



Town Administrator's Report Board of Selectmen's Meeting of June 5, 2023

Report covers from May 20, 2023 to June 2, 2023

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

A. Town Department Reports/Requests

(1) Affordable Housing Trust Meeting Summary (*)

Chairman Preen, who also chairs the Affordable Housing Trust, and I attended the subject meeting on May 30, 2023. The Trust began to discuss the possible desire to use a consultant for the development of an Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP) and, possibly, a Housing Production Plan (HPP). The former is necessary if the Trust desires to orchestrate affordable housing projects to ensure that the Town does not run afoul of State or Federal fair housing laws. The latter is not required but may offer the advantage of staving off an undesirable 40B project for a limited amount of time. The Trust plans on researching these matters further and may ask a consultant to provide a no-cost primer on the topics at some future meeting.

Recommendation: **Board discussion as necessary.**

B. Computer Systems

No items.

C. Personnel

(1) Annual Town Policies Sign-off

Each year at this time I circulate to all employees and board/commission members a notice asking for each individual to review all applicable Town policies and to provide a written acknowledgement form back to our office by the end of July. I sent the e-mail notice during the week of May 22, 2023 and acknowledgement forms went out with employee paychecks. Those who do not receive checks can easily download the acknowledgement form from the Town's website.

Recommendation: No further action is necessary.

(2) Safety Committee Meeting

The next Safety Committee Meeting will be held on June 22, 2023 at 8:00 a.m.

Recommendation: I will update the Board as necessary.

D. Procurement/Ongoing Projects

(1) Successor Fixed-Rate Natural Gas Supply Contract (*)

The Town is presently under fixed-rate supply contracts for both electricity and natural gas with Constellation. While Constellation plans to continue to offer electricity supply contracts in the future, the company will be phasing out gas supply contracts with each community when any current contract expires. Constellation has been the Massachusetts Municipal Association's (MMA) preferred vendor for both electricity and gas for many years now. In our case, our fixed-rate contract for natural gas runs through the end of October, 2023. As such, I will be reaching out to two other fixed-rate gas suppliers, Sprague Energy and Direct Energy. Hopefully, the natural gas market will settle over the next few months so that the Town has a good prospect for a new long-term rate agreement.

Recommendation: **Board discussion as necessary.**

(2) Completion of Procurement Process for Water Filtration Plant Renovations

Filed sub-bids for the Water Filtration Plant renovation project were opened on May 24, 2023. The Town received multiple bids from each of three trades and one bid for the fourth trade. General bidders will utilize the sub-bids in their general bids (which are due to the Town on June 7, 2023). Our engineering consultant will go over the general bids with the Board of Public Works on June 12, 2023 and the Selectmen have scheduled a special meeting on June 13, 2023 to approve and sign paperwork required by the State Revolving Loan Fund (SRF), which has established a deadline of June 16, 2023.

Recommendation: I will update the Board as necessary.

(3) Apple Street Roadbed Elevation and Culvert Replacement Project Update (*)

At the last meeting, I informed the Board that the Massachusetts Environmental Policy Act (MEPA) Office had extended the public comment for the MEPA review process through May 23, 2023. On May 23, 2023, the Town was copied on comments being transmitted to the MEPA Office from the Massachusetts Office of Coastal Zone Management (CZM) and we learned that CZM had some substantial questions about the Town's alternatives review process to date.

Rather than allowing the review process to proceed based on only the information in the MEPA project file, I asked the MEPA Office to extend the public comment period further and the MEPA Office granted a second extension (four more weeks – through June 20, 2023). Our engineering consultant then supplemented the project file to provide all of the information that was referenced by CZM. I discussed CZM's comments with CZM personnel on May 24, 2023 and relayed to our consultant my observations on how to best address CZM's questions.

Subsequently, on May 25, 2023, the Massachusetts Department of Environmental Protection (DEP) reviewer working on the Superseding Order of Conditions

(SOC) case contacted me to discuss options based upon the fact that the Town failed to acquire the necessary easements on abutting private property at the recent Annual Town Meeting. The DEP suggested that one option would be for the Town to request that the DEP's SOC review process be suspended until after the issue of easements is considered again at the Fall Town Meeting this coming November. After consulting with Town Counsel, I made that request and the DEP has granted it.

The MEPA Office cannot issue a project certificate until any pending SOC is worked out by the DEP. I contacted the MEPA reviewer and he stated that the MEPA Office is unable to grant any further extensions on the current MEPA application and recommended that the Town withdraw the current MEPA application without prejudice and reapply in the fall, after the Fall Town Meeting considers the easements. Withdrawal without prejudice has been requested and granted. The Town can now work with its consultants to address any issues that have turned up in the MEPA and DEP reviews thus far and approvals from both agencies could conceivably occur by the end of the calendar year so long as the easements are obtained via Town Meeting.

Further, in anticipation of the matter of easements on private property abutting the project coming back before Town Meeting in November, I have worked with our engineering consultant to begin the development of some visual aids. The images can be put up on a large video screen at Town Meeting so that voters can fully appreciate the size of the easements necessary in areas that will in no way detract from the owners' use of their properties.

Recommendation: **Board discussion as necessary.**

(3) Replacement of Town Hall Copier

At the last meeting, the Board authorized the ordering of a new copier for Town Hall using a special appropriation that was approved at the recent Annual Town Meeting. I am told that the lead time on the new unit is a few weeks. The DPW plans to take the old copier and will continue to use it.

Recommendation: I will update the Board as necessary.

(4) Request for Proposals for Summer Camp and Youth/Adult Enrichment Services (*)

At the last meeting, the Board agreed that I should continue to put together a Request for Proposals document that will allow the Town to procure a vendor for summer camp and youth/adult enrichment services starting in 2024. Given that the last RFP used for a 10-year summer camp services contract did not include youth and adult enrichment services, I have modified the RFP to include the additional services.

Recommendation: **Initial Board review of the draft Request for Proposals.**

E. Insurance

No items.

F. Facilities

(1) Clammers' Beach Parking Layout

At the last meeting, the Board heard observations from a long-time Essex residents about the importance of beachside parking at Clammers' Beach. The resident was of the mind that only two parking places are now available, especially since the kayak racks have been placed to either side of the parking area. The Board agreed that I should go out to the site and determine if there is a way to allow for three parking spaces. On my site visit I observed that five, concrete wheel stops are actually present, with three of the wheel stops not being optimally arranged. It was clear that two of the wheel stops could be removed and three could be reset in order to provide a visual cue for three parking places without reconfiguring any other features. As such, I reached out to the DPW and that work has been completed.

Recommendation: No further action is necessary.

G. Fiscal/Budget

(1) Manchester Essex Regional School Committee Budget Reconsideration Hearing (*)

I attended the subject hearing along with the Board, members of the Essex Finance Committee, and Manchester personnel and officials on May 23, 2023. While many hearing participants urged the Committee to not reduce the budget at all, officials from both communities are requesting some sort of compromise from the District, which could involve the use of reserves by the District, cuts and reductions, or a combination of these elements.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Massachusetts Municipal Management Association Spring Conference

I attended the subject conference on Cape Cod on June 1 and 2, 2023. The meeting featured a session on working with and managing others within an organization. The conference also provided valuable networking opportunities with other municipal managers and a question and answer session with the Senior Deputy Commissioner of Local Services from the Department of Revenue.

Recommendation: No further action is necessary.

J. Town Meeting, By-Laws, and Regulations

(1) Preliminary List of Fall Town Meeting Topics (*)

I have developed a preliminary list of Fall Town Meeting topics for the Board's review and discussion.

Recommendation: **Board discussion as necessary.**

K. Legal Issues

No items.

L. Grants

(1) Apple Street Project Design/Permitting Grant Monthly Report

I worked with our engineering consultant to file the subject report for the month of May during the week of May 29, 2023. The report explains the intricacies of the DEP and MEPA permitting process and requests that some work items originally slated for completion during FY23 get moved into FY24.

Recommendation: No further action is necessary.

M. Emergency Planning

No items.

N. Other Items

(1) Town Administrator Leave

I was out of the office, on leave, for the entire day on May 26, 2023.

(2) Memorial Day Holiday

The office was closed on May 29, 2023, 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.*