



Town Administrator's Report Board of Selectmen's Meeting of June 20, 2013

Report covers from June 1, 2013 to June 18, 2013

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

A. Town Department Reports/Requests

(1) Fiscal Year 2014 Prisoner Lockup Contract (*)

Even though the Town will very likely eventually utilize the new Regional Lockup Facility that is under construction in Middleton, the need for lockup services before that facility goes on line still exists. The Chief of Police is in the process of reviewing our agreement with the Town of Manchester and will provide a recommendation by meeting time.

Recommendation: Board discussion relative to the Chief's recommendation and potential signature of a new, one-year contract with Manchester.

(2) Phragmites Management Plan and Winter Moth Control (*)

At the last meeting, the Board reviewed a comment from a resident regarding what they regard to be an increasing problem with an invasive plant known as phragmites. The resident suggested several different techniques to deal with the issue, with specific reference to Conomo Point. The Board determined that the problem should be investigated on a Town-wide basis and asked me to review the matter with the Conservation Commission. The Commission discussed the issue on June 4, 2013 and took it under advisement. Phragmites is a freshwater plant and cannot tolerate even brackish water. As such, it is possible that sea level rise and the future flow of water into our coastal areas could significantly alter the spread of the plant. It may be appropriate to have this issue assessed as part of the National Wildlife Federation climate change adaptation strategy project. The resident has also followed up with another note about an individual who has had experience with controlling this invasive plant and regarding a new topic, the winter moth (a leaf-eating pest).

Recommendation: Board discussion regarding including the phragmites matter in the NWF project and review of the resident's most recent note on that topic and the winter moth topic.

(3) Reconstitution of Long Term Planning Committee

At the last meeting, the Selectmen discussed the possible reconstitution of the LTPC with its current Chairman, Mr. Andrew St. John, based upon which members are interested in continuing to serve and which members would like to be replaced. Mr. St. John is in the process of reviewing this topic with the Committee. Also, as requested, I reached out to Planning Board Chair Kim Drake to ask whether that board will be providing a representative in the future and

learned that the Planning Board will address the issue after all seats have been filled.

Recommendation: I will update the Board as necessary.

(4) Coastal Structure Report Update

As reported previously, the State is in the process of updating each community's inventory and condition of coastal structures including seawalls and piers. The Harbormaster has assigned our update to the Deputy Harbormaster and I have provided input related to items I have knowledge on between the last iteration of the report (2007) and the present day.

Recommendation: No further action is necessary.

(5) Public Safety Committee Charge and Interview Questions (*)

At the last meeting, the Board provided input regarding a series of questions that may be asked of individuals interested in serving on a new Public Safety Committee. I have added those questions to the document that shows the draft Committee charge.

Recommendation: **Final Board approval of the charge and the interview questions and additional input relative to the advertising and interview process.**

B. Computer Systems

(1) Transition of Data Systems to Regional Dispatch Center

As the Board is aware, the Town's existing dispatch center will be cut over to the new Regional Dispatch Center in Middleton on June 24, 2013. Even though Essex will be the first town in, the center's Records Management System will not be ready until August, since all participating agencies will be required to complete training and since not all agencies will be cut over as quickly. As such, in the interim, we will continue to use our existing incidents entry database. That database will be moved over to the new center and the center's dispatchers will enter calls into it until the new system is ready. Our officers will simply remote into the system to complete their narratives, like they do now – except that now, our database is on our native server. Once the new system is in use, we will work with the staff at the new center to import historical data from our old database to the new system.

Recommendation: I will update the Board as necessary.

(2) Communications Drop for Safe Vestibule

As the Board is aware, we are working to have a special camera and audio system installed in the Fire Station foyer to allow someone with an emergency to easily

and directly communicate with a dispatcher in Middleton. Due to the importance of this system, a dedicated Internet drop should be installed in the station. As such, I ordered the service and it was installed on June 17, 2013. The Chief of Police is working with a separate vendor to get the communications equipment installed and connected to the Internet.

Recommendation: I will update the Board as necessary. Total time – ½ hour.

C. Personnel

(1) Essex Emergency Dispatch Layoff Hearings

As we continue to prepare to transition to the new Regional Dispatch Center on June 24, 2013, it was necessary to hold hearings for the members of the Teamsters Local 42, who staff the Essex Dispatch Center. These employees are being laid off due to a lack of work and the hearings were convened by the Chief of Police on June 6, 2013. I was in attendance in my capacity as the Personnel Officer.

Recommendation: No further action is necessary.

(2) Annual Employee Health Insurance Responsibility (HIRD) Disclosure Form

Each year at this time, pursuant to the Massachusetts Health Care Reform Law, we notify all employees working an average of between 64 and 79 regularly-scheduled, permanent hours per month of their opportunity to have the Town deduct funds from their weekly paychecks to contribute to their own health insurance programs (since these employees are not eligible for the Town's plan). Participation is voluntary. We also inform all employees who are eligible for the Town's health insurance plan but have chosen not to enroll in the past of their continuing eligibility. All necessary notifications, which are required to be signed and returned by applicable employees, were provided with employee paychecks during the week of June 3, 2013.

Recommendation: No further action is necessary.

(3) Renewal of OccHealth Connect Letter of Understanding

As the Board is aware, as part of the MIIA Rewards Program, the Town has an ongoing agreement with Quadrant Health Services to provide both pre-employment drug and medical testing and occupational health services for those who may become injured on the job. Our Agreement runs though the fiscal year and I have provided an updated agreement to our provider that will become effective on July 1, 2014. Our provider has signed and returned and I have forwarded the Agreement to our insurer.

Recommendation: No further action is necessary.

(4) Pre-Placement Physical and Drug Testing Annual Report

Our insurer has moved to a new reporting format for pre-employment physical and drug testing and I have worked with our provider to summarize all fiscal year 2013 testing by date and department. Our provider signed the report and I have forwarded to our insurer as part of the MIIA Rewards Program.

Recommendation: No further action is necessary.

(5) Police Department Staffing (*)

Now that the Town will no longer be operating its own emergency dispatch center, that former space will be utilized by the Police Department. The Chief of Police discussed staffing options recently with Chairman Jones, Finance Committee Chairman Soulard, and me recently and we determined that discussion should be held at both the Board of Selectmen and Finance Committee levels.

Recommendation: **Board discussion of staffing options.**

D. Procurement/Ongoing Projects

(1) Development of Preliminary Subdivision Plan, Central Conomo Point

Our consultant completed drafting for the subject plan during the week of June 10, 2013 and I had already filled out the necessary application forms for the Chairman's signature and had arrived at an official list of abutters with the Board of Assessors. The Preliminary Plan has been submitted to the Planning Board and we expect that it will be taken up by that Board in either July or August.

Recommendation: I will update the Board as necessary.

(2) Designer Evaluation Form, Meyer & Meyer

I recently completed the subject form as required by State regulations relative to the performance of our Town Hall/Library improvements designer. I rated individual characteristics and our designer received an overall rating of 3.75 out of a possible 4.0. I will complete and file other forms after the project has been bid and constructed. I shared this first form with our designer as required and will provide the subsequent forms to both the Designer Selection Board and the Division of Capital Asset Management and Maintenance.

Recommendation: No further action is necessary at this time.

(3) Phase IV Contract for Assessors Digital Mapping Project (*)

As the Board is aware, the Board of Assessors has been working with Cartographic Associates to steadily produce digital parcel maps for the Town. The firm has completed the first three of four phases of this work and the Assessors now recommend that the Town enter into phase IV, to complete the project. This final phase is expected to run from July of 2013 through September of 2014. After completion of the mapping project, it will be important to carry

sufficient annual funding to keep maps up to date and to implement programs that will improve how the maps can be used.

Recommendation: **Board signature of the phase IV contract with Cartographic Associates.**

(4) Contract for Historic Properties Survey Plan (*)

As discussed previously, the Historical Commission had solicited quotations for the subject plan, which is being funded using the Community Preservation Fund. A contract with Ms. Wendy Frontiero has been drafted and accepted. The survey will provide the Commission with a useful reference product as the Commission goes about its regular business and also builds upon the information under future projects.

Recommendation: **Board review and approval of the contract.**

E. Insurance

No items.

F. Facilities

(1) Centennial Grove Cottage Water Supply

I have worked with a plumbing contractor to restore water service to the Grove Cottage since the normal winterization procedures remove a length of pipe to ensure that no freezing will occur. The Cottage will be used for a private function on June 23 and may have other seasonal uses on a case-by-case basis.

Recommendation: No further action is necessary.

(2) Demolition of Structures at 5 Beach Circle (*)

After I coordinated sign-offs from multiple departments, the Building Inspector issued a permit for the demolition of a shed and dwelling at 5 Beach Circle on June 5, 2013. I ordered the appropriate quantity of erosion control barrier and the Superintendent of Public Works arranged for the dumpsters and worked with his crew to deploy the barrier and otherwise prepare the site. The DPW hired an excavator and operator for a day to actually demolish the building on June 13, 2013. DPW personnel will complete the work by cleaning up the site and stabilizing the ground surface as required by the Conservation Commission.

Recommendation: **Board discussion as necessary.**

(3) Assessment of Asbestos in Town Hall/Library (*)

As the Board is aware, we had retained the services of an asbestos inspection and testing firm to review various planned work elements within the Town Hall and

Library. Testing of those areas generally demonstrated the absence of asbestos. However, several areas did contain asbestos that is presently not a hazard but will need to be abated prior to our planned construction activities so it will not be disturbed and released during construction. I have forwarded our consultant's report to our architect for proper coordination with bid specifications.

Recommendation: **Board discussion as necessary.**

G. Fiscal/Budget

No items.

H. Complaints

No items.

I. Meetings Attended

(1) Federal Channel Dredging Discussion (*)

Selectman O'Donnell and I met with the Town's three marina owners on June 11, 2013 to discuss the need for dredging and the Army Corps of Engineers' requirement that all Federal Channel encroachments be resolved before Federal dredging can be authorized. The group discussed a variety of items that should be investigated as part of further evaluation of the dredging issue including:

1. Ask our present marine engineering contractor (Vine Associates) for a quotation regarding a study that will outline how the Federal Channel can be realigned and reconfigured to avoid existing encroachments and that will suggest how other encroachments can be pulled back or reconfigured to avoid the channel. The study could also investigate the permitting process that would be necessary to authorize private property owners to dredge parts of the Essex River on an ongoing basis and to truck and deposit the spoils in local areas that could benefit from the material (such as farms). It is also possible that area industries would be interested in purchasing spoil materials. The geographic area in question would likely be from Water Street to the Essex River Bridge at Route 133 and an investigation of the nearest approved offshore disposal site or alternatives to that site should be included in the scope.
2. Work with Salem State University to tailor the next round of Seaport Advisory Council grant funding (construction of the Riverwalk) to also include more widespread dredging (as opposed to the limited pocket dredging that will be required for the public floats). It is also possible that the project could at least fund the necessary permitting for private partners to conduct the actual dredging work – especially if a land-based, ongoing permit is feasible. [My

subsequent research on this idea has indicated that Seaport will not fund dredging on a large scale.]

3. Get an update from Senator Tarr regarding any State effort to mobilize a maintenance dredging unit that would continuously maintain channels up and down the Massachusetts coastline.
4. Research the history of dredging in Essex to illustrate how regular maintenance has been necessary and how the need will continue into the future.
5. Bring the request to fund an engineering study (see above) back to a Special Town Meeting in the fall or earlier (if a meeting is called for some reason prior to November).
6. Engage the local clamming community regarding the topic of dredging and work through any concerns by providing a historical perspective and any necessary technical information.
7. Compile a list of local businesses that are dependent upon the Essex River being safely passible during all tidal stages.
8. Review the growing list of public safety concerns that are presented by channels that are impassible at low tide by engaging the office of the Essex Harbormaster, the office of the Essex Shellfish Constable, and the US Coast Guard.

I also had the opportunity to discuss an ongoing regional effort for maintenance dredging with Senator Tarr. The Senator had envisioned in the past the potential acquisition by the State of dredging equipment and personnel that would make regular rounds along the Massachusetts coast. Further evaluation has suggested that, instead of a State-run dredge, the State could have an ongoing contract that would rotate every few years to a new dredging contractor. The Senator has been involved with an organization of communities known as the Merrimac River Beach Alliance (MRBA) and he is interested in that organization growing and bringing the dredging issue to bear over a larger area. This type of organization around mutual goals is necessary in discussions involving State and Federal funding for this type of work. Northern coastal Massachusetts communities have lost much beach sand in recent years and a natural southern drift is what is depositing much of that material in the mouth of the Essex River and other areas of Cape Ann. It is possible that Essex could become a material source for the nourishment of northern beaches.

***Recommendation:* Board discussion relative to both the Federal Channel and the MRBA potential opportunity.**

(2) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting on June 12, 2013. The meeting featured a presentation regarding the Essex Police Department's involvement in the Cape Anne Regional Response Team and how that Team assisted with the aftermath of

the recent Boston bombing crisis. I also updated the group regarding various ongoing Town projects and initiatives.

Recommendation: No further action is necessary.

J. Final Judgment

(1) Final Judgment Quarterly Report (*)

I have completed the subject report that is due to the DEP by July 1, 2013. The report highlights the recent adoption of the Central Conomo Point Zoning District by the Annual Town Meeting and updates the Department on other items.

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

K. Town Meeting, By-Laws, and Regulations

(1) Proposed Special Legislation, Town of Hamilton (*)

As discussed at the last meeting, the Town of Hamilton petitioned the Legislature recently for the authority to impose liens on properties served by the Hamilton Water Department that happen to be in Essex and Wenham. Neither Essex nor Wenham had any advance notice of this action and both were informed of a legislative committee hearing on the matter on very short notice. Ultimately, Senator Tarr and Representative Hill agreed to host a meeting among the three communities' managers to discuss concerns before the matter goes back to the committee for a vote. This meeting occurred in Boston on June 12, 2013 and both Essex and Wenham presented several concerns that may be addressed by adjusting the language of the bill. The group agreed that the three Town Counsels should discuss concerns and work to develop amended language, which will likely include a local ratification clause.

Recommendation: **Board discussion as necessary.**

L. Legal Issues

No items.

M. Grants

(1) Massachusetts Downtown Initiative Technical Assistance Program (*)

As the Board may recall, the Town had applied for the subject grant in September of 2012 in order to obtain funding for technical assistance relative to the Town Landing as a focal point for the newly-created Essex River Cultural District. The Department of Housing and Community Development (DHCD) has funded the Town's proposal in the amount of \$10,000 and Cultural District Liaison Jean Grobe initially reached out to DHCD regarding next steps. Program Manager

Emmy Hahn at DHCD then contacted me to explain that the MDI program uses pre-bid consultants to deliver the technical assistance and the State actually pays all invoices as the project progresses. The next step is to arrive at a final scope of services based upon the grant application and an upcoming site visit that will occur on July 9, 2013.

Recommendation: **Board discussion as necessary.**

(2) Downtown Boardwalk Construction Grant Application (*)

Salem State University has completed an information form associated with the construction phase of the boardwalk project for review by the Seaport Advisory Council. The form should be submitted to the Council as soon as we receive confirmation from one of the project abutters that he is amenable to offering the Town a necessary easement. To that end, I met with the abutter (Mr. Bing Gao), Mr. Robert Coviello of the Long Term Planning Committee, and our design engineer in the field on June 18, 2013. Mr. Gao is comfortable with the boardwalk going along his property but not around his actual restaurant.

Recommendation: **Board discussion regarding the scope of the project and the progression of the Seaport application process.**

(3) Final MOU with National Wildlife Federation (*)

At the last meeting, the Board discussed with Long Term Planning Committee (LTPC) Chairman Andrew St. John the latest iteration of a Memorandum of Understanding with the National Wildlife Federation (NWF) for a coastal climate change adaptation study project. Mr. St. John agreed that the LTPC could play a role by supplying a subset of its membership to participate on a Task Force that will steer the project (and I have put George Gay from NWF in touch with Mr. St. John). Personnel from other related coastal initiatives in our area could also serve on the Task Force. NWF has completed its review of Town Counsel's draft of the MOU and has assented to those terms.

Recommendation: **Final Board review and signature of the MOU.**

(4) MAPC Growth and Conservation Priority-Setting Project

At the last meeting, the Board discussed with Long Term Planning Committee Chairman Andrew St. John an initiative being undertaken by the Metropolitan Area Planning Council to map local priorities for growth and conservation. Since the LTPC is already undertaking work in this area on its own, the Selectmen felt that the LTPC should be the Town's liaison to MAPC's project. Mr. St. John agreed and I have put him in touch with MAPC personnel.

Recommendation: I will update the Board as necessary.

N. Emergency Planning

(1) Cape Ann Emergency Planning Team Monthly Meeting

I attended the subject meeting on June 13, 2013. The meeting featured a discussion regarding the City of Gloucester's recent progress toward a regional disaster shelter in the O'Malley Middle School. The City will prepare the space shortly after the new fiscal year begins. All four communities will still maintain their own shelter capabilities (Essex would use the Essex Elementary School) but, in certain situations, a regional shelter may be a better option.

Recommendation: No further action is necessary.

O. Other Items

(1) Town Administrator Leave

I was out of the office on vacation leave all day on June 14, 2013.

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