



Town Administrator's Report Board of Selectmen's Meeting of Sept. 22, 2014

Report covers from September 6, 2014 to September 19, 2014

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

A. Town Department Reports/Requests

(1) Fire Department Comments Regarding Recent Consultant Study

At the last meeting, members of the Essex Fire Department discussed the recent study that has been produced in draft by the Essex County Fire Chiefs Association. The Selectmen have already provided comments to the study's author through the Public Safety Committee (PSC), and the Fire Department would also like to comment. As such, I reached out to the Chairman of the PSC to ask him to inform the consultant that the final version of the study should be held until after the Fire Department's comments have been provided and reviewed. The Chairman made contact with the consultant and all have agreed that the consultant will not produce a final draft of the report until all comments have been registered.

Recommendation: I will update the Board as necessary.

(2) Conomo Point Planning Committee Focus and Revision of Mind Maps (*)

At the last meeting, members of the Conomo Point Planning Committee and the Selectmen reviewed and updated the mind mapping process that Committee Member Randall began in the past. I have worked with Mr. Randall to produce an updated draft for the Board's and the Committee's ongoing review.

Also, the question of whether to bring the question of long-term leasing in the northern area of Conomo Point to Town Meeting in May of 2015 versus May of 2016 was raised at the last meeting. Regardless of the timing, it was suggested that the overall plan for the Point will need to be updated and presented to voters along with the long-term lease question in order to make any meaningful progress. It will be useful for the Board to have additional discussion on that topic at the present time. Further, the Board asked that I provide an updated report on the number of bedrooms on Conomo Point that are still under the Town's control. I have worked with the Assessors' Office to run the necessary report and have coupled the bedroom data with the most recent assessed values report that I ran for the Finance Committee.

***Recommendation:* Board review of the revised mind map; discussion relative to the timing on the question of long-term leasing in the northern area; and review of our current understanding of Conomo Point bedroom data.**

(3) Formation of Bicentennial Committee

Since the Town's bicentennial is coming up in 2019, at the last meeting, the Board asked me to begin soliciting interest from residents who might like to serve on a new Bicentennial Committee. As such, I provided notices for publication in the community sections Gloucester Times and the Boston Globe and asked the Regional School District to get notices around to parents. Residents interested in serving on the Committee should provide letters of interest to the Selectmen at 30 Martin Street, Essex, MA 01929 or by e-mailing them to me at bzubricki@essexma.org. Several letters of interest have already been received and others are expected to arrive in the coming weeks.

Recommendation: I will update the Board as necessary.

(5) Town Building Committee Meeting

Selectman O'Donnell chairs the Town Building Committee and she and I attended a meeting of the Committee on September 15, 2014 to provide an update to the membership since the Committee has not met for quite some time. Now that the Town has decided to work toward the restoration of the Town Hall (as opposed to moving Town offices and the Library to other quarters) and now that the Public Safety Committee is nearly finished with its study of public safety operations, the Town Building Committee can absorb these changes and begin to contribute again. The Committee members got a tour of the recent Library renovations from Beth Cairns of the Library Trustees and I led the members around the remainder of the building to review the work that has been accomplished during the ongoing health, safety, and working environment improvement project. The Committee briefly discussed possible topics for future work and will meet again after the Public Safety Committee recommendation has been released in its final form.

Recommendation: No further action is necessary at this time.

(6) Initial Meeting of the Cape Ann Regional Cable Advisory Committee

The recently-reconstituted Cape Ann Regional Cable Advisory Committee will soon convene an initial meeting in Gloucester. The purpose of the meeting is to learn from both the City Solicitor and a Kopelman and Paige attorney specializing in cable permitting what to expect during the cable television contract renewal process that is presently underway in the four Cape Ann communities. Although the current contracts do not expire for another three years, the process takes time and the Committee will work to spearhead common issues with Comcast, with individual representatives keeping each community's leadership informed.

Recommendation: I will update the Board as necessary.

B. Computer Systems

(1) Activation of High Availability for Building Interconnection Routers

As the Board may recall, a technician from Edgewater Technology had assisted us with the first phase of the system designed to replace the old Cable I-Net, which formerly interconnected the various Town buildings. We had also purchased a second router for each location as a failover capability should the primary router fail. Edgewater returned during the week of September 15, 2014 to install the second unit at Town Hall, putting the system into a configuration known as “high availability”, which provides that failover capability. I worked alongside the technician so I could learn how the system works, for future reference and he will return in the future to install secondary units at the Water Plant and the Fire/Police Station.

Recommendation: No further action is necessary. Total time – 1 hour.

C. Personnel

(1) Position Description & Wage for Part-time Council on Aging Director (*)

As discussed at the last meeting, the Council on Aging is interested in posing to the Fall Town Meeting the prospect of approving funding and a wage range for a new, part-time Council on Aging Director. The Selectmen, acting in their capacity as Personnel Board, would need to approve a new position description and a wage range to add to the fiscal year 2015 Wage & Salary Scale. If these items pass, the Council would seek candidates after the Fall Town Meeting and would likely have an employee on board as of January 1, 2015. I have worked with the Chairman of the Council on Aging to review multiple comparables from other communities for similar positions and I recommend that the Board endorse a wage range of \$22.50 to \$29.50 per hour (commensurate with experience).

Recommendation: **Board review and potential approval of a new position description and recommendation to the Fall Town Meeting of the new wage range for the position.**

(2) Employee / Volunteer of the Year Program (*)

At the last meeting, the Board asked me to contact the Town of Manchester relative to a program that recognizes one employee and one volunteer for outstanding work each year. The program is run by the Manchester Selectmen’s Office, which happily shared the guidelines with me.

Recommendation: **Board discussion relative to the possibility of instituting a similar program in Essex.**

D. Procurement/Ongoing Projects

(1) Planning for Auction of Southern Conomo Point Properties (*)

Now that we have retained the services of the Zekos Group of Shrewsbury to auction off southern Conomo Point properties that are under the Town's full control, the firm has begun to develop a plan of operations for the sales. The firm expects that the first three auctions will take place in mid-November and I have provided the firm with some basic documents such as current Assessors' field cards and the tax map for the area. Parties interested in potentially bidding on a property or properties can contact the Zekos Group directly at (508) 842-6400. The firm will also be implementing a general advertising campaign in order to maximize the competition at the auctions.

Recommendation: **Board discussion as necessary.**

(2) Second Round of Funding for Promotion of Town Resources

At the last meeting, the Board reviewed the accomplishments of the Essex Merchants' Group relative to the use of the Town's initial, \$5,000 appropriation for the promotion of Town resources and attractions. The Board was pleased with the outcome and approach and asked me to solicit a proposal from the Group to utilize the next \$10,000 in funding. The Board asked that the new proposal also include a discussion of how the various non-profit resource groups that operate in the Town could be promoted. I made the request for the proposal to the President of the Group during the week of September 8, 2014 and I expect a proposal in the near future.

Recommendation: I will update the Board as necessary.

(3) Demolition Update, 103 and 138 Conomo Point Road (*)

The Town's asbestos removal contractor completed its work during the week of September 15, 2014 and the Essex Conservation Commission provided me with its official Order of Conditions for #138 during the week of September 8, 2014. The work at #103 was permitted under a different process. I provided the Order of Conditions to Town Counsel for recording at the Registry of Deeds, which is a precursor to conducting any work. We are waiting for an asbestos clearance report from our asbestos consultant, who monitored the work at both properties, before, during, and after removal commencement. Both of the aboveground oil storage tanks in the basement of #138 were removed on September 10, 2014. I have ordered the necessary erosion control materials for the worksites and I have fabricated the required MassDEP file number sign for use at #138. Presently, I expect to have all clearances necessary for the Building Inspector to sign both demolition permits on September 24, 2014, with work to commence the following week.

Recommendation: **Board discussion as necessary.**

(4) Contract for Heating Oil for 2014/2015 Heating Season (*)

We received a total of two quotes for the provision of heating oil for the 2014/2015 heating season. Old Yankee Fuel was the successful bidder at 25 cents per gallon above the Low Daily Wholesale Boston price.

Recommendation: Board signature of the heating oil contract with Old Yankee Fuel for the upcoming season.

(5) Release of Request for Proposals for Potential Sale of 5 Beach Circle

The subject RFP was released on September 17, 2014 and, contingent upon a Fall Town Meeting vote to potentially authorize the Selectmen to sell 5 Beach Circle, an interested party could either demolish a house on some other Town-owned Conomo Point property and build a new house at 5 Beach Circle or could move a house from some other Town-owned Conomo Point property to 5 Beach Circle. Proposals are due on October 20, 2014.

Recommendation: I will update the Board as necessary.

(6) Town Hall/Library Renovation Project Update

The architect for the subject project visited the site on September 18, 2014 to begin pulling together a punch list. The contractor is presently finishing up work on the replacement of the Town Hall entry façade and other minor project elements remain. The project is expected to remain open to accommodate a change order for the wiring of the new emergency generator (expected in November) and a change order for the repair of the Town Hall end wall instability problem. In addition, a student interested in providing community service hours recently completed the removal of the remaining contents from the balcony of the Town Hall and has stored those in the basement. The student then began to assist with the overall organization of the basement.

Recommendation: I will update the Board as necessary.

E. Insurance

(1) Essex - Manchester Fire Explorers Post Establishment (*)

At the last meeting, members of the Essex Fire Department reviewed for the Selectmen the Department's idea of establishing a Fire Explorer post with the Town of Manchester to allow youth to learn more about a career in firefighting and EMS. At the meeting, the Board asked me to review how the program's insurance would dovetail with the Town's insurance and liability; to determine whether the establishment of the post would require authorization by the Board; and to find and forward to the Board the program's statement concerning non-discrimination.

I made contact with the organization during the week of September 8, 2014 and learned that the organization would accept a letter of authorization from the Selectmen should our insurer or legal counsel require that. Further, a representative provided me with a copy of a fact sheet on the organization that indicates clearly that the organization will not discriminate, on a wide variety of grounds. I also reviewed the insurance issue with our insurer and our representative made the following recommendations: a) obtain a hold harmless agreement indemnifying the Town from every participant, b) obtain certificate of insurance from the parent organization listing the Town of Essex as an additional insured, and c) obtain evidence of accident insurance from the parent organization (the Town would not be able to be listed as an additional insured on that, but should confirm that it is in place for program participants).

***Recommendation:* Board vote to authorize the use of Town equipment and work alongside Town employees by prospective Explorers (to be placed on file with the parent organization). Also, the Board should consider requiring the hold harmless agreement and obtaining the insurance certificate and evidence, as opposed to covering participants as volunteers under the Town's policy.**

F. Facilities

(1) Final Report Relative to Town Hall Endwall Instability and Next Steps (*)

At the last meeting, the Board was waiting for the final preliminary report relative to the subject problem (Selectman O'Donnell and I had provided our consulting engineer with comments on the draft report). The Board asked that I solicit a cost proposal for our consulting engineer to produce construction-ready drawings and an engineer's construction cost estimate to complete the work, along with the cost of engineering oversight during construction. The final preliminary report arrived during the week of September 8, 2014 and the engineer has also completed the new proposal. The next step will be to engage the engineer via a change order, using Reserve Fund money, to produce the final plans and construction cost estimate in advance of the Fall Town Meeting. The cost for those services, including construction oversight services, is \$11,000. At the Fall Town Meeting, the voters can consider a request for construction funds for the actual, final repair.

***Recommendation:* Board discussion relative to progress and planning and Board approval of the engineering change order, which will be funded by Reserve Fund Transfer when the Finance Committee next meets.**

(2) Sequencing of Design and Management Work for Town Hall Renovation (*)

Town Counsel has confirmed that the Town needs to hire a Project Manager as the next step toward the ongoing renovation of the Town Hall. The renovation of the exterior of the building is expected to cost several million dollars and State procurement rules require the Town to have a Project Manager on Board. As

such, the Town should consider appropriating funds to hire a Project Manager at the Fall Town Meeting in November. A Request for Qualifications (RFQ) procurement process that is essentially the same process we use for hiring an architect could be undertaken in advance of the Town Meeting so that the Meeting would have an accurate figure to appropriate. The RFQ would phase in the duties of the Project Manager so that each new task would only go forward subject to sufficient appropriation by the Town.

The first task of the Project Manager would be to assist the Town with a specification that would allow us to retain the services of an architect to provide a “ballpark” estimate of what is to come. The procurement of that service could either be via a quotation, if the service will be less than \$10,000, or part of a larger RFQ for the actual design and construction administration services. Like the Project Manager RFQ, services could be phased in based upon available funds. Whichever route is taken, the ballpark estimate would have to include a construction scope, at a minimum, of full exterior renovation (including windows), the installation of an elevator, the installation of a sprinkler system, the installation of ductless air conditioning on the first floor, and any other ADA-triggered requirements. The ballpark estimate would also need to include the cost of preparing construction-ready design plans and construction oversight/administration.

As such, in addition to the November appropriation for the first phase of Project Manager services, an appropriation for the cost of the ballpark estimate would be necessary. Those two appropriations will allow the Project Manager to advise the Town as to how much borrowing will need to be sought at the Annual Town Meeting and Election of 2015 to cover the actual design, construction, and oversight of this next phase of Town Hall work.

***Recommendation:* Board discussion relative to the process for proceeding toward the ballpark estimate.**

G. Fiscal/Budget

No items.

H. Complaints

No items.

I. Meetings Attended

No items.

J. Final Judgment

(1) Quarterly Report to the DEP

(*)

I have completed the quarterly report to the DEP for the quarter ending September 30, 2014.

Recommendation: **Board vote to approve the transmittal of the report.**

K. Town Meeting, By-Laws, and Regulations

(1) Continued Review of Fall Town Meeting Warrant

(*)

The Board continued to review the list of potential Fall Town Meeting article topics at the last meeting and provided me with some guidance for the first draft of the warrant. I have developed that first draft for the Board's review.

Recommendation: **Continued Board discussion relative to the draft warrant.**

L. Legal Issues

(1) Utility-Related Abatement Measure (URAM) for Gas Line Installation (*)

Recently, National Grid encountered soil contaminated with hazardous substances during a gas line installation project along one section of Southern Avenue. National Grid has retained the services of its own Licensed Site Professional (LSP) to study and abate the material that is within the gas line trench. This process is known as a URAM. Now that the Town is on notice that hazardous materials exist in the area and that it is unlikely that these materials are limited to just the trench area, it would be prudent for the Town to hire its own LSP for further advice. I have requested a quotation for a recommended suite of LSP services from the firm of Fay, Spofford & Thorndike, which the Town had an excellent working relationship with during our sewer construction project. Funding for that work can potentially be approved at the Fall Town Meeting on November 17, 2014.

Recommendation: **Board discussion as necessary.**

(2) National Grid Utility Pole Banner Attachment Agreement

(*)

A representative of the Essex Merchants' Group recently asked if the Town would enter into the subject agreement to enable groups to hang vertical banners on individual utility poles. National Grid would expect an agreement holding the utility harmless and a \$2M insurance policy naming the utility as an additional insured. If the Board is interested in exploring this concept further, it will be necessary to discuss the proposal with Town Counsel and our insurer. It would also be useful to discuss costs that might become associated with hanging banners such as liability associated with private parties during hanging activities, police

detail requirements, etc. It is very unlikely that the Department of Public Works is equipped or staffed adequately to lend assistance to such a program.

***Recommendation:* Board discussion and potential authorization of further investigation.**

M. Grants

(1) Green Crab Trapping Grant

(*)

The Massachusetts Division of Marine Fisheries has contacted area communities to indicate that funding for the trapping and disposal of green crabs has been made available. Shellfish Constable Knovak attended a briefing concerning this funding on September 12, 2014 and provided me with some general information. I contacted the program leader at the Division to inquire about making a formal application and the finalization of program guidelines. I learned that the Division will be offering a standard contract for up to \$15,000 in trapping and disposal services, which will include rules and guidelines for the use of the funding. The paperwork for the grant may or may not be available for meeting time.

***Recommendation:* Board review and signature of the necessary paperwork for the acceptance of the trapping funding; or vote to authorize signature outside of a meeting, if available later.**

(2) Quarterly Report for Emergency Generator Grant

I completed and submitted during the week of September 15, 2014 the subject report to the Massachusetts Emergency Management Agency relative to the Hazard Mitigation Grant Program that has funded the addition of an emergency generator for the Town Hall. The report is due prior to October 1, 2014 and, since we are presently waiting for our generator order to be fulfilled by the factory, the report simply covered our preparations to date. I have also walked the site with the Superintendent of Public Works and he has called for a Dig Safe consult since the ground will need to be prepared during October.

Recommendation: No further action is necessary.

N. Emergency Planning

(1) Cape Ann Emergency Planning Team Meeting

I attended the subject meeting in Rockport along with other Essex officials on September 18, 2014. Regular meetings of the Team had been on hiatus for the summer. The meeting featured a discussion regarding next steps for the group, including working toward a full-scale emergency drill in the spring.

Recommendation: I will update the Board as necessary.

(2) Regional Dispatch Financial Advisory Board Meeting

I attended the subject meeting on September 19, 2014 as a member of the Board. The meeting featured a discussion regarding the status of the facility, now that the Center has its permanent antenna, and the usual budget and operations updates from the Director.

Recommendation: No further action is necessary.

O. Other Items

No items.

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