mayer of Mayer Tree, Jodi Harris (in her capacity as Chair of the Economic Development Committee), local architect Peter Levasseur, and I met out at the site on February 9, 2024. Mr. Mayer coordinated the post and beam replacement structure for the Folsom Pavilion and he is confident that ample professional donated labor is available to construct a scaled-down post and beam restroom building. Further, Mr. Levasseur is willing to donate his time for the necessary architectural drawings.

A third option was suggested by the Massachusetts Office of the Inspector General – which is the Cooperative Purchasing route. A national purchasing group known as Omnia Partners is recognized in Massachusetts for the provision of many types of items, including modular buildings. The Hunter Kneppshield Company is a vendor under the Omnia Partners contract that can provide the restroom facility as a primarily stick-built modular unit and the setting of the building and the related site work can be completed by the Department of Public Works and by professional tradespeople volunteering their time. If this option is chosen, the lead time for this modular unit would put delivery somewhere in the early summer and the exterior could be customized to match the finish of the new pavilion at the Grove. The floor of this particular modular facility would be an I-beam reinforced floor using 3” C-channels as joists. It would have a 4” depth of concrete over a 24-gauge floor pan.

***Recommendation:* Board discussion with respect to the two remaining options, one involving a site-built facility with donated labor and the other involving the modular structure available via the Omnia Partners contract.**

(2) Design of Tight Tank System for Centennial Grove Restrooms (*)

As the Board may recall, the new restroom facility at the Centennial Grove will be served by a tight tank. Since I am a Registered Sanitarian, it is possible for me to design the system and seek the approval of the plan by the Board of Health. I am already working with the Board of Health Administrator to confirm that the format for the plan I have in mind is consistent with the Board of Health’s expectations. I have also already visited the site with the Superintendent of Public Works to confirm that the Town’s water supply wells are far enough away from the proposed system (which will be the case) and, separately, with the

Conservation Agent to confirm that the whole system and the restroom building itself will be outside of the 100-foot wetlands buffer (which will also be the case). I will be conducting some exploratory digging with the DPW during the week of February 12, 2024 to verify the amount of soil depth available for an 8,000-gallon tank. I am working with the YMCA and others to locate a licensed septic system installer who may be willing to donate labor and machine time for the project, with the Town covering all necessary materials.

Recommendation: **Board discussion as necessary.**

(3) Essex Zoning Bylaw Review Project Update (*)

Chairman Pereen and I participated in two update meetings concerning the Town of Essex zoning review bylaw project along with members of the Planning Board and personnel from the Metropolitan Area Planning Council on January 25, 2024 and on February 8, 2024. The focus of the first meeting was continued refinement of the proposed Special Permit bylaw provisions (for Annual Town Meeting in May) and specific parking requirements for each type of use in the Town. The Planning Board is working to balance items that should be codified in the bylaw versus items that are more fluid to be managed by the Board's regulations.

The focus of the second meeting was to refine the above topics using guidance that the full Planning Board offered at a Planning Board meeting on February 7, 2024. The next public forum with respect to the zoning project is scheduled for February 21, 2024 (the Selectmen will be posted for that meeting). At the forum, the Planning Board hopes to get input from the public with respect to how different types of future zoning districts might incorporate limited other uses (for example, a residential district that allows for a neighborhood store, etc.). The forum will also review data collected from residents concerning where in Town certain uses should be concentrated. Generally, for the upcoming Annual Town Meeting, it appears that three types of uses will be proposed to be added to the Town's existing Special Permit section of the zoning bylaw via three separate articles. The Planning Board will also likely propose further refinement of the zoning definitions section and perhaps delve into the general characteristics of future zoning districts without actually setting any such districts up right away. Actual zoning districts could be carved out of the Town's existing General Zoning District at the Fall Town Meeting later in the year.

Recommendation: **Board discussion as necessary.**

(4) Public Water Supply Well Modernization Project Bids (*)

As the Board is aware, the subject project has been out to bid for a few weeks. Filed sub-bids were due on January 31, 2024 and a total of three sub-bidders submitted sub-bids across three categories of work (some sub-bidders submitted in more than one category). Unfortunately, the only on-time masonry sub-bid was about five times the engineer's estimate for that work and a second masonry subcontractor arrived late and did not submit his bid. Subsequently, on February

7, 2024, General Bidders submitted overall project bids that incorporated the figures from filed sub-bidders that the General Bidders had chosen. I was present at both bid openings, along with Water Department Personnel and personnel from our consulting engineering firm. We had a total of two general bids submitted and the apparent low bidder was Weston & Sampson. Unfortunately, both bids were much higher than the project budget can accommodate and the project will have to be put back out to bid, with a reduced scope of services.

Recommendation: **Board discussion as necessary.**

(5) Review of Replacement Siding Options for Public Safety Building (*)

As the Board is aware, Copeland Building Envelope Consultants is presently working to specify repairs and materials replacement at the Public Safety Building. A variety of samples have arrived for the Board's review and commentary.

Recommendation: **Board review of the materials and discussion as necessary.**

E. Insurance

(1) Monthly Pothole Log

I have received from the DPW the pothole log for the month of January. No potholes were reported. The log is intended to document potholes and their rapid repair in order to limit the Town's liability.

Recommendation: No further action is necessary.

F. Facilities

(1) Senior Center Sprinkler Line Replacement Update

As the Board may recall, a short section of sprinkler system line in the Senior Center just after the main enters the building was in need of replacement. Our contractor attempted to remove the threaded pipe from the flange connecting the system with the main on January 26, 2024 after the Water Department had turned off the main at the street to the extent possible (large mains of this type typically leak by the valve to a certain extent). The situation became much more complicated when the corroded section of pipe had its threaded section break off inside the flange. With water still coming through the main, the planned use of buckets for just a short period of time had to be extended.

With the help of a local mechanic, we located another local mechanic who had the proper tools to extract the broken pipe from the removable portion of the flange without damaging the threads. This success avoided the need to adapt the flange pattern on the main to a new pattern and the need to reconfigure and add downstream piping parts to the system, which would have tripled the cost of the work. The original flange was put back together and the piece of threaded pipe was replaced, along with the planned replacement of the first elbow in the system.

Recommendation: No further action is necessary.

(2) Preliminary Site Visit for Public Safety Facility Repair Specifications

As the Board is aware, the Town has engaged the services of Copeland Building Envelope Consultants and its subcontractor (Northeast Roofing Consultants) to specify what is necessary to address some lingering issues with the public safety facility on John Wise Avenue including roof defects and siding/trim/sealant defects. Copeland and Northeast conducted an initial site visit on January 31, 2024, accompanied by a contractor who was able to help expose various building elements so that our consultants could better understand root causes on the way to specifying proper repairs. Our team is now using the data collected to put together initial specifications that will eventually be reviewed by the Town. See item D5, above, for preliminary discussion concerning siding options.

Recommendation: I will update the Board as necessary.

G. Fiscal/Budget

(1) Review of FY25 Town and School Operating Budget Requests (*)

The Essex Finance Committee is presently working to understand fiscal year 2025 operating budget requests from each of the various Town departments and will be meeting with the Board of Selectmen at the Board's meeting of February 26, 2024 to summarize its findings and recommendations.

With respect to the school budget, the Manchester Essex Regional School Committee met on February 6, 2024 and determined that additional District reserves would be included in the budget, which brought the overall budget increase from FY24 to FY25 down to 2.99% (from 3.42%), translating to an Essex apportionment increase of 4.82% and a Manchester apportionment increase of 1.84%. Careful consideration is being given to whether this apportionment amount can be accommodated by Essex without a Proposition 2 ½ override and more information will be available by meeting time.

Recommendation: **Board discussion 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 Topics (*)

At the last meeting, the Board reviewed the draft list of Annual Town Meeting potential topics and asked that some items be added and others be moved to different priority levels. I have made the changes in accordance with the Board's guidance and I have produced a preliminary version of the Annual Town Meeting warrant.

Recommendation: **Board discussion as necessary.**

(2) Section 3A Zoning Compliance

As the Board may recall, former Town Planner Dana Menon had provided the Executive Office of Housing and Livable Communities (EOHLC) with a variety of materials to demonstrate the Town's compliance with Section 3A of Chapter 40A of the General Laws involving the capacity for multi-family housing in a given community. Since Essex is an "Adjacent Small Town" with respect to mass transit, and since the zoning in Essex will accommodate multi-family housing in most areas of the Town, compliance with the new law was fairly straightforward. Recently, the EOHLC reviewer on our compliance application asked for a zoning map and a past letter from the Office of the Attorney General approving zoning changes from 2021. I provided both of the requested documents and we are expecting to achieve formal full compliance in the near future.

Recommendation: No further action is necessary.

K. Legal Issues

(1) Settlement and Release with Abutter to Essex Senior Center

At the last meeting, the Board agreed to certain terms proposed by an abutter to the Essex Senior Center (with other certain terms rejected) with respect to aspects of the Senior Center's site characteristics and operations. Town Counsel proposed a comprehensive settlement and release document to counsel for the abutter and we have not yet heard back.

Recommendation: I will update the Board as necessary.

(2) Letters to Abutters of Town Property on Gregory Island

At the last meeting, the Board asked that I send a letter to all abutters to any Town-owned parcel on Gregory Island to ensure that all abutters know that storage of any of their personal property on abutting Town property is not allowed or approved. The letter asks that any such property is completely removed from Town property by the end of March 2024. Thereafter, I will conduct an inspection of the various areas to ensure compliance. The letter was mailed out during the week of January 22, 2024.

Recommendation: I will update the Board as necessary.

L. Grants

(1) Environmental Restoration Legislative Earmark Contract (*)

The Town received two State Legislative Earmark contracts in fiscal year 2024 (one to assist with improvements at the Centennial Grove - \$75,000) and the other to continue with local environmental assessment and restoration work - \$15,000. Unfortunately, State budget difficulties have cut each of these earmarks in half (\$37,500 and \$7,500). The \$37,500 earmark has already been committed to the establishment of restrooms at the Grove. The \$7,500 earmark could follow on work done to study the morphology and hydrology of the Alewife Brook and its surrounding watershed. Two past earmarks have generated important data concerning the system and this third earmark could be used for additional data analysis and interpretation.

Recommendation: **Board vote to utilize the \$7,500 earmark for Alewife Brook data analysis and interpretation purposes, using the services of Interfluve, the consultant we have been using since the commencement of this work.**

M. Emergency Planning

No items.

N. Other Items

(1) Town Administrator Leave

I was out of the office, on leave, for portions of the day on January 24, 25, and 29, 2024, and for portions of the day on February 5 and 7, 2024.

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