



Town Administrator's Report Board of Selectmen's Meeting of January 6, 2020

Report covers from December 14, 2019 to January 3, 2020

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

A. Town Department Reports/Requests

(1) Review of Possible Local Licensing Process for Retail Marijuana (*)

At the Board's previous meeting, the Committee's Clerk asked on behalf of the Committee whether there was merit in considering a local retail marijuana licensing process (in addition to the Host Community Agreement and the State licensing process). The Board asked me to investigate that question to a) see if it is possible, and b) understand what the process might be able to add beyond things that will already be taking place, such as Site Plan Review, the signing of a Host Community Agreement, and the licensing process required by the Commonwealth.

I have learned that the Board could bring a general bylaw proposal to a future Town Meeting that would authorize the Board to be the local licensing authority for retail marijuana establishments. No authority presently exists since the default situation involves a State licensing process that is managed by the Massachusetts Cannabis Control Commission (CCC). Town Counsel has provided the Board with an example bylaw and an example set of local licensing regulations so that the Board can determine whether a local process will add any desired features.

Recommendation: **Board discussion as necessary.**

(2) Essex Housing Coalition Activity Summary

The Essex Housing Coalition has continued to prepare for a community open house that the Coalition is sponsoring in Town Hall on January 22, 2019 at 7:00 p.m. The Open House will include a panel that will discuss housing from different perspectives, a presentation regarding our overall demographics, and a discussion regarding the Planning Board's proposed, downtown mixed-use zoning district that will be presented to Annual Town Meeting participants next May.

Recommendation: I will update the Board as necessary.

(3) Harbormaster Initiatives Update (*)

At the last meeting, the Harbormaster met with the Board to discuss various initiatives he would like to put in place in the coming year. With respect to the public storage of kayaks at Conomo Point, he asked if a set of new kayak racks could be purchased – for which the Town could establish rules and use fees.

We have reviewed the budget and around \$19,000 still exists in the last of the Conomo Point property management special appropriations that was approved by

Town Meeting in the past. The Harbormaster has indicated that the racks he will recommend will come in below that available amount.

With respect to regulating the use of the racks and charging for use, we have learned that the Selectmen, acting in their capacity as Conomo Point Commissioners, could establish regulations and delegate the management and enforcement of the regulations to the Harbormaster (since the racks would be on land and not within the direct jurisdiction of the Harbormaster). The Harbormaster is free to recommend a body of regulations for the Board to consider and approve.

The Harbormaster also suggested that any mooring holder who is fined for violations of the harbor regulations during the course of the year should have the fines documented through the Town's new mooring management software. In that way, if a mooring holder fails to pay a fine, it will be flagged at mooring renewal time and will need to be paid for the mooring holder to have their mooring renewed. While this will be possible in the future, Town Counsel has commented that the Town Meeting first needs to consider a proposal to revise Section 4-13 of the Town's General Bylaws to reflect changes in State Law since that section was adopted by the Town.

Recommendation: **Board discussion as necessary.**

(4) Chief of Police Recommendations for Downtown Parking Prohibition (*)

At the last meeting, the Board indicated that it favored the regulation of downtown parking by lining out areas that are dangerous for parking, as opposed to the original concept involving the striping of areas where parking is allowed. The Board asked that I request from the Chief of Police a list of downtown areas that should be lined out. The Chief and I actually drove the area at the end of December and eight distinct areas have been recommended, which I will review for the Board at the present meeting. Once the Board is in agreement with the final list, I can ask the Town's engineering firm for a proposal to develop that design for an eventual application to MA DOT. As I mentioned at the last meeting, the DOT has commented that the use of regular line paint (as opposed to thermoplastic material) will be allowed, so long as the Town commits to its annual maintenance.

Recommendation: **Board finalization of the line-out area list and possible solicitation of a cost proposal from our engineering firm for the necessary design work.**

B. Computer Systems

(1) Migration of Public Safety Personnel to New Server

After completing the migration of all non-public safety personnel to a new Windows desktop virtual server (due to end of life of the operating system of the

old server), I repeated process with public safety users, to a new, dedicated public safety server. All work has been completed.

Recommendation: No further action is necessary. Total time – 20 hours.

C. Personnel

(1) Safety Committee Meeting Summary

I attended the subject meeting as a member of the Committee on December 19, 2019. The meeting featured a discussion relative to our recent successful MIIA Loss Control Grant application that will provide funding for a new DPW trench box, backup cameras in some of the DPW vehicles, and oily rag disposal containers. Our loss control representative from MIIA was in attendance and he also discussed various emerging topics such as our continuing effort to comply with OSHA requirements.

Recommendation: No further action is necessary.

(2) Informal Department Heads Meeting

I hosted the subject meeting on December 19, 2019, as I do from time to time. The meeting featured general updates from various department heads and a general discussion of the ongoing evaluation of whether and how street-side parking along Route 133 will be marked out in the future.

Recommendation: No further action is necessary.

(3) Annual Motor Vehicle Records Checks

At the suggestion of our insurer, I work with the Chief of Police each year to verify that each Town employee who frequently drives Town-owned vehicles has a valid driver's license and no pattern of substantive violations. The checks will be run soon for 2020 and the Chief will advise me if there are any issues.

Recommendation: No further action is necessary.

(4) Continued Discussion of Town Administrator's Calendar Year 2020 Goals (*)

At the last meeting, the Board briefly reviewed my suggested goals for calendar year 2020 and indicated that further discussion would be held to finalize the goals at the present meeting.

Recommendation: **Board discussion and finalization of my calendar year 2020 goals.**

D. Procurement/Ongoing Projects

(1) Public Safety Facility Project Update and Potential Change Order (*)

Chairman Spinney and I attended the construction meeting on December 19, 2019 and I attended the construction meeting on January 2, 2020. Our construction

contractor has completed most of the site clearing work and has begun to work on excavation for footings and the foundation. The existing house on the property should be removed by the end of the month.

Also, during the project design phase, the decision was made to locate four HVAC condensers on the ground outside the police department offices on the lower level of the building (in order to ensure that the bid came in on budget). Now that we know that the project came in substantially under budget, it would be beneficial to future department operations to move the noise and heat associated with those units up onto the roof. That change will require the installation of a ladder and hatch system and our designer and contractor will work together to arrive at a change order price for the Board to consider.

***Recommendation:* Board discussion relative to a possible future change order that would move this HVAC equipment from the ground onto the roof.**

(2) Affirmative Marketing Program (AMP) Quarterly Report

I submitted the subject report for the quarter ending December 31, 2019 to the State in my capacity as the Town's Affirmative Marketing Construction Officer (AMCO) during the week of January 6, 2020. The report is designed to document utilization of woman or minority-owned businesses within State-funded construction projects. The Town had no such utilization over the past quarter.

Recommendation: No further action is necessary.

(3) Review of 25% Design Plans for Future Essex River Bridge Replacement

The Massachusetts Department of Transportation (MA DOT) has provided the Town with copies of the 25% design plans for the future replacement of the bridge over the Essex River on Route 133. As the Board may recall, the DOT proposes to first build a temporary, bypass bridge next to the existing bridge and then to work on a complete replacement of the existing bridge after traffic has been routed over the temporary bridge. Town departments are presently reviewing these preliminary design plans and comments will be sent back to DOT by the end of January.

Recommendation: No further action is necessary at this time.

E. Insurance

(1) Facility Self-Inspection Forms

I completed facility self-inspection checklists for the Town Hall and the Senior Center during the week of January 6, 2020. The checklists are intended to find and correct safety hazards in Town buildings and are also completed by other departments on other Town buildings. The Senior Center checklist commented on recent work to the exterior stairway to the Senior Center second floor (to

correct loose decking and structural support problems) and on work planned to replace loose interior floor tiles.

Recommendation: No further action is necessary.

F. Facilities

No items.

G. Fiscal/Budget

(1) Final FY21 Operating and Capital Budget Request Documents (*)

I have revised the Selectmen's fiscal year 2021 operating and capital budget request documents in accordance with the Board's guidance from the last meeting. The requests are due back to the Town Accountant by January 10, 2020.

Recommendation: **Board vote to approve the Selectmen's fiscal year 2021 operating and capital budget requests.**

H. Complaints

No items.

I. Meetings Attended

No items.

J. Town Meeting, By-Laws, and Regulations

(1) Further Review of Possible Annual Town Meeting Article Topics (*)

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

Recommendation: **Continued review and discussion relative to the potential topics.**

K. Legal Issues

(1) Quarterly Review of Executive Session Minutes for Potential Release (*)

As is the case each quarter, the Chairman has reviewed executive session minutes that have not yet been released. With the recent resolution of the dispute with the City of Gloucester relative to combined sewer overflow billing and with the signature of a twenty-five-year successor Intermunicipal Agreement between the City and the Town, it is appropriate to release past executive session minutes with respect to Gloucester's provision of sewer service.

Recommendation: Board vote to release all past executive session minutes pertaining to any and all past disputes between the City and the Town.

L. Grants

(1) MVP Action Grant Monthly Report

I received from our grant consultant (Boston University) the monthly report for our ongoing MVP Action Grant during the week of December 30, 2019. The project is studying sediment transport along Castle Neck Island (Crane Beach) and throughout Essex Bay. Presently, data is being analyzed and modeled to provide a much better picture with respect to the dynamics that are at work.

Recommendation: No further action is necessary.

(2) Green Community Grant Quarterly Report

The Town Planner will soon file the subject Quarterly Report for the quarter ending December 31, 2019. The report will highlight progress on our project for the conversion of our street lights to LED lamps.

Recommendation: No further action is necessary.

M. Emergency Planning

No items.

N. Other Items

(1) Christmas Holiday

The office was closed on December 25, 2019, in observance of the subject holiday.

(2) New Year's Holiday

The office was closed on January 1, 2020, in observance of the subject holiday.

(3) Town Administrator Vacation Leave

I was out of the office on vacation leave on December 24 and 26, 2019 and for half of the day on December 31, 2019.

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