



Town Administrator's Report Board of Selectmen's Meeting of July 12, 2021

Report covers from June 19, 2021 to July 9, 2021

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

A. Town Department Reports/Requests

(1) Rejuvenation of Essex Housing Coalition (*)

As the Board may recall, just before COVID-19 began to affect daily life in early 2020, the Essex Housing Coalition had held a community open house with respect to various housing statistics and concepts. The Coalition had also recommended as an initial step the adoption of a downtown mixed-use zoning district. Between managing the COVID crisis and a failed attempt at adopting the mixed-use zoning district bylaw in the spring of 2020, the work of the Coalition has been largely on hiatus.

Now that COVID restrictions have been lifted and the Annual Town Meeting of 2021 did choose to adopt the new district bylaw (with slight revisions), the timing is right for the Coalition to regroup and think about next steps. This rejuvenated effort falls in line well with comments that the Board has received recently concerning the importance of planning for affordable housing in the future. To this end, the Coalition will reconvene privately, by virtual means, under the auspices of the Citizens' Housing and Planning Association (CHAPA) on July 28, 2021.

Recommendation: Board discussion with respect to which Board member may wish to participate in the Coalition as its work resumes.

(2) Strategic Planning Committee Meeting Summary (*)

I attended the subject meeting on June 29, 2021 along with Chairman Preen and Town Planner Matt Coogan. The meeting featured continued discussion of how to finalize the planning goals for the revision of the Town's Strategic Plan and steps that may be taken to eventually implement the Plan and track its progress. The Committee was able to reach consensus on ten overall planning areas and individual members have agreed to research an area or areas to provide much more detail back to the Committee on August 10, 2021. Once the plan has been developed further, the Committee may use a survey and/or a public forum to receive public input before finalizing the plan update, perhaps by the spring of 2022.

Recommendation: Board discussion as necessary.

(3) Alewife Brook Cleanout Request for Determination of Applicability

As the Board is aware, we have been working with a diverse group of stakeholders within a group that Senator Tarr brought together to study how to

make environmental improvements in Chebacco Lake and its surrounding watershed. The group agreed that the first step should be permitting for the regular cleanout of the Alewife Brook, since an unobstructed stream channel will translate to better lake flushing, a successful annual alewife run, less siltation/sedimentation, and better lake water quality. Selectman Phippen attended a July 6, 2021 Conservation Commission meeting at which a Request for Determination of Applicability (RDA) for the recurring work was approved. The RDA was written by the Chebacco Lake Watershed Association with significant technical input from Division of Marine Fisheries personnel. I signed the application on behalf of the Board prior to its submittal. The coalition will next meet on July 16, 2021 to work toward implementation of the activities approved in the RDA and to discuss other next steps.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) New Public Safety Building WiFi System Deployment

As reported previously, I have been working with our network consultant to configure the switches and Internet connection in the new public safety facility to support public Wi-Fi access points. Personnel in the new facility installed the access points in various places in the building. I then worked with our consultant to configure and test the new system, which is working well.

Recommendation: No further action is necessary.

C. Personnel

(1) Transition of Treasurer/Collector to Town Accountant Role

At the last meeting, the Board voted to promote Treasurer/Collector Jeff Soulard to Town Accountant. He will begin cross training with the outgoing Town Accountant right away to get a sense for the general flow of that office. Eventually, he will bring to the Board his proposal for an employment contract.

Recommendation: I will update the Board as necessary.

(2) Promotion to fill Treasurer/Collector Vacancy

At the last meeting, the Board agreed that a qualified, internal candidate for the Treasurer/Collector position should be given full consideration, potentially by promotion, before the Town embarks on a process to evaluate external candidates. Town Accountant Assistant Brooke Friedrich has since stated that she is interested in the position and has both the education and experience necessary to take on that role. If the Board is interested in moving forward with a promotion (which I recommend), Ms. Friedrich will be able to train with the outgoing Treasurer/Collector this summer at her present, part-time rate in order to provide a smooth transition.

Recommendation: Promotion of Brooke Friedrich to Treasurer/Collector when present Treasurer/Collector Jeff Soulard moves on to the Town Accountant role (as per a separate agenda item).

(3) Safety Committee Meeting Summary

I participated in the subject meeting on June 24, 2021 as a member of the Committee, along with Chairman Preen. The meeting featured a discussion regarding safety goals for the upcoming fiscal year and our insurer's representative was in attendance. Now that COVID appears to be waning, we are hopeful that we can make ground on some of the goals that had to be put aside last year.

Recommendation: I will update the Board as necessary.

(4) Annual Distribution of Sexual and Discriminatory Harassment Policies

Each year, in July, we provide all employees with copies of the subject policies along with employee paychecks. The policies are separately acknowledged each year when all employees are asked to acknowledge all policies. However, the actual distribution of these policies serves to underscore their importance and to ensure that each employee has a hard copy to refer to if ever necessary. The Selectmen's Assistant has initiated the process for this year's distribution.

Recommendation: No further action is necessary.

(4) Annual Distribution of Red Flags Policy

Each year, in July, I arrange to provide DPW staff who handle water and sewer billing with an anti-identity theft policy for their review and written acknowledgement. The policy requires certain good practices and prompt reporting of any suspicious activity.

Recommendation: No further action is necessary.

D. Procurement/Ongoing Projects

(1) Third-Party Review of Public Safety Facility Roof Problem (*)

At the last meeting, the Board voted to hire Northeast Roof Consultants, LLC to review the problem with the roof on the new public safety facility from both the design and construction perspectives. Our consultant has begun his document review, which he will conclude prior to visiting the site. The review will include many design and construction-related documents and our Project Manager and I have been able to fulfill all of our consultant's requests to date. Presently, I understand that our consultant plans to actually visit the site during the week of July 12, 2021 to inspect the roof.

Recommendation: **Board discussion as necessary.**

Public Safety Building Construction Project Change Orders:

(2) Change Order: Miscellaneous Paint Work Credit (*)

Painting was originally specified for the mezzanine mechanical room and plymovent ductwork, however it was determined that it was not necessary. Other areas of painting were added due to changes in soffits. The cost for labor and materials for these overall changes results in a net credit of \$662.85.

Recommendation: **Board acceptance of this credit item.**

(3) Change Order: Revised ADA Push Button Switches (*)

The Contract Documents specified standard double gang back boxes with plaster ring for a regular push plate. However, the contractor could not fit the mullion mount button into that box, requiring replacement with standard buttons at a total cost of \$2,050.81.

Recommendation: **Board approval of the change order.**

(4) Change Order: Physical Training Room Floor Sealer Credit (*)

The concrete floor in the physical training room was specified to be sealed. However, it was determined that it would be best not to seal the concrete since the Town intended to install rubber flooring, resulting in a \$510.28 credit for the labor and materials not required.

Recommendation: **Board acceptance of this credit item.**

(5) Change Order: Glare Shields for Exterior Lighting (*)

Concern was raised regarding light spillage of one of the site lighting fixtures at the southeast corner of the apparatus bay apron. The specified house side shields were determined to have been installed. External glare shields can be added to potentially alleviate the concern, but are more noticeable. The Town requested that 6 external glare shields be purchased to have on hand to add to fixtures where needed, resulting in an additional cost for the materials of \$357.44.

Recommendation: **Board approval of the change order.**

(6) Change Order: Card Reader Revisions/Added Door Contact in Detention Area (*)

A card reader was determined to be needed for the door from the garage to booking area. The card reader was not needed for property storage and was relocated accordingly. Door contacts for security were also required to be added for the sallyport and storage bay overhead doors. The total cost for this work was \$7,226.99.

Recommendation: **Board approval of the change order.**

(7) Change Order: Glare Shields for Traffic Lights

(*)

Abutters raised concern about the light levels of the new traffic signal. Most of the time the signal is in flash mode with the John Wise Ave approach signal heads flashing yellow and the driveway approach flashing red. Consideration was given to requesting that MassDOT allow for the John Wise Ave. signal heads be completely black until pre-empted to turn red, however the flashing yellow may have a traffic calming benefit, which would be lost. The shields included in this change appear to be the best available option to mitigate the light as much as possible, while maintaining the intended signal operation. The cost was minimized by applying the shields to the flashing heads only. The total for this work is \$2,989.19.

Recommendation: **Board approval of the change order.**

(8) Change Order: Maple Surrounds at Transaction Windows

(*)

The transaction windows were originally called out as typical lights with hollow metal frames. However, as the design was finalized and they were clarified to be transaction windows, the need for trim was not picked up in the scope. The Architect provided a sketch to clarify intent and the Contractor proceeded to install the trim on a time and materials basis for the added scope, at a total cost of \$5,371.51.

Recommendation: **Board approval of the change order.**

(9) Change Order: Apparatus Bay Line Striping into Truck Apron

(*)

While guidelines were integrated into the epoxy flooring inside the apparatus bay, it was determined that the striping would also be helpful to extend outside the bays and was added as painted lines when the parking lot striping was completed. The added cost was \$418.88.

Recommendation: **Board approval of the change order.**

(10) Bid Process for the Demolition of the Old Public Safety Facility

At the last meeting, the Board approved the overall schedule for the separate project to demolish the old public safety facility at 24 Martin Street. The process began on June 30, 2021 when bid packages were made available to prospective bidders. I had arranged prior to June 30 for all of the necessary bid advertising and posting. A site visit was hosted by our designer on July 9, 2021 and bids are due by 2 p.m. on July 21, 2021. Barring any unforeseen circumstances, the Board will be asked to make an award to the lowest responsible and responsive bidder at its meeting on July 26, 2021.

I have been working with the police and fire departments to ensure that any items that are still desired for use in the new building are removed prior to the award of the demolition contract. The old police administration trailer and the building's old emergency generator will be removed prior to contract award as well.

Recommendation: I will update the Board as necessary.

(11) Removal of Old Generator and Transfer Switch from Old Fire Station

The Board agreed at the last meeting that one of the Town's generator maintenance companies should remove the old generator and transfer switch from the old public safety facility at 24 Martin Street, for which the Town would be paid approximately \$1,000. The work would include the proper capping of the gas line and rewiring of the building to keep power operational after the automatic transfer switch has been removed. The generator company that had offered that work preliminarily ended up not wanting the switch, since its removal and re-wiring of the main power feed would be more costly than the switch was worth. As such, the company will just take the generator, cap the gas line, and pay the Town \$750. The generator will be gone before the demolition contract is awarded.

Recommendation: No further action is necessary.

(12) Quarterly Affirmative Marketing Program Report

I filed the subject report with the State in my capacity as the Town's Affirmative Marketing Construction Officer (AMCO) during the week of June 28, 2021. The report is intended to document the utilization of woman or minority-owned businesses on State-funded construction project. No such utilization occurred this quarter.

Recommendation: No further action is necessary.

E. Insurance

(1) Quarterly Building Self-Inspection Checklists

I completed the subject checklists for Town Hall and the Senior Center during the week of June 28, 2021. The process is aimed at identifying safety hazards associated with the operation and upkeep of Town buildings. I did not note any items of concern. Other departments also complete the process in other buildings.

Recommendation: No further action is necessary.

F. Facilities

(1) Replacement of Shellfish Constable Rain Gauge

The Shellfish Constable has an official rain gauge at the old fire station building which serves as the basis for rainfall-driven shellfish bed closures. That unit is older and is not suitable for redeployment at the new public safety facility once the old building has been demolished. As such, the Shellfish Constable researched a new, wireless weather station that includes a rain gauge and I

purchased that unit for installation at the new building. The Constable will work with personnel at the new facility to get the unit mounted.

Recommendation: No further action is necessary.

(2) Upgrade of Cellular Dialer for Town Hall Panic Alarm System

The office panic buttons in the Town Hall rely on a cellular phone dialer for connectivity to the central monitoring station. Recently, our alarm contractor indicated that the cellular dialer needed to be upgraded to ensure that the system would keep working as 3G is eventually phased out. The work was performed during the week of June 21, 2021 and the system is working well.

Recommendation: No further action is necessary.

(3) Further Problems with Town Hall Air Conditioning System

As I had reported previously, we had been experiencing problems with the Town Hall air conditioning system. We had the system fully checked out by general service personnel and we were told that the problems may have been the result of a system communication issue caused by a power outage. In fact, after that service visit, we had another power outage and had to clear the trouble again (on our own). However, we have now had many system failures (sometimes several each day) and none have been associated with power outages. As such, our HVAC service company (which installed the system) brought out a manufacturer's representative on July 7, 2021.

Recommendation: This item will be updated in a future report, since the result of the July 7 site visit was not known at the time of report printing.

(4) Addition of Public Safety Facility Electric Accounts to Fixed Rate Contract

The electric accounts for the new public safety facility (one for the building and one for the adjacent traffic light) are fully within the Town's control. As such, I arranged for both accounts to be added to our present, fixed-rate electricity supply contract with Constellation Energy. We are able to obtain the same fixed rate as all other Town electric accounts (9.34 cents per kWh) through 2024. This strategy amounts to a net savings for the Town, year over year, since National Grid's standard electricity supply rates between fall and spring are typically much higher. Incidentally, I will look into a fixed rate natural gas contract for the new facility toward the fall, since Constellation will not quote on new accounts without at least six months of service history.

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) Planning for Financial Impact of Police Reform Law

(*)

As the new Police Reform Law moves toward continued implementation in the Commonwealth, several matters that will affect the Town's budget have begun to become clearer. At the time of the development of the fiscal year 2022 operating budget, the Chief of Police indicated that additional funding would probably be necessary as soon as the requirements of the new law were fully understood. Chairman Preen, Finance Committee Buttrick, and I met with the Chief of Police on June 21, 2021 to begin to discuss the issues at hand.

Budget-driving issues include: a) the provision of additional police training via the "bridge academy" for part-time officers who will now need the equivalent of full-time police academy training (as opposed to the part-time academy training required up to this point); b) the establish pattern to date of part-time officers not to want to undergo the additional training, leading to resignations and a much smaller pool of part-time officers (requires full-time officers to fill more shifts, at a higher rate of pay); c) new administrative burden on the department to both prepare for police reform requirements and to administer those requirements, once in place.

If additional officers who only wish to work part-time can be located and trained via the bridge academy, that would represent the most economical solution for the Town (even after paying for the additional training). However, if such officers cannot be hired and retained, the picture shifts to either requiring existing, full-time officers to work additional overtime or hiring additional full-time officers to offer a work environment that is sustainable from a morale and work-life balance perspective. The Town will need to take stock of all requirements and pursue creative solutions as we move toward the Fall Town Meeting, where a request for additional police department funding will most likely be considered.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Public Safety Facility Construction Project Meeting

Chairman Preen and I attended the subject meeting on July 1, 2021. Our general contractor continues to work through landscaping and punch list issues and is working to provide various certifications and as-built plans in order to obtain the permanent certificate of occupancy for the new facility. The final work item will be the cedar fencing for the site, which was delayed due to supply chain issues associated with the COVID-19 crisis. Some additional building systems training

and systems adjustment are also ongoing. Our Project Manager will assist us with the tracking of all remaining open items until the project is finally complete.

Recommendation: I will update the Board as necessary.

J. Town Meeting, By-Laws, and Regulations

(1) Potential Use of Town Property on Sumac Drive for Resident Parking (*)

At the last meeting, the Board explored the idea of allowing resident parking at a vacant lot on Sumac Drive, near Conomo Point. I indicated that I would review this prospect with other departments and report back at the present meeting. The proposal has been cleared by the Conservation Agent as not presenting any wetlands issues so long as the parking occurs in the present, open area. The vegetation bordering Conomo Point Road cannot be touched. The Building Inspector did not see any issues with the proposal either, so long as the parking is just passive and not formally managed, beyond enforcing for residents only. The Superintendent of Public Works will only commit to mowing the lawn area that is already on the site. If clearing work is performed, and the area that needs to be maintained gets significantly larger, DPW is not able to commit the necessary resources over time.

Recommendation: **Use of the property for informal, residents-only parking on a trial basis, in the areas that are already open.**

(2) Transition to Resident-Only Boat Launching at Town Landing (*)

At the last meeting, the Board voted to continue the resident-only nature of the Town Landing boat launch area on a permanent basis. In order to properly transition to this status, it is necessary to revise signage at both the landing and at the municipal parking area behind the fire station and to revise the parking regulations for both areas. The Essex Police Department will continue to enforce the rules that were developed during the COVID crisis until all aspects of the transition can be properly completed and an educational campaign should be put in place for a time after the transition is complete (as opposed to immediate ticketing). Non-resident, family-use clammers with annual licenses presently have special permits to use the launch and park in the overflow area behind the tennis courts. They either need to be allowed to continue for this season or be informed that their privilege has been revoked.

Recommendation: **Board discussion as necessary.**

(3) Transition Back to Resident-Only Parking on Most of Conomo Point (*)

At the last meeting, the Board voted to allow only resident parking at Conomo Point in all public areas, with the exception of the limited, designated, non-resident parking along Conomo Point Road just after entering the outskirts of Conomo Point. The non-resident parking area has been reopened. In order to properly transition to resident-only parking outside of the designated non-resident

parking area, it will be necessary to either: a) allow those non-residents with special parking permits obtained during the COVID crisis to use those permits for the remainder of the season, or b) inform those with special permits that they are null and void. These groups include non-resident mooring holders, non-resident transient mooring tenants, and perhaps some non-resident family use clammers.

Recommendation: **Board discussion as necessary.**

(4) Further Review of Proposed Fall Town Meeting Topics (*)

The Board had reviewed in the past a preliminary list of possible Fall Town Meeting article topics and has now had some time to digest the list.

Recommendation: **Further Board review of the proposed Fall Town Meeting topic list.**

(5) Possible Funding Sources for Developing Zoning Bylaw Review Scope (*)

The Selectmen and the Planning Board are in agreement that the Town needs a professional planning organization to help arrive at the scope of the zoning bylaw review that the Town will undertake during the recently-approved zoning moratorium. The Town Planner has been working with the Metropolitan Area Planning Council (MAPC) to determine what sources of funding might be available. MAPC would assist the Town with developing that overall scope between now and the Fall Town Meeting and the Fall Town Meeting could possibly fund a private, professional planning firm to undertake that pre-defined scope of work. We would already have an idea of the cost of the study based on quotations received after the MAPC scoping process has been completed.

With respect to funding for MAPC, the Planning for MetroCommon Technical Assistance Program (PMTA) may be the quickest route to address our needs, since PMTA funds became available as of July 1. Other grant programs also cover zoning bylaw studies but applications are either in the spring or in the fall. The Town Planner may have more information concerning MAPC funding by meeting time.

Recommendation: **Board discussion relative to MAPC technical assistance in accordance with what we find out from MAPC through the Town Planner.**

K. Legal Issues

(1) Quarterly Review of Executive Session Minutes

Each quarter, the Chairman reviews executive session minutes that have not yet been released to determine if any matters are suitable for release. No such matters have been identified this quarter.

Recommendation: No further action is necessary.

L. Grants

(1) Conomo Point Seawall Replacement Grant Update

At the last meeting, the Board authorized the Chairman to sign a contract amendment with GZA Geoenvironmental for the bid assistance and construction oversight tasks with respect to the project to replace the Conomo Point Seawall. The Commonwealth has not yet countersigned the grant contract but we have received GZA's amendment proposal, which I have reviewed. The Chairman will sign the GZA amendment after the Commonwealth indicates that we may proceed.

Recommendation: I will update the Board as necessary.

(2) Local Rapid Relief Program Update

The Town continues to participate in the Local Rapid Relief Grant Program with the Town of Manchester, which seeks to assist the local economies with recovery from the COVID-19 crisis. We are at a stage where the survey that was completed, plus direct business community input is helping to inform what type of action items might be formulated. I participated in a group discussion to prioritize action items that might be common to both communities on June 30, 2021. Both communities are interested in further studying street lighting improvements and it appears that the topics of continued economic development grant writing, placemaking, wayfinding, and events marketing have also risen to the top. Our consultant is now in the process of drafting up recommendations with respect to the top themes and ideas and some of these may be passed along to "subject matter experts" who will help to rapidly focus how top concepts could get off of the ground. This formalization work should be concluded by the end of July and we will then see what takes shape.

Recommendation: I will update the Board as necessary.

M. Emergency Planning

No items.

N. Other Items

(1) Independence Day Holiday

The office was closed on July 5, 2021, in observance of the subject holiday.

(2) Town Administrator Vacation Leave

I was out of the office, on vacation leave, for the entire week of July 5, 2021.

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