



## Town Administrator's Report Board of Selectmen's Meeting of October 23, 2023

Report covers from September 30, 2023 to October 23, 2023

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

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### A. Town Department Reports/Requests

#### (1) Economic Development Committee Meeting Summary (\*)

I attended the subject meeting along with Chairman Pereen and Town Planner Dana Menon on October 12, 2023. The meeting featured a discussion regarding brainstorming for new ideas for non-tax municipal revenue. Generally, this revenue discussion touched upon areas like deriving more revenue from Town ball field use; setting up short-term rentals at Conomo Point on Town-controlled land; adding more transient moorings and perhaps instituting a Harbor Use Fee; web based parking permits for visitors; increasing business permit fees; sponsoring traffic islands for a fee; installing electric vehicle charging stations; installing solar and/or wind energy facilities on Town-owned properties; and others.

Looking forward to the Fall Town Meeting that will be held on November 13, 2023, the Committee discussed the possibility of proposing Community Preservation Act funding to complete some improvements at the Centennial Grove and to complete the downtown decorative lighting project. I subsequently confirmed that the former is eligible for such funding but that latter is not. At the Community Preservation Committee (CPC) meeting on October 19, 2023, EDC Chairman Jodi Harris presented the need for Grove improvement funding to the CPC and the CPC was in favor (\$75,000 to complete the pavilion project and \$275,000 toward public restrooms – which can be coupled up with the \$75,000 Legislative Earmark for the Grove to round out the \$350,000 expected restroom cost).

*Recommendation:* **Board discussion as necessary.**

### B. Computer Systems

#### (1) Future Migration to Full Office 365 Licensure

As reported previously, the Town has now moved to the G1 license structure with respect to Microsoft Office 365, which permits all users to utilize all of the web-based versions of Microsoft Office applications. With respect to on-premises versions of Microsoft Office applications, the Town currently holds Office 2016 Professional, server-based, multi-user licenses. The Town of Danvers will soon be able to upgrade our on-premises software to Office 2021 Professional (the current version) at no cost to the Town. Microsoft will provide security patches for Office 2021 Professional until October of 2026, at which time we will need to move to the Microsoft Office 365 G3 license structure, at considerably more cost

per user. The G3 license allows each user to continue to download and utilize the on-premises versions of Microsoft Office, which will be continually patched for security issues. Generally, the Town needs to plan for this new expense when the fiscal year 2027 budget is put together, unless the on-line suite from Microsoft seems to be adequate at that time.

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

#### (2) North Shore IT Collaborative Status Meeting

I attended the subject meeting along with personnel and officials from the other communities in the Collaborative. We learned that the Town of Marblehead is interested in joining the Collaborative and steps will soon be taken to work through that process. This would bring the total membership to seven communities: Essex, Hamilton, Wenham, Danvers, Topsfield, Middleton, Manchester, and Marblehead.

Danvers IT Director Colby Cousens reviewed the progress of the Collaborative to date and explained how the Collaborative has now officially partnered with CyberTrust MA, a new non-profit which specializes in leveraging private sector resources for review and testing by municipal entities. Through this partnership, the Collaborative expects to receive additional IT resources that could probably not be readily offered on its own, due to cost.

We also heard from the Town of Middleton, which had a cyber incident over the past summer. A security hole in the interface between the municipal system and the Middleton Library's MVLC system allowed hackers to enter the municipal system. Fortunately, due to the sophisticated firewall in place in the municipal system (which is centrally-managed for all Collaborative members by Danvers IT staff), the hackers were found out very quickly and did not have a chance to upload data that could be used against the Town of Middleton. Also, although the hackers tried to deploy ransomware in addition to data mining, the system managed by the Collaborative detected the attempted deployment and averted a ransomware encryption disaster. Generally, being a member of the Collaborative helped Middleton to avoid an actual data breach and to avoid the infection of their network by a ransomware attack. While assistance was necessary to clean up the network after the hacking attempts, this came at a much lower cost than if the town had to deal with ransomware recovery and/or a data breach.

*Recommendation:* No further action is necessary.

### **C. Personnel**

No items.

## D. Procurement/Ongoing Projects

### (1) Contract for Summer Camp and Youth/Adult Enrichment Services (\*)

Responses for the Town's Request for Proposals (RFP) for summer camp and youth/adult enrichment services were due on October 19, 2023. Despite a total of six vendors having requested copies of the RFP, only one vendor, the YMCA of the North Shore, actually submitted a proposal. The Board received the technical proposal in advance of the present meeting and can first arrive at whether the YMCA proposal meets the minimum standards as well as rating the competitive standards. Once that has been completed, if the proposal is deemed to be favorable, the Board can review the cost proposal and consider whether to award the contract.

***Recommendation:* Board vote to award the contract for summer camp and youth/adult enrichments services to the YMCA of the North Shore if the review undertaken at the present meeting reaches a favorable result.**

### (2) Quarterly Affirmative Marketing Report

I filed the subject report with the State during the week of October 16, 2023. The report is intended to document the Town's utilization of woman and minority-owned businesses on State-funded construction projects. Although the Town's contractor will begin work on improvements to the Water Filtration Plant soon, MBE and WBE entities will not be involved in that work until the next quarter.

*Recommendation:* No further action is necessary.

## E. Insurance

### (1) Annual Review of Insurance Coverage

Personnel from our insurance carrier (the Massachusetts Interlocal Insurance Association – MIIA) visited my office on October 5, 2023 to provide the Town with an annual review of insurance coverage. We reviewed all of the Town's lines of coverage, which appear to be adequate, and discussed how the Town has been able to maintain low loss ratios in several areas in recent years.

*Recommendation:* No further action is necessary.

### (2) Monthly Pothole Log

Now that we are coming back into the winter season soon, the Department of Public Works will be forwarding pothole logs to me on a monthly basis. The goal is to show that potholes have been repaired rapidly since the Town is not liable for potholes that have not been initially reported. No potholes were reported during the month of September.

*Recommendation:* No further action is necessary.

## F. Facilities

### (1) Replacement of Park Bench Along Essex Causeway

Late in 2022, a delivery truck destroyed one of the Town's benches along the Essex causeway. The Police Department was able to deduce the name of the company and the company agreed to pay for a new bench and to assemble it and set it in place. The process took a long time given that the company was not proactive about ordering the bench. However, the order eventually occurred and, after a long factory lead time, the bench arrived. The company will send its own workers to assemble and set the bench in the near future.

*Recommendation:* No further action is necessary.

### (2) Winterization of the Centennial Grove

Each year at this time, a number of activities are necessary to properly winterize the facilities at the Centennial Grove. To that end, I arranged for the winterization of the Cottage by our plumbing contractor and the Water Department will be shutting off the shallow, seasonal water supply soon. The Selectmen's Assistant has arranged for the removal of the portable toilets at the Grove and the Field of Dreams irrigation system has already been winterized. The DPW has been advised that it will be better to leave the fishing dock in place this winter than it will be to pull it out since the dock is prone to more damage via land handling than it is via ice.

*Recommendation:* No further action is necessary.

### (3) Winterization of Conomo Point

Our marine contractor will soon remove the water access stairs and the ramp and float from the small park at the end of Conomo Point. These items will be stored until the spring. The Selectmen's Assistant has arranged to remove the portable toilets as of November 1, 2023.

*Recommendation:* No further action is necessary.

### (4) Removal of Old Cameras from Former Fire/Police Station Site

When the former fire and police station at 24 Martin Street was demolished, one set of surveillance cameras was left, inoperative, on a nearby utility pole. Chairman Preen noticed this issue and I arranged for the Fire Department to come and remove this old equipment when they have the chance.

*Recommendation:* No further action is necessary.

(5) Quarterly Facility Self Inspection Forms

I completed the subject forms for the Town Hall and the Senior Center during the week of October 16, 2023. The forms are intended to discover safety issues within Town buildings to avoid accidents and are discussed at quarterly Safety Committee meetings. No substantive items were discovered this quarter.

*Recommendation:* No further action is necessary.

(6) Fixed-Rate Natural Gas Supply Contract Update

As the Board may recall, I have continued to monitor the pricing available in a fixed-rate natural gas supply contract through NRG/Direct Energy. With our current provider, Constellation, getting out of the market, our fixed-rate arrangement will end on November 5, 2023 (after four years). However, NRG's pricing is still much above the standard supply rate offered by National Grid, which we will be automatically moved to when the Constellation contract expires. I will continue to monitor natural gas pricing and will work with the Chairman to enter into a new contract when the market timing is right.

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

(7) Town Hall HVAC System Service Call

After I sprayed the bottom of the Town Hall HVAC condenser units with rodent-repelling oil, I proceeded to switch the system from AC to heating for the upcoming winter. The system did not respond and I contacted our service technician after verifying that there was no obvious rodent activity (the usual cause of system problems). The technician found that a thermistor on one of the three compressors had become detached and that a service switch on one of the indoor wall units had been turned off. The combination of the two issues made the system inoperative. After resealing the thermistor and powering the wall unit back up, the system returned to normal operation.

*Recommendation:* No further action is necessary.

**G. Fiscal/Budget**

(1) Community Preservation Committee Annual State Report

The Community Preservation Committee is required to file a report known as the CP-3 on an annual basis to keep the Massachusetts Department of Revenue up to date with respect to the status of all Community Preservation Act projects (new or ongoing). This year, since there has been a lot of turnover on the Committee, the report did not get completed (normally submitted by the Chair). When I received notice of this situation I was able to obtain the credentials necessary to complete the on-line form.

*Recommendation:* No further action is necessary.

(2) School Budget Collaboration Group Meeting Summary

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I attended the subject meeting along with Chairman Preen, Finance Committee Chairman Buttrick, Finance Committee Member Harris, and personnel and officials from the Town of Manchester and the Manchester Essex Regional School District on October 20, 2023. The meeting featured a discussion regarding the scope and cost-sharing of a proposed review or audit of the District's instructional and non-instructional arrangement. A previous meeting including the two boards of selectmen, the two finance committees, and the school committee had brought this idea to the forefront and the two towns expressed at that meeting that they favored moving forward. The School Committee plans to discuss the matter further at its meeting of November 7, 2023 and, while the two towns agree that the District should be brought into discussions concerning the scope of the review, it is not clear whether the District will support paying for a portion of the work. Both the Essex Finance Committee and the Essex Board of Selectmen are in favor of the work being paid for entirely by the two towns but Manchester officials would rather see the District also contribute.

The group also discussed the issue of paying for the turf field renovations that have been completed by the District on two fields in Manchester. The District hopes to have final accounting completed prior to the town meetings that are happening in Essex and Manchester on November 13, 2023. While the Essex Town Meeting warrant will include an article on it considering an appropriation for the Town's share of the turf field work, the Manchester warrant only includes a partial funding solution. Regardless, all agreed that the former notion of the District borrowing money for the completed work is not going to occur and that each community will need to pay its apportioned share of the work via the capital provisions in the Regional Agreement (Essex is proposing a cash appropriation and Manchester may undertake a combination of cash and municipal borrowing).

*Recommendation:* **Board discussion as necessary.**

**H. Complaints**

No items.

**I. Meetings Attended**

No items.

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

(1) Fall Town Meeting Warrant

The Fall Town Meeting warrant has been updated in accordance with the Board's past guidance and the Planning Board has added several zoning bylaw amendment proposals after working with the Metropolitan Area Planning Council

(MAPC). The warrant has been reviewed by Town Counsel and I reviewed it with the Town Moderator and the Town Clerk on October 11, 2023.

*Recommendation:* Board approval and signature of the warrant pursuant to the posted agenda.

## **K. Legal Issues**

### (1) Quarterly Review of Executive Session Minutes

The Chairman has reviewed the Board's unreleased executive session minutes and has not identified any minutes suitable for release this quarter.

*Recommendation:* No further action is necessary.

### (2) Sale of Gregory Island Road Lots

Town Counsel has completed the sale of three lots that the Town formerly owned on Gregory Island that went forward after a total of twelve lots were considered for sale. The Board will take up whether additional lots should be re-offered for sale in late-November.

*Recommendation:* No further action is necessary.

## **L. Grants**

### (1) Rural and Small Town Development Fund Grant

Unfortunately, Essex was not selected for State funding with respect to the improvement of the Centennial Grove. I have requested feedback from the grant application reviewers so that we can understand what may need improvement in the application if the Town reapplies in the spring. Economic Development Committee Chairman Jodi Harris sought Community Preservation Act funding for both the completion of the replacement pavilion (\$75,000) and for the provision of public restrooms - \$275,000 (a portion of what the grant would have funded) on October 19, 2023. The Community Preservation Committee was in agreement and voted to support both projects. Town Meeting will consider whether to make final approval on both projects on November 13, 2023. The restroom project will also benefit from a State Legislative Earmark of \$75,000 (rounding out the \$350,000 expected cost).

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

### (2) Expression of Interest - MVP Action Grant, Apple Street Project Construction

As the Board may recall, if the Apple Street Roadbed Elevation and Culvert Replacement Project moves forward, the goal is to use a combination of State and Federal funding to cover all construction costs. The Municipal Vulnerability Preparedness (MVP) Action Grant program is likely the best fit for the State-funded portion. This grant will next be accepting applications in the spring of

2024 for fiscal years 2025 and 2026 and the program recently released a call for Expressions of Interest (EOI). As such, I filed with the State an EOI for the construction phase of the project and program staff will schedule a discussion of the project in the near future.

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

## **M. Emergency Planning**

### (1) Essex Causeway Public Field Trip

As the Board may recall, on September 29, 2023, I participated in a public field trip to the Southern Avenue end of Apple Street that was hosted by TownGreen. The organization had asked that I offer the Town's perspective concerning the need for the Apple Street Roadbed Elevation and Culvert Replacement Project to the public attending the event. A week later, on October 6, 2023, TownGreen asked me to offer the Town's understanding about the future of the Essex Causeway, at a second public field trip. Generally, the State has informed the Town that the Essex Causeway will not be elevated or otherwise floodproofed at any time in the near future. This only serves to support the need for the Apple Street project to take place since a more frequently flooded causeway is inevitable and a dependable travel path via Apple Street is essential to maintaining public safety continuing across the Town.

*Recommendation:* No further action is necessary.

## **N. Other Items**

### (1) Columbus Day Holiday

The office was closed on October 9, 2023 in observance of the subject holiday.

### (2) Town Administrator Leave

I was out of the office, on leave, for a portion of the day on October 5 and October 17, 2023 and all day on October 16, 2023.

*This report is available at [www.essexma.org](http://www.essexma.org) on the morning after any regularly scheduled Essex Board of Selectmen's Meeting.*