



Town Administrator's Report Board of Selectmen's Meeting of March 28, 2022

Report covers from March 5, 2022 to March 25, 2022

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

A. Town Department Reports/Requests

(1) Strategic Planning Committee Meeting Summary (*)

Chairman Preen and I attended the subject meeting on March 10, 2022. With the recent resignation of SPC Chairman Burke, the Committee decided to elect Ann Cameron as the new SPC Chairman. The meeting featured a discussion regarding how each of the action items in the draft revision of the Essex Strategic Plan should be assigned out to personnel or public bodies and also prioritized. The Committee was able to make great progress and is meeting again on March 31, 2022 to hopefully bring the draft document to a condition that will be ready for a public input forum in the near future. Various Committee members and Town personnel are working on editing certain content between meetings.

Recommendation: **Board discussion as necessary.**

B. Computer Systems

(1) New On-line Permitting System Now Available

The on-line permitting system for building, plumbing & gas, electrical, and fire department permits (excepting open burning) became available to the public as of March 7, 2022. Once the consultant we had been working with to properly configure the platform (provided by OpenGov) was done, she provided me with links to specific permit types. I incorporated that information into the Town website and users will be able to easily access the system from any of the above departments' web pages. A summary of permit types with specific links may be found [here](#). The system is definitely being used and I have been assisting as a system administrator to move permits through the system as necessary if we have staff on vacation, etc.

Recommendation: No further action is necessary.

(2) Regional IT Collaborative Update

I attended a virtual meeting of the North Shore IT Collaborative on March 17, 2022. Personnel from the Danvers IT Department are continuing to roll out a new regional security fabric among the participating communities. The Town of Danvers will be the first to install all of the various security fabric elements so that Danvers can use lessons learned when it comes to installation in other communities. The Danvers install should occur during the month of April and Essex will be the first client community to have the install completed (by Danvers IT personnel). We expect that Essex will go through the installation process

during the month of May. Generally, the system is going to require multi-factor authentication (MFA) for more processes than we currently have MFA apply to. This new process will be an adjustment for our users but will ultimately manifest in a much more secure system that our insurer is going to require anyway.

Recommendation: I will update the Board as necessary.

C. Personnel

(1) Essex Police Benevolent Association Continued Collective Bargaining

The Management Team engaged the union in continued collective bargaining for a successor contract on March 9, 2022.

Recommendation: Board discussion in Executive Session per the posted agenda.

(2) Safety Committee Meeting

I attended the subject meeting as a member of the Committee on March 24, 2022. The meeting featured a discussion regarding the Committee's progress to date on goals that had been set for the currently fiscal year. Goals are being accomplished and quarterly safety inspections of Town buildings are being performed.

Recommendation: No further action is necessary.

D. Procurement/Ongoing Projects

(1) Conomo Point Seawall Replacement Project Update/Change Order Work(*)

Selectman Phippen and I participated in a project construction meeting on March 16, 2022. The project continues to move along well and the contractor has conducted its fourth and fifth concrete pours (each pour has been approximately 50 linear feet of wall). For one of the recently-poured sections of the wall, the contractor indicated that additional labor was necessary, since the wall sits on bedrock in that area and cannot be tied into a traditional footing. While many of the tasks necessary for a traditional pour such as the footing installation were not necessary, other tasks like drilling for pins, form scribing, and stick-built form production cost more than the tasks that were omitted, according to the contractor.

However, since the total volume of concrete necessary in shallow-to-bedrock areas is appreciably less, the net extra work cost will likely be fully offset by the lower cost under the concrete volume payment item. In fact, it is entirely possible that the Town will end up paying less overall. Our contractor is presently providing our engineering consultant with additional backup information to justify the cost of using other methods and this matter will come back before the Board at a future meeting. Alternatively, Selectman Phippen could be authorized to approve the final settlement.

Recommendation: Board discussion as necessary and possible authorization of Selectman Phippen to approve method-based change orders in the future.

(2) Zoning Bylaw Review Project Update (*)

The Metropolitan Area Planning Council (MAPC) hosted the second public forum concerning the Town's ongoing zoning bylaw study project on March 23, 2022. The forum summarized public input that MAPC had collected in a very successful, community-wide survey and provided some general, common themes that survey respondents generated. A total of eight categories were developed by MAPC to accommodate the organization of future work and both the PowerPoint presentation made during the forum and a recording of the forum itself are available on the [dedicated website](#) that MAPC has set up for the project. A final report and third public forum will round out this first phase of the zoning study, in April or May, and MAPC will assist the Town to apply for grant funding for phase 2 very soon.

Recommendation: Board discussion as necessary.

(3) Chebacco Lake Coalition Alewife Brook Engineering Study (*)

As the Board may recall, the Town has a total of \$30,000 in local and State funding to conduct a study necessary to better understand a plan to define and clear the channel of a section of the Alewife Brook in its upper reach. Near the Town's public water supply well on Harry Homan's Drive, the Alewife Brook meanders through a larger wetlands area and its stream channel is very poorly defined and highly obstructed. The Chebacco Lake Coalition, which both Selectman Phippen and I participate in, developed a Request for Proposals for the engineering services necessary to better understand this area, in hopes of a plan to eventually clear out the channel for better lake drainage and fish passage.

Several coalition members chose the better of two proposals that were received and have recommended the services of Interfluve (two other firms were also contacted but both were too busy presently to take on this project). Given that the fish migration season will soon be upon us, it was important to get the work started right away (prior to the next scheduled Selectmen's meeting). As such, Chairman Pereen signed the contract with Interfluve and work has begun. The hope is that this study will define the issues well enough to eventually move to actual design plans and an application with the Conservation Commission to conduct channel restoration work.

Recommendation: Board vote to ratify the Chairman's signature of the contract with Interfluve.

(4) Old Fire Station Site Restoration Project Update/Change Order (*)

As the Board may recall, progress on the restoration of the old fire station site at 24 Martin Street had ground to a halt due to subcontractor costs that had increased for our general contractor, Encore Contracting, well beyond what Encore had

carried in its bid. When these costs are added to additional carrying costs for the construction site, our Encore is facing a deficit of around \$30,000 based upon the agreed-to, lump-sum contract price (\$185,800).

While it is not the Town's responsibility to cover these costs, in an effort to avoid a protracted dispute involving Town Counsel, and with the goal of getting the project site restored for the upcoming spring and summer, the Board should consider authorizing a final change order for a portion of what the contractor is seeking. Presently, the contractor is willing to accept \$10,000 for its \$30,000 deficit to settle the matter (after Town Counsel, Chairman Pereen, and I negotiated with the contractor). Even with an additional \$10,000 going to the contractor (on top of the first change order in the amount of \$28,130), the demolition/restoration project will still be within 1.8% of its \$220,000 original budget – a grand total of \$223,930.

Recommendation: Board vote to approve the final change order for the project.

(5) Continued Consideration of Future Solid Waste/Recycling Services (*)

At the Board's February 28, 2022 meeting, the Selectmen discussed possible future solid waste and recycling services options with the Board of Public Works. The Town's present arrangement with Covanta terminates at the end of calendar year 2022 and the Town needs to line up new services, which may include the continued operation of a transfer station, curbside trash pickup, or both.

I have been surveying area communities concerning their present pricing for various permutations of waste disposal and solutions vary widely from community to community. On one end, residents need to make private arrangements for solid waste and recycling disposal (the town is not involved at all and pays nothing) and, on the other end, some communities offer both curbside pickup and a transfer station, with varying degrees of "pay-as-you-throw" in place. What's clear is that tipping fees at area solid waste end points are approaching \$90 per ton (Essex currently pays \$67.71). The Board of Public Works is looking over these various arrangements and their associated pricing and will be providing more input back to the Selectmen in the near future.

Recommendation: Further Board discussion regarding future options.

E. Insurance

(1) Monthly Pothole Log

I obtained the subject log from the Department of Public Works for the month of February, 2022 during the week of March 7, 2022. The log is intended to document rapid repairs to any reported potholes. No potholes were reported during February.

Recommendation: No further action is necessary.

F. Facilities

No items.

G. Fiscal/Budget

No items.

H. Complaints

No items.

I. Meetings Attended

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

I attended the subject meeting along with Chairman Pereen and Selectman Phippen on March 9, 2022. I updated the group on a variety of ongoing Town initiatives and projects, as did the Fire Chief and the Chief of Police.

Recommendation: No further action is necessary.

(2) Greater Cape Ann Caucus

I attended the subject meeting on March 25, 2022 along with other Town personnel and officials. The Greater Cape Ann Caucus is a twice-yearly meeting sponsored by the Government Affairs Council of the Greater Cape Ann Chamber of Commerce. The Caucus convenes Council members, greater Cape Ann's legislative delegation, and local officials and school leaders to share information and engage in dialogue on key issues of regional and statewide importance. I provided the group with an update on projects and initiatives occurring in Essex and we heard about a variety of topics from our State legislative delegation.

Recommendation: No further action is necessary.

(3) Regional Storm Water and Zoning Bylaw Review Project Meeting (*)

Various regional resource management organizations including the Ipswich River Watershed Association (IRWA), Greenscapes, Salem Sound Coast Watch, and the Merrimack Valley Planning Commission (MVPC) are initiating a study of existing storm water and zoning bylaws in our area in an effort to cut down on harmful pollutants found in storm water runoff. The group held a virtual kickoff meeting on March 24, 2022 and I was in attendance along with Selectman Phippen, Superintendent Galli, the DPW's storm water consulting engineer, Planning Board Chairman Drake, and personnel from the Metropolitan Area Planning Council (MAPC).

This new effort will be able to augment what the Town is already doing with respect to a review of its own zoning bylaws (with the help of MAPC) and what the DPW is mandated to continue to work on with respect to storm water management and permitting. The United States Environmental Protection Agency (EPA) requires all communities in the country to have a Municipal Separate Storm Sewer System (MS4) plan that increases in complexity and reach with each passing year. The work of the project will only help the Town to stay in step with EPA requirements while providing important information about Low Impact Development (LID) to MAPC as they continue to review overall zoning bylaw revision suggestions for the Town.

Recommendation: **Board discussion as necessary.**

J. Town Meeting, By-Laws, and Regulations

(1) Finalization of Annual Town Meeting Warrant

I have developed a final version of the Annual Town Meeting warrant in accordance with the Board's guidance from the last meeting.

Recommendation: Board approval and signature of the warrant per the posted agenda.

K. Legal Issues

No items.

L. Grants

(1) Municipal Vulnerability Preparedness (MVP) Grant Information Session

I participated in the subject session offered by State personnel on March 7, 2022. As the Board is aware, we plan on applying to the MVP grant program for a project that will take the Apple Street roadbed elevation work through final design and permitting. The State released the Request for Responses (RFR) during the week of March 14, 2022 and applications are due by May 5, 2022.

Recommendation: I will update the Board as necessary.

(2) Division of Ecological Restoration Culvert Grant Report

Our engineering firm (TEC) filed with the DER on March 15, 2022 a required progress report with respect to the Town's participation in the Municipal Culvert Replacement grant program. The project is focusing on final design aspects of a roadbed elevation proposal in one of two low areas on the Southern Avenue end of Apple Street. This particular low area happens to have a culvert running beneath it and the culvert must be addressed as part of the project – simultaneously improving the culvert's effectiveness in allowing aquatic and non-

aquatic wildlife to pass back and forth beneath the road. The project is moving along well and TEC has submitted design plans to DER at the 50% stage.

Recommendation: No further action is necessary at this time.

(3) Possible Green Communities Grant Project

The Town Planner arranged to have a representative of Guardian Energy Services tour the Town Hall with me and her on March 10, 2022 to review how energy efficiency in Town Hall might be further improved. As the Board may recall, a representative of National Grid had already visited Town Hall to determine what types of energy efficiency incentives might be available (a required aspect of any Green Communities Grant application). Guardian will make recommendations for further improvements and the Town Planner will possibly use all of the information collected to include the Town Hall project in this year's Green Communities Grant application. The Planner is also continuing to look at possible improvements with respect to water and sewer pumps. Presently, given that more research may need to be done, the project is more likely to be proposed during the fall grant round than the spring round.

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, all day on March 14 and 15, 2022.

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