



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

Report covers from January 4, 2020 to January 24, 2020

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

A. Town Department Reports/Requests

(1) Review of 25% Design Plans for Essex River Bridge Replacement (*)

The Massachusetts Department of Transportation (DOT) provided the Town with the subject, preliminary design plans during the week of December 23, 2019. The plans provide the Town with its first glimpse at how DOT is designing this replacement project. As the Board may recall, the existing bridge over the Essex River at the Essex Causeway is circa 1970 and has reached its expected service life. DOT would like the Town to provide comments on the plans at this stage and various Town departments have reviewed the plans. The only comment received was a common question about how DOT plans to discourage large trucks from attempting to cross the temporary bridge (its curved shape will most likely require tractor trailers to cross over the lane dividing line in order to negotiate the curves). Otherwise, reviewers recognized the plan as matching the preliminary information that we had received from DOT during the early project planning stages. The Essex Water Department and the Essex Sewer Department will provide specific comments to the DOT at a utility coordination meeting that is set to occur on February 5, 2020.

Recommendation: Board finalization of comments concerning the 25% design plans and transmittal of those comments to the State.

(2) Essex Economic Future Community Open House (*)

The Economic Development Committee (EDC) hosted the subject open house on January 8, 2020. Personnel from the Metropolitan Area Planning Council (MAPC) were in attendance to assist with various components, along with the Town Planner. Generally, the open house was used to provide the public with background data on Essex's local economy and to collect more input on how the Economic Future Plan should be crafted. The open house included a presentation from MAPC personnel and two different periods where the public interacted with MAPC and Town personnel to review and discuss information at various stations around the rooms using illustration boards. All materials from the open house have been posted to the [EDC's web page](#). Soon, MAPC will be putting together the first draft of the Plan using their professional capabilities and information collected at the business roundtable, the community survey, and the open house.

Recommendation: Board discussion as necessary.

(3) Essex Housing Coalition Community Open House

(*)

The Essex Housing Coalition hosted the subject open house on January 22, 2020. The Citizens' Housing and Planning Association (CHAPA), the Town Planner, and personnel from Action, Inc. and the Massachusetts Department of Housing and Community Development presented various housing demographics and trends to attendees. The evening culminated with discussion on lessons learned in other communities and typical hurdles to developing a community housing program. Attendees had a chance to ask questions of the panel and the open house was very well received. The presentation given by the various panelists is available at the Projects and Reports tab of the [Town's homepage](#).

Recommendation: **Board discussion as necessary.**

(4) Essex County Greenbelt Coastal Resiliency Grant Meeting

I participated in the subject meeting along with other Town officials and personnel, including Selectman Phippen, on January 23, 2020. The Essex County Greenbelt Association received a Coastal Resiliency Grant from the State to work with municipal partners in Gloucester and Essex. Kathryn Glenn from the Massachusetts Office of Coastal Zone Management was also present. Greenbelt will conduct outreach and education on land conservation for flood storage and coastal resiliency by developing maps, using interactive online media platforms, and hosting public events to communicate climate threats and the role of land conservation in climate resiliency. At the meeting, attendees were taken through Greenbelt's research and map development to date. We pointed out areas in Town that are important to the Town's overall resiliency strategy and it is possible that areas of common interest for conservation and other functions will emerge as the study continues.

Recommendation: No further action is necessary at this time.

(5) Update Concerning Harbormaster Initiatives

At the last meeting, it was established that the Selectmen should promulgate regulations with respect to the use of new kayak racks that may be purchased for location adjacent to Clammers' Beach at Conomo Point. The regulations may delegate day to day management and enforcement to the Harbormaster. Presently, the Harbormaster is working on developing regulations, application forms, and hold-harmless forms that the Board can review and consider promulgating/approving in the future. As to the purchase of the actual rack system, the Harbormaster reports that he is preparing to solicit quotations from three different fabricators.

Also, it was established that the Harbormaster needs to have produced a custom ticket book that can be used to notify waterways users of violations of the Town's Harbor Regulations. Tickets can be issued on the spot or sent to a violator via certified mail. Presently, the Harbormaster is working on sourcing a new ticket book. I have added to the list of Annual Town Meeting topics the updating of an

existing bylaw section so that requests for mooring and other harbor-related renewals can be held up until the requestor pays any outstanding fees or fines.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) New Cybersecurity Training Platform

Our insurer has released a new, on-line training platform that will assist all employees to be aware of a variety of cybersecurity best practices and risks. The system allows users to have individual training accounts and will automatically track the completion of assignments made through the system. I have registered as system administrator and I plan to work with individual department heads to assign training and track progress. We are presently working through some training with the police department.

Recommendation: No further action is necessary at this time.

C. Personnel

No items.

D. Procurement/Ongoing Projects

(1) Public Safety Facility Construction Project & Change Order Update (*)

Chairman Spinney and I participated in weekly construction meetings with our consultants and the contractor on January 9, 16, and 23, 2020. The project is moving along well and the existing structure is expected to be completed removed by early February. Our contractor is presently focusing on earthwork necessary to pour footings and foundations – a process that will be ongoing for the next three to four months. A rough access road to the rear of the property will also be constructed in the near future.

Also, at the Board's request, I researched with our Project Manager the history of the decision to move certain HVAC components from the fenced in ground area in front of the building to the ground outside of the police offices. I learned that the main reason for this was discovered during the bid process when HVAC engineers realized that the refrigerant lines to the components in question exceeded the maximum run length. As such, the designer moved them to the rear of the building. I also received a clarification: a roof hatch was not actually ever in the drawings – it was just a topic covered by project cost estimators as an option but was not selected in order to ensure that the bids came in on budget. In any event, moving the equipment to the roof now will prevent noise and heat associated with the equipment from being generated immediately outside of Police Department office windows. Our designer and the contractor are working to develop a cost for that change order work, for the Board to consider.

Further, the contractor has proposed that additional time be granted to complete the project in order to avoid a multitude of lesser time extension requests as the project progresses. Given that foundation work is happening during the winter, the contractor feels that the associated time loss will more realistically move the project completion date from December 16, 2020 to the end of January, 2021. The Town would probably not be moving in until January under the present deadline anyway, due to the holidays. As such, this request would simply delay the move-in from mid-January to early February. Our professional team agrees that the request is reasonable and it will come down to whether the delay causes any additional carrying costs for the Town. The Town's builder's risk policy already runs through the end of January, 2021 and the contractor is not seeking any increase in its general conditions costs for the extension. Our Project Manager is willing to complete the project without a cost increase and we are waiting to hear from our architect about whether their original cost can be maintained.

Recommendation: Continued Board discussion regarding the concept of moving the HVAC equipment to the roof by change order and Board discussion relative to whether the contractor could be granted a no-cost time extension through the end of January, 2021.

(2) Public Safety Building Design Change Order Reconciliation (*)

During the final stages of the public safety facility design process, it was necessary for the Town to provide limited site clearing to get the geotechnical crew into various locations for soil borings. Our designer arranged for that work and our Project Manager is working to formally reconcile the design contract to account for it. The work added \$3,097.09 in design-related costs and can be paid from \$8,150 that had been reserved for other design tasks but was not needed.

Recommendation: Board vote to sign the design change order for this work.

(3) Approval of Traffic Signal Agreement for Public Safety Facility (*)

Our Project Manager has indicated that part of obtaining a Highway Access Permit from the Massachusetts Department of Transportation (DOT) with respect to the public safety building project, the Town needs to enter into a Traffic Signal Agreement. Our traffic engineering subcontractor is developing a contract in concert with DOT expectations and the Board needs to consider signing it in order to arrive at the final State Highway-related permit for the project.

Recommendation: Board signature of the Traffic Signal Agreement, if available by meeting time.

(4) Proposal for Revision of Downtown Pavement Marking Plan (*)

At the last meeting, the Board agreed that I should ask our design engineer what it would cost to convert the existing plans from pavement markings that show where

someone can park to a much more limited scope of markings that show where someone cannot park. Our engineer has proposed a cost of \$4,000 for the necessary plan and permit application change work.

Recommendation: Board discussion relative to potentially directing our designer to make the changes.

(5) Street Light Conversion to LED Fixtures Update

The Metropolitan Area Planning Council (MAPC) received bids for the labor to convert municipal street lights to LED fixtures on January 7, 2020. The bid covered several municipalities, including Essex, and Arden Engineering Constructors was chosen as the lowest responsive and responsible bidder. Under the grant funding for the conversion, the Town must use the contractor from the MAPC bid process (just like the contract that is already in place for provision of the materials). The Chairman signed the labor contract during the week of January 13, 2020 in order to keep the process moving and the Board will ratify that action at the present meeting. Arden will begin the actual conversion work as soon as all of our materials arrive. The entire project will probably take about 1 ½ weeks to complete, once work begins (likely all within the month of February, weather permitting).

Recommendation: I will update the Board as necessary.

E. Insurance

No items.

F. Facilities

(1) Senior Center Elevator Annual Testing and Inspection

The State Elevator Inspector tested and inspected the elevator at the Essex Senior Center on January 10, 2020. I had lined up in advance our elevator, fire alarm, and generator maintenance contractors to be present for the testing. The elevator failed inspection since an automatic vent in the elevator shaft was found to be inoperable. As such, the Council on Aging Director will bring in an electrical contractor to fix the vent issue. Our fire alarm company and our elevator company will need to be on hand in order for the electrician's work to be performed (the vent is tied into the fire alarm system and the vent is in the elevator shaft). The elevator has a 90-day, temporary certificate and the State Inspector, the fire alarm company, and the elevator company will all need to come back out for the re-inspection, after the repair is made.

Recommendation: I will update the Board as necessary.

G. Fiscal/Budget

(1) School District Budget Collaboration Group Summary (*)

Selectman Phippen attended the latest meeting of the School District budget collaboration group on January 10, 2020. The meeting featured a discussion concerning the need to replace the Eagle's Nest Playground at the Essex Elementary School. Also approaching is the need to renew the leases between the two towns and the Regional School District for the various school properties and buildings owned by the towns and utilized by the District. Further, the District has been busy trying to pare down its operating budget proposal after releasing the Tentative Budget proposal back in December. The District announced on January 16, 2020 that the apportionment increase to Essex this year is proposed at 4.10%. The District was not able to entirely eliminate via internal cuts and efficiencies a budget gap that would make the apportionment increase even higher. As such, the District has proposed the use of its reserves to eliminate the remainder of the gap.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Massachusetts Municipal Association Annual Conference

I attended the subject conference in Boston from January 24 through January 26, 2020. The conference featured excellent municipal networking opportunities and many informative presentations and training sessions relative to emerging municipal issues.

Recommendation: No further action is necessary.

J. Town Meeting, By-Laws, and Regulations

(1) Further Review Concerning the List of Potential Town Meeting Topics (*)

I have updated the list of potential Annual Town Meeting topics in accordance with the Board's guidance from the last meeting.

Recommendation: **Board review of the updated list.**

K. Legal Issues

(1) Possible Retainment of Special Counsel for School District Lease Review (*)

The twenty-year lease between the Town and the Regional School District is set to expire this year. Manchester has an identical lease in place with the District for

the school facilities in Manchester. The District will propose a successor lease and it should be reviewed by counsel. In this case, since Manchester is represented by the same firm Essex is represented by, it would be advantageous to retain special counsel. In the past, in situations like this, the Town has used the services of Attorney Jim Lampke. He has a broad municipal background and his rate is similar to Town Counsel.

Recommendation: Board authorization of the use of Special Counsel to review the proposed successor lease and any related issues contained in the Regional Agreement.

L. Grants

(1) Conomo Point Seawall System Site Visit (*)

I met out at the Conomo Point seawall with personnel from the Massachusetts Office of Coastal Zone Management (CZM), the Dam and Seawall Repair and Removal Grant Program Manager, and our consulting engineer from GZA Geoenvironmental on January 9, 2020. The purpose of the site visit was to review the Town's recent grant application for funding to replace the seawall system (which was not funded) in hopes of strengthening the application for submission to the next grant round.

Although the grant program does fund the outright replacement of vertical seawalls, program personnel explained that the Conomo Point seawall system is not high enough on the State's priority list to be funded and it may fare better if it also includes some innovative, green design attributes. The past grant application did include some of these attributes and it was suggested that we highlight them further in a new application for the next round of funding. The grant program manager commented that it will be possible for the Town to re-program funds that are left in the original project design grant to help prepare for the next application round. Our design firm could review all of the suggestions obtained during the recent site visit and could revise the design plans to highlight features that may help the application compete better.

Recommendation: Board discussion as necessary and authorization of the Chairman to sign a revised scope of services agreement with our designer and a revised design grant contract with the State.

(2) Participation in Peer Operations and Cost Comparison Project (*)

The Town of Manchester has received a technical assistance grant from the Metropolitan Area Planning Council (MAPC) to benchmark various municipal operations and associated costs against eight to ten similarly-sized communities in the Greater Boston area. The Town of Essex has been invited to participate in the study and results would allow the Town to understand how various operations and costs compare to peer communities. The invitation is a good example of the collaborative effort that the two communities embarked upon in 2019.

***Recommendation:* Board authorization for the Town to participate in the study.**

(3) MVP Action Grant Monthly Report

Personnel from the University of New Hampshire will complete the monthly report for the subject grant during the week of January 27, 2020. The project is continuing to analyze sediment transport along Crane Beach in into and throughout Essex Bay.

Recommendation: No further action is necessary.

(4) Apple Street Culvert Replacement Design Project Update

The Division of Ecological Restoration (DER) has now approved a revised scope of services from our engineering consultant, TEC, for the survey and field data collection work necessary for the Apple Street culvert replacement project design. As the Board may recall, this grant-funded project is going to need two rounds of design work and we hope to apply this spring for a second DER grant that will actually complete the design and necessary permitting. Thereafter, we will seek funding for the design necessary to elevate the Apple Street roadbed in the second low area that is prone to tidal surge flooding. The DER culvert project design will inform that second area's design and the Town can ultimately apply for construction funding to complete the changes to the road. The process could take four or more years to complete.

Recommendation: I will update the Board as necessary.

M. Emergency Planning

(1) Disease Outbreak Antidote Dispensing Tabletop Exercise (*)

I participated in the subject tabletop exercise in Beverly, along with other Town personnel on January 9, 2020. Many other communities were also present for this exercise. The exercise simulated the need to broadly dispense an antidote for botulism toxin to residents due to a disease outbreak. Town personnel coordinated the response well but several important takeaways were observed.

First, we have already begun to better coordinate our possible future use of the Town's Reverse 911 notification system for internal communication among Town personnel and departments. The system could be used to provide voice and/or text updates to key emergency personnel during an incident. Also, it was noted that the public's appetite to sign up for emergency messages using the system thus far has been limited. It would be advantageous to once again spread the word that the system is available for people to enroll in. Further, the exercise helped personnel to visualize the capabilities of the two primary emergency sites in the Town (Town Hall and the Essex Elementary School).

Recommendation: **Board discussion as necessary.**

(2) North Shore Regional 911 Center Executive Advisory Board Meeting

I attended the subject meeting on January 22, 2020 as Chairman of the Executive Advisory Board and the Finance Advisory Board. The Center is developing its fiscal year 2021 staffing plan and budget as part of the State budget development process and the Board approved the staffing plan at the meeting. Also discussed was the formulation of a process that may allow additional communities to apply to join the Center. Any new community would have to agree to adhere to all of the Center's established protocols and many technical issues would need to be vetted and worked out.

Recommendation: No further action is necessary.

N. Other Items

(1) Town Administrator Vacation Leave

I was out of the office, on vacation leave, all day on January 10, 2020.

(2) Martin Luther King, Jr. Holiday

The office was closed on January 20, 2020, in observance of the subject holiday.

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