



Town Administrator's Report Board of Selectmen's Meeting of March 22, 2021

Report covers from March 6, 2021 to March 19, 2021

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

A. Town Department Reports/Requests

(1) Board of Appeals Assistance with Cell Tower Variance Hearing

The Zoning Board of Appeals (ZBA) is preparing for a major public hearing concerning variances that are being sought for a cell tower proposal on Eastern Avenue. I have been working closely with the ZBA Chairman, its new clerical assistant, and Town Counsel to properly plan the required abutter notifications, newspaper advertisement, and associated timing. I have also learned from the Building Inspector that he deems the variance application to be complete. The hearing will be held virtually on April 21, 2021 at 7:00 p.m. and we will work to post the complete application to the ZBA's web page when the notification/advertisement process commences.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) Planning for Migration to New e-mail Platform

The fiscal year 2022 operating budget includes funding for maintaining a new e-mail platform (after moving our host to Microsoft and using the Office 365 platform). Town Meeting will also consider funding the cost of the migration. In preparation for the anticipated project, including a specific price quote, I discussed the proposal with personnel from Integrated IT on March 8, 2021, which recently completed a similar migration for the Town of Hamilton and which commonly provides this type of service. If funding is secured, the migration project will begin in mid-May. We should know more about the specific cost within a few weeks.

Recommendation: I will update the Board as necessary.

C. Personnel

(1) Safety Committee Meeting

I attended the subject, virtual meeting as a member of the Committee on March 18, 2021. The meeting featured discussions with respect to work wrapping up at the new public safety building, goals for future training, and how various Town offices will eventually open back up to the public in light of COVID. Chairman Pereen and our MIIA insurance representative both participated in the meeting.

Recommendation: No further action is necessary.

(2) Change of Dental Insurance Provider (with Voluntary Vision)

As the Board may recall, the Chairman had been authorized to subscribe to a new, Blue Cross Blue Shield dental plan offered by our insurance provider, the Massachusetts Interlocal Insurance Association (MIIA), pending review of that proposal by the Town's two labor unions. The proposal also offers voluntary vision coverage and a 0.5% reduction in the Town's fiscal year 2022 health insurance premium increase (bringing the total increase down from 1.0% to 0.5%). Dental (and now vision) have been and will continue to be optional and paid for 100% by each participating employee. Both labor unions did approve the proposed change during the week of March 8, 2022 and the Chairman has signed the necessary enrollment form. The new plans will be effective July 1, 2021.

Recommendation: No further action is necessary.

D. Procurement/Ongoing Projects

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

At the time of printing of this report, it is anticipated that the Project will have reached substantial completion, with a Certificate of Occupancy granted, by meeting time. Work on the grounds of the new facility will continue through April and police and fire will not be working out of the building until after the final course of pavement is laid down on the site. I have worked with our insurer to transfer the building from being covered by the Builder's Risk policy to regular property liability coverage. Chairman Pereen is waiting for a final review of the proposal to add and move cameras within the building and will authorize that work, per the Board's past vote, as soon as our Project Manager provides her with his report and recommendation (approximately \$27,000). The major issue continues to be how the possible defects in the roof will be remedied and we are awaiting site visits from product manufacturers to inspect the work.

Recommendation: **Board discussion as necessary.**

(2) Public Safety Facility Construction Punch List Inspection by Town Personnel

Chairman Pereen, Chief Francis, Chief Doucette, NV5 on-site inspector Bill Shaw, and I walked the public safety building on March 8, 2021, looking for unfinished or necessary touch-up work. Chairman Pereen took the lead role in the site visit and coordinated closely with Mr. Shaw with respect to identifying issues. The list that was generated during the site visit then went to our general contractor and to our architect (who will be conducting his own site walk soon). We expect that a final punch list will be generated in the coming week and the contractor will work on those items to the satisfaction of our Project Manager, our architect, and the Town.

Recommendation: No further action is necessary.

(3)Change Order: Close in Areas Behind Sinks in Police Station Detention Cells(*)

Upon reviewing the proposed detention sink submittal, the Department of Public Health requested that the space between the sink and the wall be closed in. The manufacturer does not supply a piece for this so a field welded stainless steel plate must be installed. G&R has obtained a lump sum price from an alternative misc. metal subcontractor as the filed-sub bid subcontractor was not able to meet the schedule requirements. As a compromise, G&R has agreed to waive any markup on the price. The cost of this work will be \$5,220.

Recommendation: **Board approval of this change order work.**

(4)Change Order: Install Epoxy Flooring at Police Station Detention Cells/Corridor(*)

Upon reviewing the specified sealed concrete floor finish in the field, concern was raised by the Town that if water is spilled from the sinks it could result in an unsafe slippery condition in this area. It was requested that a more slip-resistant flooring material be installed in the cells and the corridor immediately adjacent as an alternative. The design team recommended a similar epoxy flooring material as is installed in the apparatus bay. The lump-sum pricing submitted from the Contractor appears to overstate the labor component of this work. Instead of revising the lump sum pricing to a negotiated value, the contractor has agreed to proceed with the work on a time and materials basis, not to exceed the submitted pricing. The time will be verified in the field and the pricing will be revised to represent the actual cost prior to finalizing change order No. 13. The cost of this work will not exceed \$9,435.

Recommendation: **Board approval of this change order work.**

(5)Change Order: No Cost Time Extension Substantial Completion of Public Safety Building(*)

G&R's current contractual substantial completion date was March 5, 2021. The contractor is currently tracking to be substantially complete by March 22, 2021. While the contractor has not fully substantiated their position, the contractor believes that the delay is related to miscellaneous changes in scope. As a resolution, our Project Manager recommends contractually extending the completion date to no later than March 22, 2021, as a no cost change.

Recommendation: **Board approval of this no-cost time extension for the project, bringing it to substantial completion.**

(6) Proposal for Police Security Gate and Fencing, Public Safety Building (*)

As the Board may recall, we had asked our general contractor to generate price proposals with respect to the installation of a security gate and associated fencing behind the new police station portion of the new public safety building. The pricing is still being broken down for us at the time of printing of this report and I will have more information by meeting time. The pricing could be as high as \$75,000, depending on which type of fencing is chosen. Most of that price is likely carried for the vehicle-activated, automatic security gate.

Recommendation: Board discussion relative to possibly adding this work into the contract based upon price breakdown information that will be available by meeting time.

(3) Revision of Base Plans for Old Fire Station Demolition/Site Restoration (*)

At the last meeting, the Board briefly reviewed a second draft of the restoration plan for the old fire station site, which included final grading. The Board had made certain comments that I passed along to our designer in the past but the revised plans were not ready for the last meeting. Revised plans sheets will likely be available at the present meeting for further review.

Recommendation: Further Board review of the revised plans, if available by meeting time.

(4) Future Police Department Body and Cruiser Camera System Purchase (*)

At the last meeting, the Board benefitted from a presentation by the Ipswich Chief of Police with respect to how Ipswich procured and is managing an on-premises system for body and cruiser camera footage management and storage. The sergeant in charge of operating and managing that system assisted with the presentation. In the past, the Board had noted that, although systems exist that are completely hosted off-site by various vendors, the cost of such systems tend to be out of reach, especially for smaller communities.

The recent presentation and the provision of Ipswich's camera policy suggests that an on-premises system would be a secure and fiscally-prudent option for Essex, especially if a full backup device could be placed in another Town building. As such, the Board may wish to task the Chief of Police with moving toward a cost estimation process for possible funding at the Fall Town Meeting. We have learned that the vendor that the Town of Ipswich utilized is accessible through the State Contract.

Recommendation: Board discussion as necessary.

(5) Procurement of Grinder Pump System Preventative Maintenance Services

As the Board may recall, the Board of Public Works is working on retaining the services of a vendor to perform preventative maintenance on the Town's aging sewer grinder pump inventory. Work will chiefly involve replacing pumps and associated equipment within the grinder pump system before the pumps reach end of life. I have worked with the Superintendent of Public Works and the Board of Public Works' consulting engineer to develop an invitation for bids that will be released on March 24, 2021, with an April 8, 2021 bid opening. Due to the value of the anticipated, three-year contract, the award will need to be signed by the Selectmen, in addition to the Board of Public Works. I anticipated making a recommendation for an award at the Selectmen's meeting of April 12, 2021.

Recommendation: I will update the Board as necessary.

E. Insurance

No items.

F. Facilities

(1) Discuss Future Options for the Folsom Pavilion (*)

At the last meeting, the Board and the Finance Committee agreed that \$10,000 should be added to the Centennial Grove Maintenance budget for fiscal year 2022 in order to cover some work that will be necessary to address the state of disrepair of the Folsom Pavilion at the Grove. The Building Inspector will not certify the pavilion for public use for the upcoming season without substantial structural repairs and it may not be worth the cost of repairing. For the upcoming season, the pavilion will need to be fully repaired, boarded up to prevent use, or demolished.

With respect to options moving forward, if the Board desires to repair the structure, it will be necessary to have a structural engineer provide a full description of required repairs. Even if that effort is desired, the structure needs to be boarded up while evaluation is going on and the Town waits to see if Community Preservation funding, YMCA assistance, volunteer assistance/fundraising, or a combination thereof will be possible. If demolition is desired, since the structure is over 100 years old, the Board will have to go through the demolition delay bylaw process, and boarding up may still be required. The YMCA can utilize a temporary tent this summer or can utilize the Centennial Grove Cottage.

***Recommendation:* Board discussion with respect to the initial direction desired for the pavilion.**

G. Fiscal/Budget

(1) Fiscal Year 2022 Town Operating and Manchester Essex School District Budgets(*)

The two boards of selectmen and the two finance committees from Essex and Manchester were to have met jointly with the Manchester Essex Regional School Committee on March 11, 2021. However, that meeting was postponed to allow representatives of the various entities to further refine the scope of discussion. The purpose of the meeting was to determine if consensus could be reached on whether to study a restructuring of the District's programming to keep the town apportionment-funded portion of the District's budget at 2.5% each year (versus planning for periodic Proposition 2 ½ overrides to accommodate larger annual increases). Further, the School Committee had kept open the possibility of the District using additional reserves in fiscal year 2022 to reduce the apportionments.

Beyond the ongoing Manchester Essex Regional School District budget discussion, items on the municipal side of the budget have settled and we are preparing the Finance Committee Report/Town Meeting booklet to go to print. If the school district budget is reduced by the School Committee after the booklet is printed, the lower number will simply be inserted into the motion for that article at Town Meeting and the voters will be informed that the figure in the booklet is being amended. The school budget collaboration group will meet on March 24, 2021 to discuss next steps toward an overall review of the major questions.

Recommendation: **Board discussion as necessary.**

(2) Fiscal Year 2022 State Budget Funding Priorities

As is the case when we are approaching each new fiscal year, Senator Tarr provided the Town with a form asking about the Town's priorities for assistance with projects from the State. I returned the form during the week of March 15, 2021 and highlighted the need for the funding of the Conomo Point seawall grant, future funding for the Apple Street roadbed elevation project, and future assistance with dredging of the navigable channel in the Essex River.

Recommendation: No further action is necessary.

H. Complaints

No items.

I. Meetings Attended

(1) Marijuana Establishment Site Plan Review & Special Permit Hearing Summary (*)

On March 17, 2021, the Planning Board held a public hearing for a Special Permit Application from BB Botanics to open both cultivation and retail sales marijuana establishments at 242 John Wise Avenue. The Special Permit consideration also covered all of the requirements of a Site Plan Review. I attended the hearing, along with two members of the Board. After a presentation from the applicant, the Planning Board members had a time for questions. Board Selectmen provided input and the general public was also invited to do so. The Planning Board decided to continue the hearing until after the Chief of Police separately reviews the security plan for the establishments (which the applicant has not yet provided to him).

Recommendation: **Board discussion as necessary.**

(2) Continued Discussion of a Potential Cape Ann Regional Vaccination Site (*)

Senator Tarr hosted a third meeting involving all four Cape Ann communities, plus Ipswich, about the possible establishment of a regional vaccination site on Cape Ann on March 10, 2021. As the Board may recall, all four communities had provided letters of interest to the Addison Gilbert Hospital concerning whether

the hospital campus could accommodate the site if qualified municipal personnel and volunteers staffed it. At this time, the hospital is not able to offer its campus for this purpose, even if the communities provide all of the staffing. The hospital is able to share its site at the Gloucester Elks, for a limited time, if the various communities provide separate staffing for non-hospital patients and the State is willing to provide additional vaccine for municipal administration.

Discussion was held on the ability of the communities to provide adequate staff, with the smaller communities being more tentative about doing so. The group discussed how Conley's Pharmacy has already run various vaccination clinics locally and might be willing to run a larger regional clinic on Cape Ann as well. That prospect is dependent on Conley's being provided with enough vaccine by the State and whether the State will allow only residents of the participating communities to register (versus setting up a local clinic and having all State residents compete for available appointments). The group will convene again in the near future.

Recommendation: **Board discussion as necessary.**

(2) Great Marsh Symposium

The subject, annual symposium was conducted virtually this year, on March 17, 2021. The symposium featured a variety of both research and innovative coastal resilience implementation projects. The Apple Street roadbed elevation project that Essex is working on with funding from various grants was one of the featured projects. Selectman Phippen was recognized for his professional contributions to some of the projects.

Recommendation: No further action is necessary.

J. Town Meeting, By-Laws, and Regulations

(1) Conomo Point Rowing Craft Storage Regulations

(*)

At the last meeting, the Board provided comments on a draft set of rowing craft regulations that the Harbormaster and I worked on together. The Board preferred exploring taking all existing racks away at Clammers' Beach and, instead, offering new, galvanized racks, for a fee, at a Town-owned parcel along the Essex River. I checked with the Fire Chief about whether that parcel still functions as a fire lane. He commented that it does. However, as long as the racks are placed to one side and no parking is initiated at the parcel, locating the racks there does not pose an issue for the Fire Department.

As requested by the Board, I reached out to the president of the Conomo Point Association for feedback about the Board's contemplated actions. Generally, the Association is not in favor of the relocation, since the new storage parcel is presently a greenspace for the area and since it may actually be more difficult to move and launch boats from Front Beach (which is across the street from the new

parcel) than it is at Clammers' Beach. The Board also received individual comments from people who would like to see Clammers' Beach remain as the storage and launching area and who have need to continue to store dinghies at that location, in order to reach moored boats (dinghies will not fit on the new storage racks).

Further, the Harbormaster and I have completed revisions to the document based on the Board's guidance from the last meeting. The documents may be revised again based upon the discussion at the present meeting.

***Recommendation:* Potential Board vote to promulgate the new regulations, as-presented or as-revised at the present meeting.**

K. Legal Issues

No items.

L. Grants

(1) State Review of Work Products for Apple Street Roadbed Elevation Grant

Our consulting engineering firm (TEC) recently completed work on a Massachusetts Office of Coastal Zone Management (CZM) Coastal Resiliency grant with respect to planning for the elevation of the roadbed along the second of two low areas on Apple Street at the Southern Avenue end of the street. The work produced a feasibility study and a PowerPoint presentation that will help with public engagement in the project. I discussed the various draft work products with CZM personnel on March 10, 2021 and received comments on several fronts with respect to the feasibility study. I relayed CZM's questions and requests for additional information to TEC and all parties will discuss again on March 22.

Recommendation: I will update the Board as necessary.

(2) Congressman Moulton's Call for Local Project Funding Requests

Congressman Moulton's staff recently reached out to area communities to understand which local projects could be considered for Federal earmark funding through what is now known as the Community Project Funding (CPF) program. Given that the Town is working on the prospect of elevating the Apple Street roadbed to stay up above the coastal storm surge elevation, I provided the Congressman's office with information on our work completed to date and our exploration of future funds for construction (through the CPF portal). Our project has regional significance and is aligned with the Federal Government's focus on climate change and sea level rise.

Recommendation: No further action is necessary at this time.

M. Emergency Planning

No items.

N. Other Items

(1) Town Administrator Leave

I was out of the office, on leave, all day on March 15 and 16, 2021, and for a portion of the day on March 19, 2021.

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