



## **Town Administrator's Report Select Board Meeting for July 10, 2023**

Matthew Coogan

### **Elmlea-Haynes Property – Conservation Restriction**

Essex County Greenbelt Association is in the process of purchasing the 42-acre Elmlea-Hayes property. Greenbelt is required by the Executive Office of Energy and Environmental Affairs to place a Conservation Restriction (CR) on the property. Greenbelt will grant the CR to BTA/BOLT. Included in the agenda packet is the CR, which needs to be approved and signed by the Boxford Select Board, pursuant to M.G.L. Chapter 184 Section 32. The Town's role is limited to determining whether the grant of the CR to BTA/BOLT is in the public interest. Chris LaPointe, of Greenbelt, will be present at the Select Board meeting on Monday evening to address the question as to whether the public interest is served by the CR. Town Counsel has reviewed the document, confirmed it is in the standard form approved by the Executive Office of Energy and Environmental Affairs, and approves the document as to form.

### **Animal Control Officer/ Animal Inspector**

July 1 was the first day of the Regional Animal Control/ Animal Inspector Program being active. Boxford is officially a member with the towns of Ipswich, Newbury, and Rowley. Ipswich is the lead community for the program, and provides all the staffing, equipment, and facilities on behalf of the four communities. The program is cost shared based on the population of each community. Megan Sousa has been Ipswich Animal Control Officer and Animal Inspector for several years, and the Boxford Select Board will need to officially appoint her at the July 10<sup>th</sup> meeting as Animal Control Officer and nominate her as Animal Inspector so she can be appointed by the state. Residents will continue to be able to contact the ACO through the Boxford Communications Department at 978-887-8136.

On behalf of the Select Board I'd like to thank Helen Philips, who served as the Town's Animal Control Officer for 31 years. The Town appreciates her dedicated years of service and loyalty to the Town and wishes her well in her retirement.

I'd also like to thank Bev Milward and Kevin Nichols, who were serving as the Town's interim Animal Inspectors.

### **Dorman Land Purchase**

The executed Purchase and Sale Agreement for the Dorman property includes a closing date of July 27<sup>th</sup>. Town Counsel has brought on a Title Attorney to conduct a title search. We anticipate that process being completed by Monday, July 10<sup>th</sup>. With the title search completed, the Seller will prepare a deed for the closing date. Because the Select Board is scheduled to meet only one more time before the closing date, I am requesting that the Board vote to sign the Deed Acceptance document on July 10<sup>th</sup>. I

will continue working with Town Counsel on finalizing the sale. The Deed Acceptance document will not be officially recorded until all the documents are in place.

### **Rail Trail Design and Kelsey Road traffic**

The design of the southern segment of the rail trail is progressing slowly. Unfortunately, MassDOT has introduced an additional 10% design process that has delayed us from meeting our deadline to have 25% design completed by this month. It will take several more months to get there, but we have the funding through the CPA to complete this process. We have spent the \$172,000 MassTrails grant to date, and have the \$250,000 Federal earmark from Congressman Moulton's office available for the next stage of design.

We have been meeting with Kelsey Road residents the past several months to discuss the project, specifically the rail trail crossing at Kelsey Rd. There is a dangerous curve right where the trail crosses. Our engineer designer Stantec has been working on locating a crossing that optimizes visibility. They have also included a [Rapid Rectangular Flashing Beacon \(RRFB\)](#) in the design plans that pedestrians and cyclists can utilize to temporarily stop traffic when crossing.

Chief Riter, DPW Superintendent/ Town Engineer Chris Olbrot, and I recently met with five Kelsey Rd residents to discuss traffic on Kelsey Rd in general. As you all know, GPS devices put drivers unnecessarily on Kelsey Rd as the connecting route between Rt. 97 and Ipswich Rd. Pond Street runs just parallel to Kelsey and is the preferred safer route, but Kelsey must be seconds faster than the GPS algorithm places cars on a road not designed for commuter traffic.

We discussed whether there's an opportunity to deter drivers from accessing Kelsey Rd that complies with MassDOT/ state law to reduce the cross-commuting traffic. Chris was able to access the traffic study conducted back in 2019. There were 3,345 vehicles per day on Kelsey Rd in the study, 1,990 coming northbound from Ipswich Rd and 1,355 coming southbound from Rt. 97. 45% of northbound traffic occurred between the hours of 6a to 9p, and 39% of southbound traffic occurred between the hours of 3p and 6p. The amount of traffic on Kelsey Rd increases significantly in the AM and PM commuting hours. Outside those hours, traffic is fairly steady the rest of the day. It appears that implementing "no left turns" during these times would reduce commuter cut-through traffic. Chris suggests looking into restricting left turns onto Kelsey Rd from both directions during commuter times (6a – 9a and 3p -6p) to address this. The residents were receptive to this idea, and Chris has experience implementing this in other communities. I asked Chris to come up with a plan to present to the Board at a future meeting, as early as the August 7<sup>th</sup> meeting. Reducing unnecessary traffic on Kelsey would help reduce traffic and improve safety, particularly at the rail trail crossing.

### **10 Elm Community Committee**

Christine Dean, Chair of the 10 Elm Community Committee, will attend the August 7<sup>th</sup> Select Board meeting to discuss the Committee's recommendations on how to coordinate community programs and events at 10 Elm, in addition to the offerings by the COA. In the meantime, the Committee will be providing a document that outlines their recommendations, including potential budget costs and staffing.

### **Boxford Community Electricity (Aggregation)**

The Town's aggregation plan, [Boxford Community Electricity](#), continues to be stalled at the Department of Public Utility (DPU). It has been nearly 280 days since the town submitted the plan for DPU approval, and there no indication of when the agency will be ruling on it. Boxford is one of several communities waiting for their municipal aggregation plans to be approved by DPW, some have been waiting for over 1,000 days.

Our consultant Good Energy recommends that the town submit a letter to the newly-seated DPU Commissioners urging them to take action. Good Energy has prepared that letter and it is included in the agenda packet for July 10<sup>th</sup>. I recommend the Board vote to authorize the Chair to sign this letter and send to DPU.

### **27 Main Street MCP Site Closure Scope of Work**

In the agenda packet for the Board's approval is a contract and scope of work for Weston & Sampson to conduct required additional site assessment and preparation of a closure report (known Permanent Solution Statement) under the Massachusetts Contingency Plan (MCP, 310 CMR 40.000) for 27 Main Street. As you are aware, during the purchase of 27 Main St, Weston & Sampson conducted Phase 1 and 2 Environmental Assessments, and the accompanying site investigations included soil samples with elevated levels of in arsenic that exceeded the MassDEP threshold of 20 mg/ kg. This was not surprising, as there were similar results in the environmental assessment for the Cole School adjacent to this property. Weston & Sampson's work will satisfy MassDEP's requirement to "close" the site. Based on the existing tests and Weston & Sampson's experience working in the area, it is not expected that MassDEP will require any additional remediation, such as site usage restrictions, soil removal, or fencing, although that won't be determined until the additional tests are completed.

The contract is for W&S to complete Task 1 through 3 in the scope, which totals \$22,200. As you may recall, the Town was able to work with the Merrimack Valley Planning Commission to have this work funded through the EPA Brownfields Program. If there is additional work required, as identified in W&S's scope, that will also be funded through the brownfields program. The cost for demolition of the house on 27 Main this past winter, including asbestos abatement, of \$59,500, was also covered by the MVPC through the brownfields program.

I recommend the Board vote for the Chair to execute the contract so Weston & Sampson can get started on this required work.

### **Adaptive Reuse of Buildings Advisory (ARBA) Committee**

The ARBA Committee will be meeting Wednesday, July 12 at 6pm. They will be reviewing a draft final report by our consultant StudioLuz. The final report will include recommended future uses for 188 Washington Street and 4 Middleton Rd, as well as next steps. The recommendations will be based on site visits, community engagement, and a market study. A report of the public input and the market study are both posted on the project website, [boxfordma.gov/villagecenters](http://boxfordma.gov/villagecenters).

### **Fiscal Year 2024 Work Plan and Priorities**

Included in the agenda packet is a memo that outlines the Select Board and their staff's priorities for FY24, to be discussed and finalized.

### **Order to Maintain Water Supply to Prevent Public Health Emergency, Andrews Farm Water Company**

In accordance to M.G.L. Chapter 139, Section 3, and Chapter 111, Section 123, included in the July 10<sup>th</sup> meeting agenda packet is a draft of an order to be issued by the Boxford Select Board to the Andrews Farm Water Company to continuously and without interruption maintain the public water supply serving approximately 53 households in the Andrews Farm neighborhood, and to prohibit the Company from terminating the water service. This is in response to the correspondence from the Andrews Farm Water Company on June 6, 2023 that indicated that the company intended to discontinue operations on July 25, 2023. The order all states that the Town will take necessary actions to prevent such a public health emergency and require the company to fulfill its legal obligations.

### **Engine 4 Purchase**

Chief Geiger signed the paperwork to order Engine 4 the morning after the Board voted to appropriate an additional \$130,00 of Federal ARPA funds for the purchase on June 26th. The final price for the new Engine 4, including the trade-in value of the existing Engine 4, was \$770,611. The specifications include a Cummins L9 engine. There's a chance that the L9 may no longer be available. If that's the case, there's \$60,000 left of the ARPA funds to cover the estimated additional costs for the next engine model.

Chief Geiger and Captain Brown will be visiting the [HME factory](#) in Wyoming, MI next week to inspect the new Engine 1. We expect delivery of Engine 1 in the fall.

### **Safe Streets for All**

The Merrimack Valley Planning Commission was awarded a Federal [Safe Streets for All](#) grant – see attached letter from MVPC Executive Director Jerrard Whitten. Boxford submitted a letter of recommendation. The grant will be used to identify unsafe or high crash streets in intersections in each Merrimack Valley community and provide recommendations. The MVPC expects to kick off their community outreach in the fall. I think this will be a good opportunity for Boxford to consider ways to make roads safer for pedestrians and cyclists.

### **MBTA Communities**

Ross Povenmire has begun coordinating with MVPC on the MBTA Communities Compliance Model. We should have more information from MVPC this summer on whether the potential districts identified by Ross in our Action Plan could comply with the MBTA requirements. We have discussed putting together a steering committee of Select Board and Planning Board members as part of this effort. Our work with the MVPC is being funded through a Mass Housing Partnership grant. The purpose of this grant is not to pursue compliance, but to better understand whether the Town of Boxford could comply with the guidelines, considering our lack of public infrastructure, abundance of wetlands, rural character, etc.

### **10 Elm Lawn**

Unfortunately, the lawn has not grown as expected at 10 Elm. DPW Superintendent and the PBC have been working on a plan to address this. The Town's turf management contractor will treat the lawn at 10 Elm to eliminate weeds and allow seeded lawn to fully grow. The application started last week and there will be a few throughout the summer. That should help the lawn fully grow out.

### **New Minute Recorder – Donna Grieco**

I'd like to welcome our new minutes recorder, Donna Grieco. Donna recently moved to Boxford, and she will be retiring from the state at the end of the year as Deputy Director of the Judicial Institute MA Trial Court. We look forward to Donna joining the Select Board meetings and working with us.