



MEMORANDUM

TO: Select Board

FROM: John C. Curran, Town Manager

CC: Clancy Main, Assistant Town Manager
Robert Maynard, Director of Administrative Services

SUBJECT: Town Manager's Report, September 26, 2022

DATE: September 23, 2022

National Grid-Auto Fleet Management Program

The Town has successfully shared all fleet data with National Grid. They will review this information and recommend what vehicles can be moved to electric. This comes at no cost to the Town.

New Treasurer/Tax Collector

The Town conducted interviews for the position of Treasurer/Collector. At the end of the process, it was decided that the internal candidate, Elaine Russo, had performed the best and was most deserving of the job. Elaine has years of experience, she worked for the Bank of Boston as an administrator for six years and then came to work here in Billerica over ten years ago. During her time in Billerica Elaine has worked as the Assistant Treasurer and the Assistant Tax Collector, as well as pursued her MTCA certification in both roles. The Town is very excited to see Elaine move into her new role and the great things she'll do.

Howe

The Howe project is about a week away from completion. BATV has been moving in some of their technical supplies and their new furniture. Inspections must be completed before an occupancy permit can be granted to BATV; those inspections are to be completed by September 28, 2022. After that the Town would like to have the Select Board as well as the team from BATV and the Building Team at the Howe on Friday, September 30th to sign the lease agreement.

Peggy Hannon Rizza

The sod has been installed on the softball fields; the turf is being installed, it may look like its completed, but they still have to install field markers and secure it. The Bubba shack is moving along; the foundation has been set, utility lines are in, and the frame is beginning to go up. The complex as a whole is really starting to take shape, the town is working closely with Quirk to ensure all aspects are executed.

Capital Facilities Meeting

On September 21, 2022, the Capital Facilities Committee held a meeting in Town Hall to discuss the COA/REC feasibility study, Masonic Hall, and affordable housing. The committee voted to accept Leftfield as the Owners Project Manager (OPM) for the COA/Recreation project and continue forward with issuing the RFP for design services for the feasibility study.

Middlesex County Restoration Center

On Monday September 19, 2022, the Town hosted a round table discussion organized by the Middlesex Sheriff, Peter Koutoujian. The conversation surrounded the new Middlesex County Restoration Center, a facility intended to mediate mental health crises. As it is right now when an individual is having a mental health crisis the police have two options Jail or Emergency room. The Middlesex Country Restoration Center will provide a place for police in the Middlesex area to take these individuals where they can receive the proper care and treatment and divert them from the criminal justice system.

Flu Clinics

On Tuesday, October 11th there will be a Flu Clinic at the Council on Aging for Billerica Residents age 55+ and residents 18+ with a chronic illness, including pregnancy. On Saturday, October 15th there will be a Flu Clinic at Town Hall for Billerica Residents age 18+. Both of these clinics will run from 9am-noon, pre-registration links for them can be found on the Towns Social Media pages and the Council on Aging website. The COVID clinic will be held in auditorium on Saturday, October 29th.

Parkway Avenue / Saville Street

Title research for both these locations has been returned to the Town Manager's office from our attorneys at K&P Law. Attached is some further info from K&P about the two lots.

With respect to the Parkway Avenue lot, title research (attached) confirms that the lot in question (identified as Billerica Assessors Map 31, Parcel 232) was first held as a lot separate from all adjoining land on December 22, 1951, when the last of abutting land was conveyed by a common owner, and was never thereafter held in common with adjoining land. Based on information previously provided by the Building Commissioner concerning the history of the Zoning Bylaw as of December 22, 1951 (the Bylaw required 75 feet of frontage and 7500 ft of area for all lots in the town on that date), the lot was dimensionally conforming on that date, and thus is now grandfathered from current lot dimensional requirements (frontage, lot area, width, yard, and depth) and remains buildable with respect to those requirements.

On the Saville Street lot, the title examiner's work (attached) indicates that the lot in question (identified as Billerica Assessors Map 12, Parcel 36) was never held in common with adjoining land after 1945, and thus would be grandfathered from current lot dimensional requirements (frontage, lot area, width, yard, and depth) and remain buildable with respect to those requirements. Please note the following, however:

- a) The Assessors lot does not match the land the Town acquired in by tax title and foreclosure. It appears to include a small portion of a lot taxed by the Town of Tewksbury. Further, the land the Town acquired through tax title and foreclosure appears to include a small sliver of land located in Tewksbury. The tax records of Billerica and Tewksbury did not account for the fact that the Town line ran through a portion of these lots. Thus, the Town's title to two small portions of this Assessors Lot is uncertain.
- b) The examiner did not run the Town of Billerica as grantor to determine if the Town ever conveyed any portion of the lot to an abutter, thereby causing it to merge, after the Town acquired its tax title. He also did not run the Town of Tewksbury as grantor for the abutting lots in that town. Given that the Town acquired full title by foreclosure in 2013 from the owner who acquired the lot 1921; there is no evidence of a conveyance by the former owner prior to 2013; and the assessors continue to list the Town as owner, we can fairly assume that no such conveyance occurred. A purchaser will have a chance to review the title in any event to confirm;
- c) The lot appears to be bounded by paper streets. It will not be buildable until a street is constructed to provide frontage to the lot, and Planning Board approval of a definitive subdivision application to construct such a street will likely be required.

The Town will move forward with the disposition for affordable housing of Parkway Ave lot at this time and will look further into the Saville Street paper street issue.

Billerica Mall Rainstorm

The Engineer's Office visited the site on Friday. The Town engineering consultant, the Beta Group, was on-site Friday to observe the installation of additional Erosion Controls. BETA observed Masterson Construction crews installing more Silt Fence and Wattles than the 9/22 plan.

1. When completed the Erosion Control will extend up the driveway approx. 150ft+. on the west side from the existing Silt Fence/Wattles on Tower Farm Rd. The crew's installation procedures were trenching 12-14inches deep, install 8inches by 0.75inch stone then install Silt Fence/Wattles along driveway behind the curbing. Prior to cleaning the temporary Erosion Control from 9/22 at the driveway entrance at Tower Farm Rd, the crew also installed Silt Fence/Wattles behind the curbing in the existing grass plot.
2. At the truck delivery driveway entrance off Tower Farm Rd, the crew extended the Silt Fence/Wattles as shown on the 9/22 plan. It is extended around driveway entrance behind the curbing and following the same procedure used on the west side with trench, stone, and fence.
3. A 3rd crew was cleaning sidewalks/gutter of silt and repairing grassplot area.

The Town will continue to monitor the site in future rain events.