



MEMORANDUM

TO: Board of Selectmen

FROM: John C. Curran, Town Manager

CC: Susan Aker, Cathy O'Dea

SUBJECT: Town Manager's Report, August 19, 2019

DATE: August 16, 2019

EPA Award/Recognition

The Town Conservation Director, Isabel Tourkantonis, recently received an award from the U.S. EPA - New England Region for prevention/remediation of contaminated land, air, or water. The residents of Billerica do not always recognize the efforts to enforce local, state, and federal wetland protect rules, nor the struggle to convince individuals to donate land. Isabel takes that burden all for the long term benefit to the community and planet, and is something she should be recognized for and the Environmental Protection Agency recognized her with this award.

Estate of Sylvia Cabral

Sylvia Cabral passed away 20 years ago and remembered the Billerica Fire Department in her will. Her remembrance was not to be implemented until her boyfriend had passed. This too has occurred. Sylvia ultimately left the Fire Department \$145,991.90 to be specifically used for safety equipment for the Fire Department. The Chief has chosen to use these monies to invest in thermal imaging masks that we would otherwise not get due to the cost.

Sylvia's generosity and kindness has made this possible.

Ditson School

At this point I am still waiting on a proposal from Woodard and Curran. It is expected soon. If I receive it before Monday Night I will include it in the update.

Cable Contract

This office met with Comcast and Town Counsel to continue negotiations for a license renewal. At this point the focus is moving off the Comcast I-Net and moving onto the Town's Fiber Network for cable access purposes. This has a value to Comcast that we can transfer to other PEG Access needs in town. Additionally, we are assessing the infrastructure we have in place and what needs to be done on order to carry out this conversion. It is also important for the Town and Comcast to consider the impacts of moving BATV to the Howe School and what work needs to be done to implement this change as well.

After speaking with the Chair of the Cable Advisory Committee (CAC), it is apparent that the CAC has negotiated the contract in the past. I have been negotiating the contracts as I have in every other community and as provided in the Department of Telecommunications and Cable:

“The IA may, at its discretion, define the role and responsibilities of the CAC to the extent permitted under G.L. c. 166A. While an IA may delegate to a CAC the authority to negotiate a license agreement, an IA may not delegate authority to execute such an agreement.”

The Chairman of the CAC was OK with this arrangement. I will continue in this capacity unless the Board directs me to do otherwise.

Waste Water Treatment Plant (WWTP) NPDES Permit

The Town's WWTP permit has expired and the Town has submitted an application for renewal in a timely fashion. Unfortunately, the EPA is backlogged in issuing new permits. An issue has arisen with the expired contract in regard to required limits for discharge of Aluminum into the Concord River. Currently the expired permit requires a limit of 174 ug/l of Aluminum. It is expected that the Aluminum limit under the new permit will be significantly higher because the science has changed on this issue. The current limit is also extremely difficult to sustain. If the EPA had issued permits in a timely manner this would not be a concern, however since the old permit is still technically in place The EPA has issued an order to relax the limits to 333ug/l until the new permit is in place. This will protect the Town from non-compliance issues concerning aluminum.

It should be noted that an administrative order is typically seen as punitive for non-compliance. I, therefore, expressed my objections to the use of this tool by the EPA in this situation. I don't believe it is necessary to issue an order to tell us to continue doing what we're doing.

Permit Alley

Monday, August 19th will be the first full operational day of Permit Alley. Conservation will be moved down during that week into the old Art Room on a Temporary basis. BOH Director will move to the old file room for the Building Department temporarily. This will allow Bob Salesse to work on the permanent area for BOH and Conservation.

This office met with all clerical staff, inspectors, and department heads on Monday to finalize any questions and arrange the relocation of all staff. We will also be holding a follow-up meeting later in the week to work out any issues that arose during the first week of operation. Once the staff is settled and comfortable I expect the efficiencies of the new department to become apparent.

Middlesex Turnpike Update

BHD, the contractor for the job, has a private agreement with the owners of A-Cal for the use of the property as a staging area. There have been a handful of complaints from Mr. Hogan typically involving the loader operation starting prior to 7AM at A-Cal. These go back to last fall, each time the state has reinforced the work hours with BHD. They have also had temporary gates and signs placed to ensure that no equipment or trucks start there prior to 7AM. Site trucks now stage elsewhere on the project.

One of the complaints involved emergency roadway repairs around 4AM after a heavy storm event where the Police called the contractor in. The State has also met with Mr. Hogan to go over the project impacts at his property and limits of grading involved.

Unfortunately, Mr. Hogan lives in an industrial zone and this type of storage is an allowed use in this zone. The property being use for storage by A-Cal is at 751 Middlesex Turnpike and is located within the “Industrial” zoning district. One of the uses that is allowed within the Industrial zoning district is a Contractor’s yard. The Town of Billerica Zoning By-Laws define a Contractor’s Yard as:

“Land that is used for the storage of construction equipment, materials, and supplies and for the parking of commercial vehicles.”

I have spoken with Paul Steadman at District Four. He is going to get a timeline as to how long this staging area will be used. I am hoping to have this information by Monday night.

On 8/12 the contractor broke the water service to the BCO/Subway property while installing a catch basin. This service was not identified or marked for location. Billerica Water department assisted in the repair. Break occurred at 11:30AM and was repaired and back in service at 12:30.

Adult Use Marijuana Procurement Process

A memo outlining the terms and recommendation of the committee to the BOS has been enclosed in your packets. The Host Community agreement and the Development Agreement are being reviewed by Town Counsel.

LED Streetlight Conversion Project Kickoff Meeting

The Town met with three potential firms who bid on the LED streetlight job. The Town chose Tanko Lighting who was the most experienced in the program as well as the low bidder. They came highly recommended from multiple Towns including Dracut and Medford.

This office had meeting on August 16th with Tanko Lighting to begin the streetlight conversion. There are 2,600 lights throughout the Town and about 40 decorative lights. The first step is to do an audit of all streetlights within the Right of Way. The MAPC deadline for procuring all materials is December 31st. Installation will start in March and be completed by May 31st. The Town will seek reimbursement from MAPC by June 30, 2020.

The audit is the first step. It will begin in mid-September and end in October. There will be a public notification process to inform residents that there will be people conducting this audit. This will be done through code red and social media venues.

Customer Service Training

This office has had a conversation with The Mediation Group in regards to a customer service training that was mentioned in Selectmen Burn’s goals. This training would include Customer service expectations and best practices. It would also include best practices for social media and common mistakes that employees make. The underlying themes would also include de-escalation, empathy, and acknowledgment of the problem. A few details need to be worked out regarding length of training and date, but I expect it to happen sometime this fall.

Shred Day

On August 2nd the Town Hall closed down at noon time and held a shred day for all departments. All departments did a fantastic job of disposing records that were no longer needed or were duplicated somewhere else. The Town was able to shred 29 green recycling bins of information that was no longer needed. This has freed up space throughout Town Hall specifically on the balcony, the Veterans Office, BOH and the vaults used by the Town Clerk and Treasures Office.

Social Media / Fake Pages

One of the goals of Selectmen Conway was to continue to increase the Social Media presence in Town. The Town has recently hit a milestone on the Facebook page. It has crossed the 4,750 follower mark. Around two years ago the page had just over 1,000 followers. The Town also plans to explore the usage of Instagram sometime in the early fall. As users shift away from Facebook and to other platforms we want to make sure we are where the residents are. This growth has also come with some negatives. A fake Town page was recently created named “The Town of Billerica Complaint Department.” The Town made a post to make residents aware that this was not an actual department. I hope that no residents will send legitimate complains to them as they will not be addressed.

OPM – Howe School, Pinehurst Fire Station, and PHR Complex.

The Town received seven bids for the OPM Services for the above projects. The Town ended up awarding the contract to Left Field LLC. Left Field has guided the Town through the construction process of the current H.S. to keep it on time and on budget. This was a huge factor in why we ended up choosing them again. They also have previous experience in renovation of historic buildings and public safety complexes. As well as field projects embedded in our HS and other schools in New England. The OPM will begin the RFP Process for the Howe and PHR projects. It is important to note that a Lease Authorization Article is in the Preliminary Warrant. This type of agreement will be needed to proceed further with this project.

Pinehurst Fire Station

The Designer, Winter Street Architects, has been working with the Town to develop the programing and the cost for the project. A placeholder has been submitted to Town Meeting to fund this project through a bond authorization. The Cost right now is approximately \$7 million.

Small Cell

This office recently met with Director of the Department of Telecommunications and Cable’s Competition Division, Lindsay DesRoche. Other towns throughout the Commonwealth are currently being asked to approve small cell technology in the Town right of ways. This can include 5G that many of you may have heard of. Small cell technology is designed to ease congestion on the cellular networks. The problem with these small cells is they need to be relatively close to each other and the network does not extend very far. It has trouble going through trees, hills, and any structure that would block the waves. I don’t see many places that would be applicable to small cells with the exception of the Boston Road area from the Mall down to the Town Hall, but we should have regulations in place regardless. Over the course of the next few months this office will put a policy together for your review.

Warrant Articles

I have enclosed a list of placeholders for the Preliminary Warrant. Most of these are routine and others have been covered in other parts of this report. The Preliminary Warrant must be posted by August 22nd.