



Town Administrator's Report Board of Selectmen's Meeting of June 29, 2020

Report covers from June 13, 2020 to June 26, 2020

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

A. Town Department Reports/Requests

(1) Essex Economic Development Plan Update

As the Board may recall, our Town Planner and MAPC personnel have been busy retooling the first draft of the Town of Essex Economic Development Plan (EDP) to account for recommendations with respect to coming back from the COVID-19 crisis. The COVID information will be included as a foreward in the EDP and the mid to long-term recommendations on economic development in general (the original purpose of the plan), will, of course, be included as well. This first draft is now available and I have provided it to the Chamber of Commerce and the Essex Merchants' Group for initial review and comment. The Economic Development Committee will meet in the near future to go over the document.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) Update of DNS Information for Website Host's New Platform

Our website host, CivicPlus, is moving to a newer, better base platform for hosting. The appearance of our site will not change, but speed and efficiency should be improved. The upgrade requires the Town to make some changes to its DNS settings at our primary domain host. This had been set for June 23, 2020 but CivicPlus has pushed that date out, just to be certain of its instructions and the DNS protocols. I will make the necessary changes when prompted to by CivicPlus.

Recommendation: No further action is necessary.

C. Personnel

(1) Red Flags Policy Annual Acknowledgement

Each year, certain key employees of the DPW who deal with utility billing are asked to sign the subject policy that is intended to guard against members of the public "phishing" for personal information with respect to utility payers. The policy provides guidance that will help the employees unintentionally sharing private information. I have provided copies of the policy to relevant employees and acknowledgements will be filed in our office.

Recommendation: No further action is necessary.

(2) Annual Distribution of Sexual and Discriminatory Harassment Policies

Each year at this time we distribute copies of both of the subject policies, in paper form, with employee paychecks. Employees have already been required to acknowledge both policies in writing but we are also required by law to provide a paper copy of our Sexual Harassment policy. We distribute the Discriminatory Harassment policy at the same time, for reinforcement.

Recommendation: No further action is necessary.

D. Procurement/Ongoing Projects

(1) Parking & Speed Management Near Farnham's Restaurant, Route 133 (*)

At the last meeting, the Board agreed that I should get in touch with the proprietors of Farnham's Restaurant on Route 133 to share with them the proposal for possible road shoulder widening/travel lane narrowing (for safer parking) and future digital speed boards in the area. I provided the DOT proposal plans and information on the speed boards to the proprietors during the week of June 15, 2020. The proprietors have reviewed and I have learned that they favor the road restriping scenario that provides the wider paved shoulder on the restaurant side. With respect to the speed boards and cost sharing, when the topic is raised in earnest on the run-up to the Fall Town Meeting, the Town, DOT, and Farnham's should have further discussions.

Recommendation: **Board discussion as necessary.**

(2) Route 133 Bridge Replacement Design Public Hearing Webinar (*)

As reported previously, Mass DOT decided because of COVID to take public comment on the 25% design status of the Route 133 Essex River Bridge replacement project via pre-recorded webinar. We have learned that the webinar will be released on June 30, 2020 at the following link: <https://www.mass.gov/event/essex-design-public-hearing-webinar-2020-06-30t000000-0400-2020-06-30t235900-0400> Town officials and members of the public, alike, can view the webinar at their leisure, within a reasonable period of time, and can register comments and questions electronically with DOT.

Recommendation: **Board discussion relative to the Town's plan for review and any necessary commentary.**

(3) Change Order: Miscellaneous Credits & Rebar Modifications, 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. Also, some changes to the rebar that will be imbedded in certain areas of concrete construction may require additional cost. Our Project Manager is still reviewing the rebar situation and it will not be resolved by meeting time. As such, these items, plus any new items that come along between meetings will

be put off until the Board's meeting of July 13, 2020. All of these items, as necessary, will be included as part of Change Order 5.

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

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

Our project contractor will soon apply the binder coat paving to both parking areas and rear access road and has completed the slab on grade for the lower level of the building. Work on the slab on grade associated with the training room and the slab on deck adjacent to it will begin soon, as will preparation for the slab on grade in the apparatus bays (the portion of slab for the bays that is suspended has already been completed).

Masonry work on the lower level that will be associated with the jail and sally port will also soon be underway. Radon vents have been installed. Our Project Manager is still working with our contractor to clarify the contractor's final request for additional project time (presently proposed for March 5, 2020). Also, the Fire Department is exploring with the team the prospect of downsizing the firefighters' gear lockers from 24" wide to 20" wide so that perhaps more total locker units can be installed in the locker room. Utility preparation work and interior framing work will begin soon.

Recommendation: **Board discussion as necessary.**

(5) Award of Contract for Downtown Line Striping and Signage (*)

As the Board may recall, the Town had gone out to bid for a contractor who will apply line striping to Main Street and Martin Street in the downtown area that will prohibit parking in certain, dangerous locations. The project will also provide limited signage relative to these prohibited areas. The original proposal, which was to mark all areas where motorists *may* park, along with downtown wayfinding signage. After consultation with the business community and other abutters, the decision was made to downscale the project. The bid process produced only a single bidder, Hi-Way Safety Systems, Inc. The bidder's price is well within the appropriation that has been set aside for this work (which also went to pay our designer for design, bid, and oversight services). The bid will be fully vetted by our designer, TEC, by meeting time.

Recommendation: **Board signature of a contract with Hi-Way Safety Systems, Inc. for this pavement marking and signage project.**

E. Insurance

No items.

F. Facilities

(1) Possible Alternative On-Bill Energy Credits (AOBCs) for Off-Site Solar (*)

As the Board may recall, when Essex and Manchester completed a recent study of possible avenues toward increased municipal collaboration in operations, one recommendation was to seek AOBCs from an alternative energy supplier that would provide a net reduction in the Town's electric costs that would simply sit upon any existing contracts in place for energy supply (we are in a long-term contract with Constellation for supply). The program works by the supplier designing a solar project and getting energy users to subscribe to the project, thereby committing to be a consumer of electricity from the project, with defined cost savings as the result, for the life of the project contract.

While the company Manchester was working with (and has subscribed to) was not able to add us to any new projects in the near future (all existing projects are fully-subscribed), another company, Quest Energy Solutions, has reached out to the Town regarding a similar opportunity. The Town of Manchester has already vetted this process and there is no catch (as we found out when this matter was discussed in the collaboration study). While the Town has to commit as a subscriber, the net result is ongoing cost savings.

***Recommendation:* Board consideration of an authorization form that would allow Quest to inquire about our energy usage with National Grid. I have already sent Quest an annual energy consumption summary that we put together for the former project.**

G. Fiscal/Budget

No items.

H. Complaints

No items.

I. Meetings Attended

(1) Cape Ann Chamber of Commerce Essex Division Meeting (zoom)

I attended the subject, virtual meeting on June 18, 2020, along with Chief Francis and Chief Doucette. We provided the group with updates on various Town projects and initiatives and answered several questions. The meeting also featured a forum for both of the candidates for the Board of Selectmen to provide their background and goals to the group.

Recommendation: No further action is necessary.

J. Town Meeting, By-Laws, and Regulations

(1) Possible Article Topics for Fall Town Meeting (*)

While it is uncertain as to whether an indoor Fall Town Meeting is even possible in November (outdoor option probably being too cold), I have begun to compile a list of possible article topics, some of which stem from passing over spending initiatives at the recent Annual Town Meeting. The Fall Town Meeting is presently set to occur on November 16, 2020, according to the Town bylaws.

Recommendation: Preliminary Board discussion relative to the Fall Town Meeting and its possible article topics.

(2) Promulgation of Local Marijuana Licensing Regulations (*)

The recent Annual Town Meeting approved an article that will require all marijuana establishments looking to site in Essex to have a local license, in addition to the license that must be granted by the Commonwealth. One aspect of that new bylaw is:

4-17.3 Regulations. The Board of Selectmen may adopt rules and regulations related to the issuance of such licenses, including the fees to be paid therefore and the conditions to be satisfied by any applicant for such a license.

As such, the Board should consider the process it will use to promulgate the new regulations, including possible public input and coordination with the Essex Host Community Agreement Advisory Committee. The regulations cannot technically be put in force until after the bylaw is approved by the Office of the Attorney General (usually within 90-120 days), but the process can be started in anticipation of that approval.

Recommendation: Board discussion with respect to the process for crafting these new regulations.

K. Legal Issues

(1) Signature of One-Year School Lease Extension Agreement (*)

As discussed in the past, the first, twenty-year set of leases (one between Essex and the District, with countersignature by Manchester and the other between Manchester and the District, with countersignature by Essex) expire as of June 30, 2020. Further, those existing documents prescribe an automatic, twenty-year set of successor leases. However, unlike the environment under which the first leases were negotiated and signed (neither town had invested money in the other town's school buildings at that time), Essex has in the ensuing time period invested significant capital in two school buildings located in Manchester. I brought this to the attention of the Board and of Manchester and the District several months back.

All three parties agree that this difference in circumstances should be grounds to only extend the leases for one year at this time. During the coming year, it is hoped that discussion will be held on how each community should have a way of collecting its equity in buildings in the other community should the District ever dissolve. While it is hoped that dissolution never occurs, it is prudent at this time to at least develop lease and/or Regional Agreement language that speaks to this matter. Equity could be depreciation-adjusted and could possibly be used as a credit against any outstanding indebtedness owed by either town (Manchester will be investing in the Essex Elementary School perhaps in 2034). Special Counsel to the Town of Essex had drafted proposed, one-year extension documents and, although neither the District nor Manchester have signed, I am told by each organization that signature is forthcoming.

***Recommendation:* Signature of the one-year extension documents to invoke this special period of discussion and policy development after the other organizations countersign.**

(2) Quarterly Review of Executive Session Minutes

Each quarter, the Chairman reviews unreleased executive session minutes to determine if any matters are closed and are therefore subject to release. No such matters were identified this quarter.

Recommendation: No further action is necessary.

L. Grants

No items.

M. Emergency Planning

(1) Update of Town Continuity of Operations Plan (*)

The subject plan, which guides how the local government will continue to function during a disaster and defines succession of leadership, requires an update to bring officials' names to the current status and to recognize our new partnership with the Town of Danvers and our new, dedicated, municipally-owned fiber link to Danvers.

***Recommendation:* Board review and approval of the updated version of the plan.**

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

I presided as Chairman over the subject meeting on June 16, 2020. Presently, the State 911 Department is working to transfer all of the employees of the North Shore Regional 911 Center from Sheriff Coppinger's organization to the State 911 Department. Special legislation is necessary to accomplish this task and two bills are in process at the State House.

Recommendation: No further action is necessary at this time

N. Other Items

(1) Town Administrator Leave

I was out of the office on leave for portions of the day on June 15, June 22, and June 25, 2020.

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