



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

Report covers from September 20, 2014 to October 3, 2014

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

A. Town Department Reports/Requests

(1) Shellfish Advisory Commission Recommendations (*)

At the last meeting, the Shellfish Advisory Commission discussed several matters with the Board including: working together to investigate the details concerning how the green crab harvesting grant will best function, obtaining an understanding of how the Gloucester Shellfish Advisory Commission vets all annual applications, generating suggestions regarding how proof of residency requirements can be tightened up further, and adding a section to the shellfish regulations concerning the lifting of shellfish propagation nets and associated post-lifting harvesting.

Regarding the green crab harvesting grant, the Board signed the paperwork for the grant at the last meeting to get the process started with the State and we have already received the countersigned document. The most important aspect of the trapping process is finding a legal low or no-cost disposal option. Without that, harvesting cannot begin. As such, with help from the industry, we have identified a composting operation in Gloucester that will take crabs for \$70 per ton (or 3.5 cents per pound). Since up to ten percent of the grant money could go to disposal, and since the standardized price for trapping the crabs is 40 cents per pound, 44 cents per pound could theoretically be spent. I proposed to the Division of Marine Fisheries that a fisherman using the Gloucester disposal option be paid 43.5 cents per pound and that a fisherman selling the catch or using it in some other way be paid 40 cents per pound. DMF is in agreement with that model. As such, I recommend that we open those options up to all area fishermen who have their own equipment for trapping green crabs. That way, all of the money goes to removing crabs, as opposed to buying equipment, and the Town simply pays fishermen directly, without needing to contract with individual disposal sites. Tare slips or other paperwork certifying the disposal of the catch will be required for payment.

Regarding the application review process used by the Gloucester Commission, the Shellfish Constable obtained a copy of the City's license application for, which requires the same documents that that Essex requires, in order to approve residency. As for vetting applications, I understand that the Shellfish Constable sits with the Gloucester Commission and reads the names of applicants. If the Commission questions whether certain applicants are actually residents, those applications are put aside for further vetting by the Constable, based upon

evidence produced by the Commissioners. That process is not one that Essex Town Counsel would recommend but other methods could be discussed.

Regarding tightening up proof of residency standards, the Essex Commission indicated that it will develop a list of suggested strategies for the Selectmen to consider and may have more information by meeting time.

Regarding the lifting of shellfish propagation nets and post-lift harvesting, I have worked with the Shellfish Constable to suggest language that could be added to the existing regulations. Our suggestion is as follows:

Any shellfish propagation netting that is to be deployed in the Town of Essex under the Town's shellfish propagation license must be deployed with the prior consent of and under the supervision of the Shellfish Constable.

Prior to the removal of any shellfish propagation netting from a clam flat, the Shellfish Constable shall inspect the area(s) in question and, if in agreement that removal is in order, shall provide notice to the public via the Town's website and the shellfish hotline specifying which nets will be removed and on what day at least three days in advance of said removal.

Recommendation: Continued Board discussion relative to the above matters, with specific attention to: the type of paperwork necessary to pay a fisherman for crab trapping; the process that will be followed to advertise the crab trapping funding; and a process that the Essex Commission could use to vet applications.

(2) Essex Cty. Fire Chiefs Assoc. Response to Public Safety Committee (*)

As the Board may recall, the Public Safety Committee had asked the Essex County Fire Chiefs Association to respond to various comments regarding the Association's recent Fire Department analysis report. The Association has made a response.

Recommendation: Board review of the response.

B. Computer Systems

(1) Installation of Backup Internet Routers in Water Plant and Fire/Police

As the Board may recall, we had replaced the old Cable I-Net with a new network of ASA routers and high-speed Internet connections in all three of our main buildings. Subsequently, we had installed a failover unit in the Town Hall and the technician from Edgewater Technology was to return to install failover units in the Water Filtration Plant and the Fire/Police Headquarters. He returned on

October 2, 2014 for those installations and we now have failover capabilities across our entire network.

Recommendation: No further action is necessary. Total time – 3 hours.

C. Personnel

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

At the last meeting, the Board reviewed the employee/volunteer of the year program that the Town of Manchester has in place. The Board asked that I review those materials and provide a suggested format for a similar program in Essex. The program could be announced at the upcoming Fall Town Meeting, with the first year's awards to be conferred in November of 2015. Thus far, I have made certain edits to the materials to provide the Board with a draft program announcement and guidelines document.

Recommendation: **Board review of the proposed guidelines.**

D. Procurement/Ongoing Projects

(1) Demolition of 103 and 138 Conomo Point Road Structures

I met an exterminator, a tree contractor, and the Conservation Commission's representative out at both sites on September 22, 2014 to go over various items prior to the commencement of the actual demolition work. The exterminator is required by the Board of Health whenever buildings are demolished, just in case pests have taken up residence in the structures. The tree contractor quoted me on the single tree that was approved for removal at 138 Conomo Point Road and the tree was removed on October 1, 2014. Relative to the Commission representative, we covered our plans for erosion control measures (which were put in place later in the week), the posting of the requisite DEP file number sign at #138 (posted that same day), and a variety of other logistics.

I received the final sign-off on the demolition permits on September 24, 2014 (from the Board of Health) after we received final asbestos clearances from our consultant. I also provided information about the Construction Supervisor we hired on the permit applications. The Building Inspector issued both demolition permits later that evening and actual work began on October 1, 2014, starting at #103. The actual demolition work went very smoothly and site work at #138 will continue into the week of October 6, 2014.

Recommendation: I will update the Board as necessary.

(2) Central Station Monitoring for New Fire Alarm System

After personnel from the Regional Dispatch Center in Middleton reviewed the specifications of our new fire alarm system in Town Hall, they indicated that the

Center does not have the necessary equipment to properly monitor the new system directly. As such, I contacted the vendor that is installing our system and learned that they offer central station monitoring at a cost of \$30 per month. The monitoring will allow central station personnel to get very specific with the dispatch center regarding the location of the fire or trouble in the building, something which may make a life-saving difference. I will ask the vendor to commence system monitoring after the system is formally started up and after our insurer reviews the monitoring contract. I had previously completed the installation of two new, dedicated phone lines for this purpose.

Recommendation: No further action is necessary.

(3) Affirmative Marketing Quarterly Report

I filed the subject report for the quarter ending September 30, 2014 with the State, in my capacity at the Town's Affirmative Marketing Construction Officer (AMCO). The report is designed to capture any women or minority business entity usage on State-funded construction contracts. We had no such utilization over the past quarter.

Recommendation: No further action is necessary.

(4) Investigation of Contaminated Soil in Southern Avenue Utility Trench

At the last meeting, the Board agreed that our Licensed Site Professional (LSP) should undertake Task 1 of his proposal to investigate the full extent of contaminated soil found by National Grid in a gas line trench. National Grid will be remediating what they disturbed at their own cost. However, now that the Town is on notice about the contamination within its right of way, it is prudent to understand the full extent of the issue and remediate other aspects of it, as necessary. Task 1 will allow our LSP to proceed while National Grid still has the trench open and the Board is carrying a Town Meeting article for additional services, should the matter not be easily closeable as part of Task 1.

Recommendation: I will update the Board as necessary.

(5) Request for Qualifications, Project Manager, Town Hall Renovation (*)

At the last meeting, I indicated that the next phase of Town Hall renovation work, involving the entire exterior and certain interior features, will require the hiring of a Project Manager. In order to procure the services of a Project Manager, I have developed a Request for Qualifications (RFQ), which will allow the Town to understand the costs of various phases of service in advance of the upcoming Fall Town Meeting (the first of which would be to oversee an architect to produce a new cost estimate for design and construction in advance of the Annual Town Meeting). Based upon available *Central Register* advertisement dates, the RFQ can be released on October 8, 2014, with a proposal deadline of October 29, 2014,

and a potential choice of a Project Manager (with actual contract award contingent upon Town Meeting funding) on November 3, 2014.

Recommendation: **Board review and approval of the Project Manager RFQ.**

(6) Finalization of Purchase and Sale Agreement for Auction Properties

I have been working with our Conomo Point auctioneer and Town Counsel to optimize the Town's standard Purchase and Sale Agreement for use in an auction setting. I hosted a conference call between Town Counsel and our auctioneer on October 2, 2014 to review our auctioneer's ideas. We are presently in the process of finalizing a document that will be made available to all bidders in advance, so terms are clear.

Recommendation: I will update the Board as necessary.

(7) Site Visit to 5 Beach Circle Regarding Potential Sale of the Property

Pursuant to the Request for Proposals (RFP) for the potential sale of 5 Beach Circle (which is subject to approval by Town Meeting), I offered a site visit on September 30, 2014. No one chose to attend. Proposals are due on October 20, 2014.

Recommendation: I will update the Board as necessary.

(8) Final Preparation and Delivery of New Dump Truck

The new dump truck for the Department of Public Works will soon be ready for the Town. The final step will be to transfer the sander that is on the old truck onto the new truck as part of the trade-in process. I initiated the necessary first lease/purchase payment and insurance requirements and the Superintendent of Public Works expects that the truck will be in service toward the end of the week of October 6, 2014.

Recommendation: No further action is necessary.

E. Insurance

(1) Safety Committee Meeting

I attended the subject meeting on September 25, 2014 as a member of the Committee. The meeting featured a discussion relative to the recently-completed Town lighting retrofit project and the soon-to-be-completed Town Hall / Library renovation project.

Recommendation: No further action is necessary.

F. Facilities

(1) Quarterly Facility Self-Inspection Reports

I completed the subject reports for the Town Hall and the Senior Center for the quarter ending September 30, 2014 during the week of September 29, 2014. The reports are used by the Safety Committee to review building conditions during its quarterly meetings. This quarter's Town Hall report noted many building improvements made possible as part of the ongoing Town Hall / Library renovation project.

Recommendation: No further action is necessary.

(2) Placement of Banner Holders on Downtown Utility Poles

At the last meeting, the Board asked that I review further the prospect of the Town signing an agreement with National Grid that would allow the placement of coordinated banners by private groups on utility poles in the downtown area. In reviewing the matter with Town Counsel, I learned that the outright indemnification that National Grid is seeking from the Town is not something that the Town can commit to. The transfer of risk to the Town has an unknown value that could be very high and, in the opinion of Counsel, would amount to entering into an obligation that would be in excess of appropriation. As such, it is not possible for the Town to pursue this matter further, under the terms presently required by National Grid.

Recommendation: No further action is necessary at this time.

(3) Memorial Park Restrooms

The Memorial Park restrooms have been switched to the normal fall schedule of 8:30 a.m. – 5:00 p.m., Monday-Thursday as of October 1, 2014. The restrooms will be closed for the season as of November 1, 2014.

Recommendation: No further action is necessary.

(4) Field Reconnaissance for Town Hall East Wall Repair

Our structural engineer visited Town Hall on October 2, 2014 to study the failing east wall of the Town Hall in depth. He is presently working to develop construction-ready plans that our present renovation contractor can develop a change order proposal from. We expect that the plans will be ready for our contractor to review in mid-October and that we will have a repair price for the Fall Town Meeting to consider in mid-November.

Recommendation: I will update the Board as necessary.

G. Fiscal/Budget

(1) Regional Dispatch Center Fringe/Indirect Expenses

While the Regional Dispatch Center was in its formative stages, we were promised that the State would not be charging the Center back for the normal fringe benefit and indirect expenses associated with its State employees. Several other centers in the State already enjoy this arrangement. However, that exemption has not yet been put in place by the State and it will present a budget challenge for the Center this fiscal year. Recently, I spoke with Senator Tarr about this matter and he indicated that his office could review the circumstances that are in place at other centers and work toward how this arrangement might be implemented in Middleton.

Recommendation: I will update the Board as necessary.

(2) Risk Assessment and Monitoring Program Annual Review

I coordinated a meeting to review the Town's Risk Assessment and Monitoring Program on September 25, 2014. The program is intended to decrease the chance of fraudulent spending and is reviewed annually. This year, no changes were made as a result of the review process.

Recommendation: No further action is necessary.

(3) Regional School District Budget Discussion Group Meeting (*)

I attended the subject meeting along with officials from the District and the Town of Manchester on October 1, 2014. The meeting featured a discussion regarding a series of questions that the Manchester Finance Committee had posed to the District. Those questions will be discussed at a joint meeting of the two town finance committees and the School Committee on October 8, 2014 and the Superintendent sent around some background materials that speak to the questions in advance of the meeting.

Recommendation: **Board discussion as necessary.**

H. Complaints

No items.

I. Meetings Attended

(1) Meeting of Area Town Administrators and Managers

I attended the subject meeting in Wenham on September 24, 2014. The meeting featured discussion relative to projects and initiatives of common interest and provided very useful information.

Recommendation: No further action is necessary.

J. Final Judgment

No items.

K. Town Meeting, By-Laws, and Regulations

(1) Continued Review of Draft Fall Town Meeting Warrant (*)

I have revised the draft Fall Town Meeting warrant per the Board's guidance at the last meeting. The Board is scheduled to sign the warrant at its next meeting, on October 20, 2014.

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

L. Legal Issues

(1) Cleanup of Allen Property for Potential Private Purchase

I met with the Chairman of the Conservation Commission, Town Counsel, and environmental representatives of the prospective purchaser of the Allen property on Southern Avenue on September 22, 2014. The purpose of the meeting was to coordinate the prospective purchaser's efforts to identify and remediate limited soil contamination on the property with the requirements of the Conservation Commission. An Order of Conditions for this work was issued in the past and the prospective purchaser has now reached the implementation phase. The Chairman will soon meet with the environmental firm on the site and a full update will be provided to the Commission at an upcoming meeting.

Recommendation: I will update the Board as necessary.

M. Grants

(1) Seaport Grant Quarterly Report

I filed the quarterly report for our Downtown Boardwalk feasibility project for the quarter ending September 30, 2014 with the State during the week of September 29, 2014. The report reiterated how the project is presently in a holding pattern, pending construction funds that are expected next calendar year.

Recommendation: No further action is necessary.

(2) Community Innovation Challenge Grant Vote of Support (*)

As the Board is aware, the City of Melrose provides the Town of Essex with data storage and remote desktop capabilities. The City also has other tenants that use its datacenter infrastructure for a fee. Given that Essex and other tenants will be anticipating the need for better throughput and additional services in the future,

the City is applying for a State grant to improve its regional services offerings. The application will be in the amount of \$200,000 and will primarily involve the installation of new hardware infrastructure to provide the datacenter with a variety of more robust capabilities.

Recommendation: **Board vote to support and sign the regional application.**

N. Emergency Planning

No items.

O. Other Items

(1) Alcoholic Beverage Control Commission (ABCC) Outreach Seminar
Licensing Clerk Pam Witham attended an ABCC training seminar in Ipswich on September 29, 2014 to stay current with ABCC policies and practices, including the introduction of a future electronic permitting system.

Recommendation: No further action is necessary.

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