



Town Administrator's Report Board of Selectmen's Meeting of March 23, 2015

Report covers from March 7, 2015 to March 20, 2015

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

A. Town Department Reports/Requests

(1) Public Safety Committee Final Report

At the last meeting, the Board discussed some comments on the Public Safety Committee's draft report and subsequently provided the Chairman of the Committee with written input through Selectman O'Donnell. The Committee plans to incorporate the comments in the near future so that the final report can be released. The Committee will also generate a summary of all of the standards and codes that are not adequately supported by the existing building so that a prioritized effort can be developed to address the most important items, even if only in the interim.

Recommendation: No further action is necessary at this time.

(2) Development of Strategic Planning Committee (*)

The Board has continued to discuss a transition from the Town's Long Term Planning Committee (LTPC) to a new, Strategic Planning Committee (SPC). The SPC could be comprised of members of various Town boards and committees and could be guided by the Town Planner (potentially with technical assistance from MAPC). Presently, the Long Term Planning Committee is finishing up a project concerning the character-defining resources of the Town and the Town Planner is working to prepare the Town for the Green Community designation. At the last meeting, the Board agreed that the transition from the LTPC to the SPC will be gradual and should begin with a discussion regarding the overall makeup of the Committee. Also, Town Planner Matt Coogan has developed a draft mission statement that could be adapted for use with the Committee.

Recommendation: **Further Board discussion relative to the timing of the transition and the makeup of the new SPC, along with review and discussion of the draft mission statement.**

(3) Town Building Committee Meeting (*)

I attended the subject meeting on March 16, 2015 along with Selectman O'Donnell, who chairs the Committee. The meeting featured a discussion regarding preparation for a vote at the upcoming Annual Town Meeting for the next phase of Town Hall/Library renovation work. The Committee looked at the design plans that have been made available through our Project Manager to date and raised several questions.

The most major question was related to whether the elevator could be installed in a new, external shaft, versus the internal shaft that has been specified. I learned by speaking with the Chairman of the Essex Historical Commission that such an undertaking would not be the first choice of the Commission. In addition, I reviewed the question with our architect and he indicated that the external shaft would actually be more expensive than constructing the internal shaft, without any detraction from the front façade of the building. The Committee had also asked whether a stretcher elevator was required and I learned that it is not, since the building already exists and since the specified shaft is within the existing footprint.

Another major question concerned whether the cost of continuing to renovate the existing Town Hall/Library building would be more than just constructing something new in the future, possibly at a vacated public safety building site. I researched the Reinhardt study that the Committee had commissioned in the past and the study called for a cost of about \$9.5M to construct a new building (in 2012 dollars). If this next phase of renovation work costs \$4M, the whole solution will cost approximately \$5.5M when the \$1.1M that has already been spent is considered. As such, even though the available space and layout of the existing building is not ideal, the present plan to renovate the building represents the most cost-effective approach, which will be serviceable for decades to come.

Recommendation: **Board discussion as necessary.**

B. Computer Systems

(1) Continued Migration of Users to Virtual Desktop Environment

As reported previously, I suspended user migrations from the DPW office in order to test an alternative connection method versus the zero-client device method that is in place in Town Hall. Through the testing, it was evident that efficiency could be gained by using a device that can take advantage of the site's native Internet feed while still being able to hit the Melrose datacenter for virtual desktop and user-created data connectivity. However, the alternative device requires multiple configuration steps at every startup, something that would cause constant problems at power outages or accidental shutdowns. I also learned that users in remote sites would need to upgrade to network-capable printers in order for print jobs to have a valid address on the network. After considering the alternative I worked with Melrose personnel to see if we could optimize the zero-client product for the remote location and we were able to greatly improve performance.

Presently, I have completed user migrations at the DPW by migrating the three remaining users. I am presently formulating a plan to migrate the fire and police facility, which will likely involve the initiation of a second virtual desktop server. Before I work on the third building, I plan to have personnel from Melrose visit the first two buildings to help with further optimization.

Recommendation: I will update the Board as necessary. Total time – 7.5+ hours.

C. Personnel

(1) Quarterly Department Head and Board/Committee Chair Meeting

The next quarterly meeting of department heads and board/committee chairs will occur at the Selectmen's meeting of April 27, 2015.

Recommendation: No further action is necessary at this time.

D. Procurement/Ongoing Projects

(1) Town Hall/Library Renovation Cost Estimation Update (*)

In my last report, I had provided our consulting architect's initial findings with respect to necessary Town Hall/Library improvements triggered by the plan for a complete, exterior renovation in the next phase of work. After the printing of that report, as discussed with the Board at the last meeting, our consulting architect provided additional information regarding the elevator location based upon further field work. Essentially, if the Town is to build and use a third floor in the future, the elevator needs to be placed to the right of the main entryway, as opposed to the left. Preliminary discussions among our architect, Mass Historical, the Essex Historical Commission, and the Building Inspector have suggested that this new concept will be well received. The present plan therefore shapes up as follows:

- Relocation of Treasurer/Collector's Office to allow a unisex restroom to be constructed in that space.
- Construction of an elevator shaft to the right of the main Town Hall entry doors (between the Town Hall foyer and the Library).
 - The State Building Code no longer allows elevator shafts to be constructed in existing stairwells and the historic preservation restriction for the building would not allow the old Town Meeting Hall to be impacted. Further, locating the elevator in the area of the existing Treasurer/Collector's office would not allow it to run to a future third floor without an unacceptable level of impact to the historic character of the bell tower. These circumstances demand that the shaft be located to the right of the existing entry hall. Preliminary discussion with Mass Historical has indicated that the agency will support the full-height shaft even though the full third floor will not be built out in this phase.
 - The Treasurer/Collector would still move out of her current office. She and the Town Clerk have discussed the Town Clerk taking over the space now used by the Treasurer/Collector's Clerk and splitting the current Town Clerk office up for use by she and her

- assistant (since the Town Clerk office is a larger space to split). Also see restroom requirement, above.
- The elevator will have two doors (one for entry from within the Town Hall lobby and one from the Town Hall parking lot grade). The porte-cochere will not have to be glassed in to allow for all-weather access to the elevator, since the right-hand elevator option will allow for the creation of a small elevator lobby at ground level by recessing the elevator back farther into the building.
 - The Town may create conference room space and a shared office on the balcony level as part of this project (pending confirmation that this is technically feasible). As such, the elevator shaft will run the full height of the building, to serve these new spaces and, perhaps, a much more appreciable amount of additional new space in some future phase. Alternatively, the Board of Health office suite could go on the third floor and the conference room could go on the second floor (if code demands this).
 - On the second floor, the shaft will come up into the area that is now the Board of Health Clerk's Office.
 - The Board of Health Administrator and the Clerk would then be moved to new offices where the present ladies' room is.
 - As such, the ladies' room will be relocated to where the men's room now is and a new, small, men's room will be constructed in the second floor foyer.
 - As noted above, it is possible that a new, shared office for part-time employees and a small conference room could be constructed on the balcony level to make up for lost space in the existing, second-floor foyer.
- Relocation of the Board of Health Administrator's Office to allow for a new, code-compliant stairway to exit the second floor from the rear of the building.
 - The State Building Code will require this new, interior egress stairway for emergency evacuation of the second floor. The two, spiral stairways are not adequate and will not maintain code compliance now that additional funding is being spent on the building.
 - The stairway will be "one-way" only so that the Library and the Town offices can continue to have a separation for security purposes.
 - The old, metal emergency stairway currently on the front of the Town Hall will be removed, since it is no longer allowed by code.
 - A new office for the Board of Health Administrator will be constructed next to a new Board of Health Clerk office, as noted above.

- The Library will lose an alcove but the old Library front entry is no longer needed and could potentially be opened up to move the circulation desk into new space.
- Construction of a second, handicapped accessible-restroom on the first floor.
 - The phase one work on Town Hall only required the addition of one, handicapped-accessible restroom. This new project may trigger the need for a second restroom.
 - The new restroom will be located in the space that is occupied by the Treasurer/Collector (who will be moving into a new office, see above).
- Construction of a handicapped-accessible counter at the Town Clerk's office.
 - The design for the reconfiguration of the counter will also include a separate door entrance to the Town Clerk's office. This will be especially important since two other employees from the Treasurer/Collector's office will be working in the space that the Town Clerk presently crosses through to access her office.

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

(2) Essex River Federal Channel / Future Dredging Application and Update(*)

At the last meeting, the Board agreed that I should embark upon a three-pronged plan to advance the prospect of future dredging in the Essex River. The plan will involve: communication with Representative Seth Moulton concerning the deauthorization of certain portions of the existing, 60-foot Federal Channel (to narrow it to 40 and 50 feet in some locations); communication with the Army Corps of Engineers to request and encourage and survey and testing work that the Corps is willing to initiate while the Congressional process is unfolding; and an additional technical proposal from our consulting engineer relative to continued assistance throughout the process.

Presently, with respect to communication with the Representative's office, I am happy to report that I have made contact with appropriate staff in that office and have introduced them to Mr. Ed O'Donnell of the Army Corps of Engineers. While we do not presently have exact channel deauthorization locations for actual language to be drafted, it will be useful for the two offices to get acquainted and develop an understanding for the overview of the ultimate process. In fact, I understand that Colonel Barron, the District Engineer for the Corps, recently had a chance to briefly discuss Essex's needs with the Representative's staff in Washington.

With respect to the initiation of work by the Corps, I have learned that our consulting engineer has transmitted his plans to the Corps, which may enable the Corps to initiate some preliminary work. While preliminary work is unfolding, it

will be useful to provide the Corps with a letter from the Town and others that underscores why the dredging effort in Essex is important and what it will mean to a wide variety of River users and uses. Mr. O'Donnell has provided us with a sample letter that was written by another community on a past project that could be used as a guide.

With respect to the technical proposal, our consulting engineer will need additional funding to be able to conduct a best-fit analysis for the channel and to narrow the channel down to 40 or 50 feet in some areas. That analysis will become the basis for the new channel coordinates and will need to be provided to the Corps. Funding for this technical step will likely become available in November, should the Town Meeting approve.

Further, our consulting engineer recently spoke with an official from the Department of Recreation and Conservation (DCR) who encourages communities to have applications for State dredging funds on file, in the event that State funding becomes available. I contacted that official and he sent me two different applications to complete and file with two different State agencies. It is possible that placing applications on file will also fit in well with Selectman O'Donnell's involvement with the Merrimack River Beach Association (MRBA) and the Regional Sediment Management Study (RSMS) Core Group. Both applications reference and provide our downtown boardwalk feasibility study and the recent work by GZA relative to options for the Federal Channel.

***Recommendation:* Board discussion regarding the development of a letter to the Corps of Engineers underscoring the importance of the dredging work in Essex. Also, Board review and approval of the two applications for State dredging funding.**

(3) Proposals for Adjustment of Essex Coastal FEMA Flood Maps

At the last meeting, the Board agreed that I should solicit proposals from three engineering firms relative to the potential adjustment of the most-recently-revised coastal FEMA flood panels in Essex. As the Board is aware, other communities have successfully challenged the new maps (which took effect in 2014) due to the fact that the methods used to set various flood zones were not appropriate for the actual, local conditions. Presently, all three firms have agreed to submit proposals and I expect to have them by April 10, 2015.

Recommendation: I will update the Board as necessary.

(4) Legion Hall Repairs RFQ Proposal Ranking

(*)

Of the over 30 firms that requested a copy of the RFQ for repairs and renovation for the Legion Hall building, a total of 9 firms sent a representative to the March 11, 2015 site visit. Lee Spence of the Essex Historical Society and Shipbuilding

Museum pointed out the various repairs that are desired and I reviewed the RFQ process and the fact that the entire project is subject to appropriation.

Proposals were due on March 18, 2015 at noon and we received a total of five (one of which was not complete, making the number of valid proposals four). Presently, it is the challenge of the Board to rank the top three proposals. The Board can then negotiate as to price, subject to appropriation, with the top-ranked firm. The first component of the project will be for the firm to develop a detailed cost estimate for what the entire project will cost when bid. The funding for the cost estimate work only is what will be considered by the Community Preservation Committee for potential recommendation to the Town Meeting in either May or November of 2015.

***Recommendation:* Board establishment of the top three proposals and ranking from one to three. No contract can actually be awarded but negotiation relative to the proposed cost estimation component, for funding request purposes, can occur.**

(5) Future Potential Lease Revenue at Conomo Point (*)

As requested by the Board at the last meeting, I have analyzed the current lease revenue for Conomo Point that is derived from the fourth-year Bridge Lease. For planning purposes, it was decided that the current figures represent a conservative revenue estimate and are therefore useful to reference as part of the current planning initiative for northern Conomo Point. Total revenue from all properties that are currently being leased is \$589,704 per year. However, if Robbins Island is eventually sold as planned, the remaining lease revenue would be derived solely from Conomo Point and amounts to approximately \$450,000 per year. I have provided these figures to the Chairman of the Finance Committee, the Chairman of the Conomo Point Planning Committee, our public affairs consultant, and our consulting landscape architect.

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

(6) Town Hall and Fire Station Natural Gas Conversion Options (*)

As the Board may recall, we have been waiting to see whether our present electricity supplier (Constellation), which is also a natural gas supplier, will be able to offer natural gas retrofits for the oil-burning heating plants in the Town Hall and the Fire Station. The cost of those projects would be paid back over time as a surcharge on the gas bill (similar to the lighting retrofit project that we recently completed with Constellation). I have now learned that such a project may be possible. However, we will not know the details for a few weeks.

By way of other options, the Board had considered potentially bundling the work with the next phase of the Town Hall/Library renovation or a stand-alone capital article for the Annual Town Meeting. Further, I have learned that National Grid is

offering up to \$40,000 for energy-related projects to municipalities that are willing to promote energy efficiency programs run by Grid to local residents. The amount of funding is contingent upon just how many people utilize those programs by the end of a year's time and all marketing would be up to the Town.

***Recommendation:* Board discussion relative to the various options for the desired gas conversion project. Given that the full status of the Constellation proposal is not yet known, it would be wise to carry an article on the Town Meeting warrant.**

(7) Potential Offer of Purchase and Sale Agreement for 5 Beach Circle (*)

As the Board is aware, a Request for Proposals had been issued for the sale of 5 Beach Circle to any interested party. Proposals are due on Monday, March 23, 2015 at noon (after the printing of this report). The Board will be asked to review and rank any proposals received at the present meeting and to potentially offer a Purchase and Sale Agreement with the successful proposer.

***Recommendation:* Board review of proposals and potential offering of a Purchase and Sale Agreement.**

(8) Evaluation of Electrical Subcontractor for Town Hall/Library Project

I recently completed a State evaluation form for the electrical contractor that recently completed work related to the Town Hall/Library Health, Safety, and Working Environment improvement project. I gave the contractor (Fasolino Electric) high marks since personnel were always responsive and punctual and the quality of work was excellent.

Recommendation: No further action is necessary.

(9) Auction of Southern Conomo Point Properties

Our auctioneer is preparing to offer at auction four southern Conomo Point properties on April 16, 2015 at noon at the Essex Senior Center. The properties in question include 7, 19, and 24 Cogswell Road and 92 Conomo Point Road. A site view will be offered at the properties at 10:30 a.m. that day. Anyone interested in getting further information regarding the properties or the auction process should contact our auctioneer, the Zekos Group, directly at (508) 842-9000.

Recommendation: I will update the Board as necessary.

(10) Affirmative Marketing Program Quarterly Report

I completed and submitted to the State the Affirmative Marketing Report for the quarter ending March 31, 2015 in my capacity as Affirmative Marketing Construction Officer (AMCO) during the week of March 16, 2015. The report details any use of women or minority-owned businesses on State-funding construction projects. The Town had no such utilization over the past quarter.

Recommendation: No further action is necessary.

E. Insurance

(1) Quarterly Building Inspections

I completed the quarterly inspection checklists for Town Hall and the Senior Center during the week of March 18, 2015. Recent work in Town Hall has greatly improved building safety and working conditions. No safety issues were noted in either building. Other buildings are inspected by other departments.

Recommendation: No further action is necessary.

F. Facilities

No items.

G. Fiscal/Budget

(1) Essex Visual Budget

(*)

At the last meeting, the Board requested \$3,000 from the Finance Committee in a line-item transfer to retain the services of a budget visualization firm. The Finance Committee was not able to meet the following Thursday, as originally planned. The Committee will meet on Saturday, March 21, 2015 and we will know the status of the funding by meeting time. If the funding was approved, I can work with personnel from Involution to develop a basic visual budget model for Essex. The model can carry an alternative that depicts what would happen if the tax revenue from Conomo Point were to be redistributed among the remaining taxpayers if leases in the northern area ended.

Recommendation: **I will update the Board at meeting time.**

(2) Budget Priorities for State Funding

As is the case each year, Senator Tarr released a budget priority reporting form that allows communities within his jurisdiction to express important budgetary needs for consideration of State funding. This year, I focused on the release of the downtown boardwalk funding, the need for dredging money, the need for continued grant support of the Regional Dispatch Center, potential assistance with future assessments from the new vocational/agricultural school, and the need for funding associated with the renovation and replacement of Town buildings. The completed form was submitted to the Senator's Office during the week of March 9, 2015.

Recommendation: No further action is necessary.

(3) Department of Revenue Financial Management Review

Personnel from the Department of Revenue visited Town Hall on March 19, 2015 to conduct staff interviews relative to the financial management review that the Town had requested. DOR personnel spoke to me, the Town Accountant, the Town Treasurer/Collector, one of the Town Assessors, Chairman Jones, Finance Committee Chairman Soulard, and various support staff. Prior to the visit, we had forwarded to the Department a wide variety of documents relevant to the review process. Presently, the Department is considering the information collected and may be contacting staff by phone with additional questions and follow-up discussions.

Recommendation: I will update the Board as necessary.

(4) School District Budget Group Meeting

Selectman Coviello and I met with officials from the Town of Manchester and the Manchester Essex Regional School District on March 16, 2015. The group discussed the fact that an override vote is necessary in Manchester in order to approve the requested FY16 District operating budget, but no override is necessary in Essex. The Manchester Annual Town Meeting is April 6, 2015 and the Manchester Annual Town Election is May 19, 2015.

Recommendation: No further action is necessary at this time.

H. Complaints

No items.

I. Meetings Attended

(1) Regional Dispatch Center Meetings

I attended meetings of the Finance Advisory Board and the Executive Board of the Essex Regional Emergency Communications Center (both of which I chair) on March 20, 2015. The FAB meeting featured updates regarding the operation of the Center. The Executive Board meeting featured a vote to hire a new Executive Director, Mr. Shad Ahmed, to replace retired Executive Director Tom Dubas. Mr. Ahmed was present to introduce himself and is expected to begin work in the near future.

Recommendation: No further action is necessary.

J. Final Judgment

(1) DEP Quarterly Report

(*)

I have completed the Quarterly Report to the DEP for the quarter ending March 31, 2015. The report updates the Department relative to the various septic system

upgrades that are pending at Conomo Point properties that have been purchased outright and includes information on the current status of northern planning.

Recommendation: **Board vote to transmit the report.**

K. Town Meeting, By-Laws, and Regulations

(1) Final Annual Town Meeting Warrant

I have revised the Town Meeting Warrant in accordance with the Board's guidance at the last meeting and it is ready for signature at the present meeting.

Recommendation: Board vote to approve and sign the warrant at the present meeting per the posted agenda.

L. Legal Issues

(1) Joint Representation Relative to City of Beverly Regional Dispatch Suit

The City of Beverly filed a lawsuit during the week of March 9, 2015 against the five communities which are presently actively participating in the Regional Dispatch Center, the Essex County Sheriff, and the Massachusetts Department of Revenue. The City claims that it should not be held responsible for Cherry Sheet revenue that the Sheriff has certified for fiscal years 2015 and 2016. Since Kopelman and Paige represents Essex, Amesbury, and Topsfield (as well as Beverly in a limited capacity), the firm has a conflict. The City of Beverly has refused to allow the firm to represent the other three communities. As such, the firm suggests that the Board explore the engagement of Special Counsel and has recommended Attorney James Lampke of Lampke & Lampke. Attorney Lampke has developed an engagement letter for the Board's consideration and has agreed to the same fee structure that Kopelman and Paige has in place. By meeting time, I will know more as to whether he will also be requesting to jointly represent Amesbury and/or Topsfield.

Recommendation: Board discussion relative to the potential appointment of Special Counsel as noted separately on the meeting agenda.

M. Grants

(1) Mass In Motion – Cape Ann Coordination Meeting

As the Board may recall, Essex had teamed up with the other three Cape Ann communities to participate in a regional, State-funded effort to promote healthy lifestyles in our area. I attended a program update/coordination meeting on March 12, 2015 in Gloucester that featured a discussion among the communities of which areas should be focused on. We also completed an exercise related to how each community presently stacks up to national walking/biking/sports/recreation facilities and opportunities. It is possible that the work of the program could bring

in future grant funds for elements that will help promote healthy eating and active living. The group plans to meet again in May.

Recommendation: I will update the Board as necessary.

(2) Town Hall Backup Generator Grant Quarterly Report

I completed and submitted the subject quarterly report to the Massachusetts Emergency Management Agency (MEMA) for the period ending March 31, 2015 during the week of March 16, 2015. The project is completed and we are presently waiting for full reimbursement and a formal closure of the grant by MEMA.

Recommendation: No further action is necessary.

(3) Seaport Feasibility Study Quarterly Report

I completed and submitted the subject quarterly report to the Massachusetts Department of Conservation and Recreation for the period ending March 31, 2015 during the week of March 16, 2015. Since the downtown boardwalk project is presently still in a holding pattern (pending release of the legislatively-authorized \$1.5M in funding), I informed DCR that the balance of the funds will be spent when the project resumes.

Recommendation: No further action is necessary.

N. Emergency Planning

No items.

O. Other Items

(1) Potential Revision of Selectmen's Statement on Conomo Point (*)

As the Board is aware, it issued a "Comprehensive Statement on Conomo Point" in April of 2011. That statement set out certain policies and goals and, given that some items have already been accomplished and that the DEP has recently provided new guidance regarding total wastewater flow, it needs to be updated. I have developed a revision to the document for the Board's consideration. I also discussed the document and the general status of the northern planning effort with our public affairs consultant on March 18, 2015 (she will be in attendance at the present meeting).

Recommendation: **Board review, further revision as necessary, and approval of an updated statement.**

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