



## Town Administrator's Report Board of Selectmen's Meeting of May 9, 2016

Report covers from April 30, 2016 to May 6, 2016

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

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### A. Town Department Reports/Requests

#### (1) Strategic Planning Committee Meeting and Community Compact

At the last meeting, I explained that I attended the Strategic Planning Committee meeting with Chairman O'Donnell on April 27, 2016. The Committee reviewed the various available Compact focus areas and discussed the prospect of an Economic Development Committee at length (and asked that I invite an expert from the Massachusetts Office of Business Development – MOBD – to a future meeting to discuss further). The Committee also asked that I follow up with the various department heads with respect to Compact topics, since very little feedback had been provided since the Selectmen's quarterly department heads meeting two nights earlier. To date, I have not received any other feedback regarding the Compact topics.

Presently, it is my understanding that Ms. Maria DiStefano of MOBD will be able to meet with the Committee regarding how economic development committees usually form and she will be available on June 8, 2016. Ms. DiStefano plans to help the Committee ask the right questions to determine if an Economic Development Committee is necessary to attain the Town's goals and, if so, how it might be crafted.

The Committee resolved to begin the next meeting with the consideration of a single action item for each of the nine Strategic Plan goals. The Town Planner and I will suggest those nine items and will insert them into the summary version of the Plan. Once the action items are agreed to by the Committee, we will track progress on each at the staff level and will add new action items when initial items have been completed.

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

#### (2) Consideration of Future Youth Commission or Recreation Department (\*)

Chairman O'Donnell asked that the Board discuss how the Town might in the future increase offerings for the youth of the Town. This is a theme that has been deemed important by the Strategic Planning Committee. Presently, the Town offers a great summer camp through the YMCA. However, not many other activities are offered and the operation and maintenance of the various Town recreational facilities presently rests with me from an administrative perspective and the Superintendent of Public Works from an operations perspective. It may be useful for the Board to discuss this topic, with an eye toward how additional

services could be offered as part of the fiscal year 2018 budget discussion and approval process later this year.

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

(3) Reconstitution or Dissolution of the Essex Personnel Board (\*)

For several years now, insufficient interest in serving on the Essex Personnel Board has prevented that Board from meeting. The duties of the Personnel Board have been discharged by the Selectmen. Given that I serve as a professional Personnel Officer and given that issues that fall to the Personnel Board were sparse, even when that Board was fully constituted, it may be beneficial to review whether the Board should be dissolved via a bylaw amendment versus embarking upon a renewed effort to recruit members.

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

## **B. Computer Systems**

(1) Successor Agreement for City Hall Systems Software Services (\*)

Every three years, our “Software as a Service” – SaaS – agreement with City Hall Systems for tax collection and other software comes up for renewal. The product has performed very well over the past three years and our Treasurer/Collector continues to work closely with the vendor to improve and customize its performance. The software does not cost the Town anything to possess and use, since the vendor uses other means to derive revenue. The vendor has provided two originals of an amendment that renews the contract for three years.

*Recommendation:* **Board signature of the successor agreement with City Hall Systems.**

(2) Successor Agreement for ADP Payroll Services (\*)

As the Board may recall, the Town switched its payroll services provider from Boston Business Services to ADP approximately 18 months ago. The initial contract with ADP was for an 18-month term and the provider has performed well. As such, our Treasurer/Collector has recommended a successor agreement for a three-year term. The successor agreement will keep the present pricing intact for the first two years of the contract, with a two-percent increase in year three.

*Recommendation:* **Board signature of the ADP contract documents for a three-year successor agreement.**

## C. Personnel

### (1) Consideration of Renewal of Contract with Chief of Police (\*)

The General Laws provide that a Chief of Police contract shall be extended for one year at the expiration of its natural term unless the Selectmen decide not to seek a successor contract at least one year in advance of said expiration date. The Chief's contract is set to expire as of June 30, 2017 and, as is the case in each contract cycle, I bring this to the attention of the Board for any discussion that is necessary.

***Recommendation:* Board discussion relative to whether a successor contract will be sought with the current Chief of Police.**

### (2) Renewal of Third-Party Ambulance Billing Agreement (\*)

Our present third-party ambulance services billing vendor, Comstar, has again performed well over the past year. The present contract expires as of June 30, 2016. The vendor has prepared a one-year, successor agreement.

***Recommendation:* Board signature of a one-year successor contract with Comstar.**

## D. Procurement/Ongoing Projects

### (1) Contract for Installation of Sprinkler Water Service Line (\*)

As the Board may recall, the installation of the new water service line to serve the new Town Hall/Library sprinkler system is not part of the general contract for the renovation work. As such, the sprinkler line was bid out, with bids due on May 5, 2016. A total of four bids were received and the apparent low bidder was Zanelli Construction of North Reading, with a price proposal of \$19,240.

***Recommendation:* Board signature of the contract for this work outside of a meeting once all bonding and insurance requirements have been met. Work will occur somewhere between early October and mid-November (unless our General Contractor allows the water service line work to commence earlier).**

### (2) Town Hall/Library Renovation Project, Weekly Meeting

I attended the subject meeting on May 4, 2016, along with our Project Manager and our architect. The contractor is presently working on steel insertion and gross framing. To this point, our contractor and architect have noted several, relatively minor items that will probably end up as change orders including: a) the removal of an old, cast-iron vent pipe that was hidden in the wall, has no present function, and is in the way of the new work, b) installation of a soffit in the Town Clerk's office to conceal pipes from the second floor bathroom (wall in that area is not thick enough to conceal the pipes), c) extension of a beam, using steel angle braces, so that loads can be properly supported in the area of the new stairwell, d)

potential modification of a post in the second floor bathroom ceiling, e) modification of the framing plan in the second floor bathroom area, and f) potential replacement of more plaster than was originally envisioned. Our Project Manager and architect will summarize these matters in more detail in the coming weeks.

Also, at the last Selectmen's meeting, the Board asked that I consult with Ms. Rebecca Jones regarding whether she is interested in being involved in the design of the interior wall color scheme for the Town offices and, perhaps, the Library. I contacted Ms. Jones and she has indicated that she would be happy to assist the Town. Our architect is willing to propose a set of base interior colors and then review those selections with Ms. Jones before finalization with the Historical Commission and the Library Trustees.

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

(3) Northern Conomo Point Waterfront Improvement Design and Permitting (\*)

Now that the Town Meeting has appropriated funding for the first public waterfront access improvements in the northern area of Conomo Point, the Board could contract with Copley-Wolff for the design, permitting, bid assistance, and construction oversight associated with the improvements. To that end, Copley-Wolff is working on a cost proposal that will outline a specific scope of services that will accomplish all necessary tasks to arrive at final construction of improvements. The scope of services will include ample opportunity for public input.

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

(4) Commencement of Structural Shoring Work on Folsom Pavilion

At the last meeting, the Board authorized me to enter into a contract with Kneeland Construction Corporation of Medford to complete some necessary structural shoring work on the Folsom Pavilion by June 15, 2016. The contract also requires Kneeland to replace a dilapidated, concrete handicapped accessible ramp with a new, wooden ramp. Kneeland went under contract for this project as of May 5, 2016 and plans to begin work soon.

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

(5) Contract for Design Services, Folsom Pavilion (\*)

Now that the Town Meeting has appropriated funding for the development of design options for the Folsom Pavilion, it is necessary to enter into a contract with the top-ranked designer, McGinley Kalsow & Associates. As the Board may recall, the firm had provided the Town with a cost proposal for the necessary design services in the amount of \$18,750. I have arranged for the firm to enter

into a standard designer services contract with the Town that will take the project through the design development phase.

**Recommendation: Board signature of the design services contract with McGinley Kalsow & Associates.**

(6) Specification of Fixtures and Furnishings for Town Hall/Library

Now that the Town Meeting has appropriated funding for fixtures and furnishings for the Town Hall and Library after construction is completed, it is necessary to begin the process of specifying what is needed. To that end, I have arranged for an industry representative to assist us with pulling together specifications that will be used during the bidding process. I will tour the building with this party and officials from the Library Department on May 12. The goal will be to put the whole package out to bid with plenty of time for customization of the order by the successful vendor and delivery for some date in February, 2017.

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

(7) Review of FEMA Flood Maps, Additional Requirement and Cost (\*)

As the Board may recall, our consultant (The Woods Hole Group) that is helping the Town make an appeal of the recent FEMA coastal flood map panels, had informed the Town that FEMA had request more information as part of its review process. The Woods Hole Group has now completed its review of that request for additional information and has determined that FEMA will require the running of a two-dimensional model that was not part of their original proposal. In order to have the best chance at getting meaningful amendment of the FEMA maps, our consultant is recommending that this new model be run, at an additional cost of \$4,200. Fortunately, our consultant's original proposal came to just over \$11,000, plus any FEMA fees and our appropriation for this work is \$25,000.

**Recommendation: Board vote to authorize the Woods Hole Group to run the additional model.**

## **E. Insurance**

(1) Monthly Pothole Log

I obtained the subject log for the month of April from the Department of Public Works during the week of May 2, 2016 and have provided the log to our insurer as part of the MIA Rewards Program. I will resume this activity in November.

*Recommendation:* No further action is necessary.

## F. Facilities

### (1) Future Use and Ownership of the Centennial Grove Cottage (\*)

I arranged to have our plumbing contractor open the Grove Cottage for the season by restoring water service to the building during the week of May 2, 2016. Chairman O'Donnell asked that the Board discuss the future of this building, since rentals have not been popular and maintenance of the building will become increasingly costly as the years go by. Possibilities include the potential sale of that portion of the Centennial Grove or perhaps even an expansion of the YMCA program, which might provide the maintenance and upkeep that the Town has little resources to perform.

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

### (2) Inspection of Minor Repair Work to Senior Center Elevator

During the annual inspection of the Senior Center elevator this year, the State Elevator Inspector required that some minor work be performed on the elevator. That work was then completed and was inspected by the State Inspector on May 5, 2016. All aspects of the elevator are now in full compliance.

*Recommendation:* No further action is necessary.

### (3) Installation of Stone Bounds within Robbins Island Subdivision (\*)

As was the case with the Southern Conomo Point Subdivision and the Beach Circle portion of the Central Conomo Point Subdivision, the Robbins Island Subdivision approval carried with it certain conditions that must be met before the Planning Board will endorse the subdivision (a step necessary prior to recording and property sales). The most significant condition that must be met is the setting of stone property bounds at various points along the subdivision right of way. Our Consulting Engineer, Horsley Witten, has developed a proposal for this work, at a cost of \$13,000.

Other conditions include minor roadway improvements, installation of no parking signs, minor tree limb trimming, ensuring the numbering of all houses, and the analysis of potable water and septic systems by the Board of Health.

*Recommendation:* **Board signature of the contract with Horsley Witten for the installation of the 25 stone bounds.**

## G. Fiscal/Budget

No items.

## H. Complaints

No items.

## I. Meetings Attended

No items.

## J. Final Judgment

No items.

## K. Town Meeting, By-Laws, and Regulations

### (1) Preparation for Residents-Only Enforcement at Centennial Grove (\*)

At the last meeting, I covered with the Board ten separate points that need to be addressed as the Town prepares to enforce the new, residents-only requirements at the Grove. I ordered resident tags on May 3, 2016 and I am optimistic that the tags will be available prior to the Memorial Day Weekend. If not, the Town will issue temporary, paper permits until the tags arrive. I also worked with Selectman Coviello and the Superintendent of Public Works to arrive at final signage language and I have placed an order for the necessary sign. Further, I finalized the revisions to the Grove regulations and the revised version has been posted to the Town's website. Both the Town Clerk and the Chief of Police have received copies of these revised rules.

As to the other points: a) the local Boy Scout troop is still considering to run the weekend attendant program (two adults and two scouts may make rounds about the area on weekends to ensure all users are authorized), b) I will arrange for some type of attendant shirt or vest, c) I will develop a field guide for attendants to be able to effectively enforce the rules, d) I will work with the Police Chief regarding increasing patrols in the area, gate locking/unlocking, and protocol for attendants to contact the Department.

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

## L. Legal Issues

### (1) Successor License for the Town's Use of Paglia Park (\*)

As the Board is aware, the Town maintains a small pocket park, known as Paglia Park, adjacent to the causeway bridge. The park is made possible via a license from the property owner and it expires as of May 31, 2016. I have communicated with the property owner's attorney and I am waiting to hear back about her inclination to grant a successor license, for an additional, two-year term, which is likely.

**Recommendation: Board countersignature of the successor license for the Town's use and maintenance of Paglia Park, outside of a meeting, once available.**

(2) Formation of a Wastewater Management District for Northern Conomo Pt. (\*)

Now that the Town Meeting has authorized the long-term leasing of most of the properties in Northern Conomo Point, it will be necessary for the Town to form and operate a Wastewater Management District. The Department of Environmental Protection will require that such an entity be set up, since the transition rules in Title 5 and the Consent Decree anticipate this type of management whenever wastewater flow from a single property is between 10,000 and 15,000 gallons per day.

To this end, I have begun to discuss the requirements with Mr. David Ferris of the DEP. The District could be created using something as simple as a new Board of Health regulation and the Board of Health (with jurisdiction over wastewater) and the Selectmen (with jurisdiction over the leases) could work together to administer the District's requirements. The regulation would speak to various elements such as: management and upgrade of failed systems, maintenance of systems (tight tanks, conventional systems, innovative/alternative systems), and inspection of all system on a five-year cycle. Mr. Ferris confirmed that the property at 11 Beach Circle, which will not have assurance of long-term leasing, may be monitored by the new District and will not require a septic system upgrade unless an imminent health or environmental hazard is detected. Further, he indicated that one northern property that may have been occupied in the past, may be re-occupied if proper documentation is made available.

**Recommendation: Board discussion relative to the formation and operation of the Northern Conomo Point Wastewater Management District.**

(3) Development of Purchase & Sale Agreements for Robbins Island (\*)

Now that Town Meeting has authorized the sale of certain properties on Robbins Island, it is necessary to begin the development and offering of purchase & sale agreements, in a fashion similar to the southern and Beach Circle sales. I have begun to work with Town Counsel on this task and, ultimately, the deeds for the twelve properties will take two forms: nine will be seasonal-only deeds (Lots 4, 5, 6, 7, 9, 10, 12, 16, and 18) and three will be deeds where year-round use is permitted until the properties are transferred beyond the present tenants – first owners (Lots 11, 14, and 17).

**Recommendation: Board authorization to sign purchase & sale offer letters, with Agreements attached, outside of a meeting, once Town Counsel has finalized the necessary paperwork.**

(4) Development of Leases for Northern Conomo Point (\*)

Now that the Town Meeting has authorized the Board to enter into leases of up to twenty years for most properties in the northern area of Conomo Point plus 11 Beach Circle and Lot 15 on Robbins Island, it is necessary to develop lease documents.

Leases will be fashioned after the example lease that was released as part of the lease value appraisal process and will be offered in several forms: 1) standard, twenty-year lease for inhabited, seasonal properties (or portions of such properties) – 27 total; 2) standard, twenty-year lease for year-round, inhabited properties that will revert to seasonal upon assignment (or portions of such properties) – 8 total; 3) standard year-to-year lease for accessory properties – 12 total; 4) standard year-to-year lease for portions of inhabited properties that will be reserved for more immediate use – 5 total; 5) special form of lease for 130 Conomo Point Road, in accordance with the past litigation, 6) special form of lease for 23 Middle Road, in accordance with the past litigation, 7) year-to-year lease for the property at 11 Beach Circle, 8) year-to-year leases for garages and associated property at lot 15 on Robbins Island, and 9) special form of lease for property at 162 Conomo Point Road that may require a new appraisal if it is to be reoccupied in the future.

<u>Category</u>	<u>Count</u>
1	27 (25 whole lots, less 2 in categ. 5-6, plus 4 split lots) Lots 21, 22, 25, 27, 28, 29, 32, 33, 34, 42, 43, 45, 49, 51, 54, 55, 56, 57, 58, 63, 66, 67, 68, 69, 75, 76, 77
2	8 (7 whole lots plus 1 split lot) Lots 30, 48, 59, 60, 62, 70, 71, 72
3	12 (12 whole lots) Lots 26, 31, 35, 36, 37, 38, 39, 40, 46, 47, 50, 74
4	5 (5 split lots – accessory portions) 29, 44, 48, 49, 77
5	1 (130 Conomo Point Road, affixed, seasonal) Lot 65
6	1 (23 Middle Road, not affixed, seasonal) Lot 53
7	1 (11 Beach Circle, leasing until needed for access) Lot 79
8	2 (accessory support for 42 and 44 Robbins Is. Rd.) Lot 15a, Lot 15b
9	<u>1</u> (162 Conomo Point Road, pending discussion) Lot 44
Total	58

**Recommendation: Board discussion relative to the development of the various documents and the timing of the lease offers, including any offer letters that will be developed by Town Counsel.**

(5) Preparation for Demolition of Garage at 5 Southern Avenue (\*)

Now that Town Meeting has appropriated funding for the demolition of the dilapidated garage at 5 Southern Avenue, I have begun to work with Town Counsel concerning formalizing permission to proceed with the court-appointed Receiver. In addition, I have learned from an environmental engineer who has analyzed various site aspects in the past that the project is be within the jurisdiction of the Conservation Commission.

Given the Commission's jurisdiction, I have developed the necessary paperwork to file for a Request for Determination of Applicability, which is the method we have used for most demolitions out at Conomo Point. I have filed that paperwork with the Commission for preliminary review. In the meantime, I can ask our industrial hygienist to develop a proposal for the necessary asbestos survey that must be performed. I am working with Town Counsel to obtain access for this purpose.

**Recommendation: Board ratification of the filing of a Request for Determination of Applicability relative to wetlands permitting and authorization to begin the process associated with asbestos identification.**

**M. Grants**

No items.

**N. Emergency Planning**

No items.

**O. Other Items**

(1) Town Administrator Leave

I was out of the office on vacation leave on May 5, 2016.

*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.*