



## Town Administrator's Report Board of Selectmen's Meeting of July 13, 2020

Report covers from June 27, 2020 to July 10, 2020

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

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### A. Town Department Reports/Requests

No items.

### B. Computer Systems

No items.

### C. Personnel

#### (1) Review of Essex Police Benevolent Side Letter for Administrative Sergeant (\*)

In line with the Chief of Police's goals for the present calendar year, which were approved by the Board in January, the Chief is working to make one of the two existing police sergeants an Administrative Sergeant working the day shift. This position will be instrumental in maintaining the Department's accreditation status and may have a role to play with respect to the emerging news about requiring individual officers to attain and maintain a certification. The Administrative Sergeant situation can be set up as to incur no additional cost to the Town. A third sergeant position could then be created, by promotion, and that position is budgeted for fiscal year 2021. Since the Administrative Sergeant assignment pay structure and more limited benefits for the assignment are not already in the union contract, this change will need to be accomplished by "side letter", which may be incorporated into the contract in a successor version.

**Recommendation:** Board approval and signature of the side letter that will allow for the above changes.

### D. Procurement/Ongoing Projects

#### (1) Quarterly Affirmative Marketing Report

I completed and submitted the subject report to the State during the week of June 29, 2020 in my capacity as the Town's Affirmative Marketing Compliance Officer (AMCO). The report lists any use of women or minority-owned businesses on State-funded construction project. No such utilization occurred during the past quarter.

**Recommendation:** No further action is necessary.

(2)Change Order:Miscellaneous Credits & Irrigation Sleeves,Public Safety Facility(\*)

Our project contractor is issuing credit amounts associated with the deletion of a fence around the generator for the facility and for miscellaneous door modifications, along with other, minor credits. The change order schedule also includes a small increase for the addition of the future irrigation sleeves. All of these items will be included as part of Change Order 5, for a total credit value of \$11,967.

*Recommendation:* **Board approval of these items as part of Change Order 5.**

(3)Change Order: Proposed Extension of Time of Public Safety Facility Project (\*)

As the Board has discussed in the past, our project contractor has requested a time extension for the public safety facility project from the original date of December 19, 2020 to March 5, 2021. The contractor will not charge for general conditions during the extension. As such, carrying costs will be limited to longer durations for our Project Management personnel (NV5) and our architects (Johnson & Roberts) – at total cost of about \$50,000. Additionally, carrying the Builder's Risk Insurance policy from January 31, 2021 to the new date will cost approximately \$3,500. This item, if approved, will be included as part of Change Order 5, and is only the no-cost time extension for the contractor. Separate change orders for longer durations of service will need to be executed with NV5, J&R, and our insurer in the future. This extension will address all claims for additional time associated with the original contract duration, additional ledge removal, and delayed steel delivery.

*Recommendation:* **Board approval of the time extension as part of Change Order 5.**

(4) Public Safety Facility Construction Project Update (\*)

Chairman Preen and I participated in construction meetings on July 2 and July 9, 2020. The project continues to move along nicely. Binder pavement is down in all vehicular access areas and the contractor is preparing for water and sewer connections in the near term. Roof decking work is fast wrapping up and the slab on deck for the training room is completed. The slab on grade for the apparatus bay is on tap over the next two weeks and layout and commencement of exterior framing us beginning.

*Recommendation:* Board discussion as necessary.

(5) Plan for Changes to State Highway Traffic Striping Layout Near Farnham's

At the last meeting, the Board chose from one of two line striping change plans provided to the Town by the MA DOT that will serve to create a much wider shoulder across the street from Farnham's Restaurant and to calm traffic by narrowing travel lanes. The proprietor of Farnham's is in agreement with that plan and I contacted the District Highway Director to inquire as to what the

timing on the project might be. Presently, I understand that DOT may undertake the project as early as the third week in July.

The issue of potentially installing digital speed boards coming from either direction approaching Farnham's is a matter than can be possibly funded at the Fall Town Meeting. DOT, the Town, and the proprietor may divide the cost of installing those boards, but further discussion with the parties will be necessary.

*Recommendation:* No further action is necessary at this time.

## **E. Insurance**

### (1) Quarterly Building Self-Inspection Checklists

I completed the subject checklists for the Town Hall and the Senior Center during the week of June 22, 2020 for the quarter starting July 1, 2020. The checklists are intended to review a variety of safety issues in the buildings and to serve as a vehicle for repairs, if needed. I noted that both elevators passed annual inspection but that the Senior Center elevator has since malfunctioned. The Council on Aging Director will have the elevator looked at by an electrician and/or by our elevator maintenance company.

*Recommendation:* No further action is necessary.

## **F. Facilities**

### (1) Adjustment of New LED Street Lights and Upgrade of Third Parking Light

As the Board is aware, the Town recently upgraded all publicly-funded street lights in the Town to LED fixtures. Residents had complained about the adjustment of three specific lights in three different neighborhoods, due to glare. While our original contractor did go and make adjustments at each location, residents are reporting that not enough was done. As such, since we have an existing relationship with the Ipswich light department, Ipswich will go back out and make the necessary adjustments/add shields. Further, the scope of the LED project only included two of the three parking lot light fixtures behind the fire station (an oversight by the project engineer). Ipswich is working to quote us on the upgrade of that final light.

*Recommendation:* I will authorize Ipswich to complete the above tasks once the light department gets back to me with cost information.

## **G. Fiscal/Budget**

### (1) Memo to Advise Departments Regarding Fiscal Year 2021 Spending (\*)

At the last meeting, the Board agreed that the impact of the ongoing COVID-19 crisis on non-tax revenue will be difficult to understand until after the Town has first quarter data on this revenue (by early October). In the meantime, the Town

Accountant and I were tasked with developing a memo to all departments that encourages a slowing of usual spending patterns (for example, purchasing only a portion of necessary supplies as opposed to purchasing supplies for an entire fiscal year all at once). The memo also should encourage departments to scale back on longer-term financial commitments as much as possible, perhaps carrying vendors quarter to quarter. The memo has been developed and is available at the present meeting for the Board's review and approval. The Board should determine which entity should be sending the memo.

***Recommendation:* Board approval of the memo and finalization as to which entity should send it.**

## **H. Complaints**

No items.

## **I. Meetings Attended**

No items.

## **J. Town Meeting, By-Laws, and Regulations**

### (1) Draft List of Potential Fall Town Meeting Topics (\*)

At the last meeting, the Board briefly looked over a preliminary list of potential Fall Town Meeting article topics and agreed to review the list more thoroughly between the last meeting and now.

***Recommendation:* Further Board discussion relative to the topic list.**

### (2) Promulgation of Regulations Associated with Local Marijuana Licensing (\*)

At the last meeting, the Board agreed that I should work with Town Counsel to provide examples of how other communities have developed their own regulations associated with the local licensing of marijuana establishments. The recent Annual Town Meeting approved a bylaw allowing for these regulations but the bylaw's language is very broad and it will be useful to the Board to understand the usual breadth of such regulations. I reached out to Town Counsel and she has provided us with three examples for the Board to review.

At the Board's request, I also posted a notice seeking public input on the promulgation process and the content of the regulations. Thus far, several residents have provided input in response to the notice and I have that input available for the Board to review at the present meeting.

***Recommendation:* Board review of the example regulations provided and discussion relative to the continuation of Essex's process for promulgation; in addition to discussion of public input submitted to date.**

## **K. Legal Issues**

### (1) Countersignature of One-Year School Building Lease Extensions

At the last meeting, the Board signed documents that will allow for just a one-year extension of the leases from the towns to the School District (as opposed to twenty years) to allow the parties to work out equity terms in the leases and/or in the Regional Agreement, now that Essex has invested substantial capital in two school buildings in Manchester. Of course, the equity provision would only be operative in the event of dissolution of the District, which no one is presently contemplating, but is now an essential business term should that ever occur in the future. I provided the signed documents to both the District and the Town of Manchester and I expect that Manchester will sign this evening and the District will soon follow.

*Recommendation:* I will update the Board as necessary.

## **L. Grants**

### (1) Sediment Transport MVP Grant Monthly Report

As the Board may recall, the Town recently got an extension on the Municipal Vulnerability Preparedness Action Grant that is studying the drift of sand along Castle Neck Island (Crane Beach) and throughout Essex Bay. The work has been delayed as labs at Boston University closed down for COVID. Our principal investigator filed the required monthly report with the State during the week of June 29, 2020. The work is moving along again and we hope to have great insight on how sediment travels through our system. Knowing where things tend to accumulate will lead to better insight about future dredging and will also provide information on where tidal energy is now focused (particularly relevant to our ongoing quest to upgrade the Conomo Point seawall system).

*Recommendation:* No further action is necessary.

### (2) Request for Earmark in Transportation Bond Bill

Senator Tarr's office requests from all communities in the district information on any project that is transportation related so that he could perhaps earmark the project in an upcoming transportation bond bill. I provided the Senator with information on our ongoing effort to elevate the roadbed on the Southern Avenue end of Apple Street to insure safe transit capability even when the downtown causeway flood due to storm surges. The Senator will consider our request for additional design funding and eventual construction funding. For the time being, the request may be put in as high as \$200,000, which can be added to grant funding already received, recently applied for, and anticipated for future applications.

*Recommendation:* I will update the Board as necessary.

## **M. Emergency Planning**

No items.

## **N. Other Items**

### (1) Town Administrator Leave

I was out of the office on leave on July 2, 6, and a portion of the day on July 9, 2020.

### (2) Independence Day Holiday

The office was closed on July 3, 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.*