

BILLERICA SELECT BOARD MEETING MINUTES
January 25, 2021

A regular meeting of the Select Board was held on Monday January 25, 2021 at 7:00 p.m. via Zoom Video Conference. Present were Selectman Mike Rosa, Chairman, Selectman, John Burrows, Vice Chairman, Selectman Daniel Burns, Secretary, Selectman Andrew Deslaurier, Member, Selectman, Kim Conway Member, and Town Manager, John Curran

CALL TO ORDER:

Chairman Mike Rosa called the meeting to order at 7:00 p.m.

Chairman Rosa made a quick announcement stating they would not be voting on the December 21, 2020 minutes and Steve's Pinehurst Tavern license has also been taken off the agenda.

OPEN MICROPHONE:

Carol Reardan, 18 Pinedale Ave and Town Meeting Member for Precinct 3 – Wanted to touch on three (3) points tonight all relating to government transparency. First, seven out of the next ten School Board and BOS meetings are on the same night. Second, she spent her day on the phone with campaign finance lawyer from Mass.gov and a campaign ethics lawyer also from Mass.gov. Photos published publicly on a news paper is not a violation, so she is asking the board to go back to their respective committees and ask them not to spread false narratives on social media. Third, she has been spending her days at home overseeing her child's education while also researching committee laws, BOS by-laws, School Committee by-laws and laws and she has concerns with how committees are formed, who's on the committees, and who holds the power in the committees. She feels strongly about public voice bipartisanship, residents, and constituencies to hold power not political committees. What happened with Capital and Gains committee, she's confused, where are the resident representatives?

ANNOUNCEMENTS:
VACANCIES ON BOARDS AND COMMITTEES

Select Board Appointments

Fence Viewer	One (1) Member
Scholarship Foundation Committee	Six (6) Members
Water Sewer Oversight Board	Seven (7) Members

Openings on the Billerica Affordable Housing Trust

Attorney	One (1) Member
Banker	One (1) Member
Residents	Two (2) Members

Selectman Dan Burns stated all other announcements may be viewed on the Town of Billerica website, Selectmen's page.

Also, the Billerica Scholarship Foundation have put out a memo. They are having a difficult year raising funds due to the pandemic. They are looking for new and creative ways to raise funds to support the scholarships for the class of 2021. They are seeking donations from anyone willing to donate. They have created a Crush COVID Scholarships Form. Hoping for the community to help the class of 2021.

PUBLIC HEARING:

7:10 pm National Grid – Project 300790451 for Roger St Proposes 2-3” Conduits

Selectman Dan Burns seconded by Selectman John Burrows made the motion to open the public hearing.

A roll call vote was taken:

It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

Paul Asanto, Engineer from National Grid was on hand to answer any questions pertaining to the two new 3-inch conduits on Roger Street for the Millstone Village Project. There have been no abutters voicing concern.

Selectman Dan Burns seconded by Selectman John Burrows made the motion to close the public hearing.

A roll call vote was taken:

It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

Selectman Dan Burns seconded by Selectman John Burrows made the motion for the Select Board to approve National Grids project 300790451 for the purpose of installing two 3-inch conduits beginning at a point 0 feet NW of the center line at the section of Rogers and Call Street and continuing approximately 532 feet in the NW direction.

A roll call vote was taken:
It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

MINUTES:

Minutes if January 11, 2021

Selectman Dan Burns seconded by Selectman John Burrows made the motion to accept the minutes of January 11, 2021.

A roll call vote was taken:
It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

OLD BUSINESS:

Town Mangers Report:

Howe School – The project has been appealed by an abutter to the DEP. They are trying to expedite this through the DEP, but it will delay the project, the board will be kept up to date.

Budget Process – On going, meeting with department heads all week. It's going well and expect to have it in place for the last meeting in February. Will also be setting up meetings with BOS to go over budget items.

Vining School / Old Ditson – These projects are moving forward as expected. Vining School demo will need to go before the Conservation Commission, current target meeting date is March 10, 2021. Fencing is expected to go up in early April. Believes both buildings will be completely down by the end of summer in August.

Pinehurst Fire Station – Moving along well, underground plumbing pipes have been installed as well as piping for Fire Protection System and domestic water and rebar for the slab. The town has not heard from any neighbors and have also been lucky with the weather so far.

Capital Facilities Study Meeting – The first meeting was last week. They voted for the Town Managers Office to prepare an RFQ to engage a consultant on a scope of work

previously provided by the Board. Their next meeting is February 17, 2021 at 5:30. The meetings recorded and ran live on BATV. The Board will be kept updated as they move along.

Town Hall Reopening – All Town employees will be back tomorrow January 26 and the building will reopen to the public on Thursday January 28, 2021. Decision was basically made because the Christmas and New Years surge peaked around January 8, 2021 and now Billerica cases have decreased from approx. 35 cases a day down to 7.14 cases per day on a 7-day average.

Obstructions in the Sidewalks – Mr. Curran has attached 5 different reports that include the mailbox, hydrant, trees, and utility poles. The totals of all obstructions are included. There are approximately 50 obstructions of this manner around town. They will begin with working with National Grid to petition to start getting these poles moved out of the way.

Food Pantry / Masonic Hall – The Town Managers Office met with the leaders of the Food Pantry last week via Zoom. They have preformed multiple distributions at the site, and they seem to be happy with it. The pantry was only going to stay for about 6 months or until their new building is built. The town has offered them a long-term lease to allow them a bit more flexibility. They are discussing it. It is a good way to keep the building occupied and they are still able to work on the building because they are only in there about 12 days a month.

Positions Vacant or due to become Vacant – It is a list of the vacancies and what they are doing to fill the positions. It is an unusual time, there are many retirements, so there are quite a few openings. They are working on getting an assessment center put in place and start that process soon so the position is filled prior to the Chief retiring. If any of the vacancies are filled internally, that will result in more vacancies.

COVID-19 Vaccinations – The Town is seeking approval to be a vaccination center. They have done everything they can to this point. The vaccine distribution is not very encouraging though, only 86 thousand vaccines a week which is not a lot since there is 4 million people in the state. At this rate, it would take a bout 65 weeks to vaccinate the whole town of Billerica.

Testing Center – Over a hundred people signed up to be tested. Testing will be this Thursday. Open to the public and will be at Town Hall. Also encouraging town employees to register.

COVID-19 Update – Positivity rating is 8.27 and Billerica is still in the red. The number of cases in the last 14 days is over 200. Seven-day average is 7.14 so it is trending down over the last couple of weeks, but we still have a way to go.

Chairman Rosa opened the floor for discussion. What exactly is being appealed at the old Howe? It is a wetlands issue. However, the town is improving the wetlands situation, so we have a good chance at beating the appeal. There is nothing being

added or changed. We are replicating and repairing the wetlands area behind the parking area...At the Vining and Ditson, how much of the area will be fenced? Will people still be able to utilize the fields at the Vining and the park at the Ditson? At the Vining we will be trying to keep much of the parking available for little league and at the Ditson the playground and basketball court will be outside the fence. There are no trees expected to be taken down in this project. Town Hall reopening is a good thing, the reopening has been posted via social media. With the many employees retiring, the town will have a hard time filling many of these shoes. Are all the jobs posted in the same manner? For the most part, obviously they must be published in the local paper and online, but they are also posted on the MMA. On the Masonic Hall could we do a long-term lease for the pantry with a note that if they need to leave before the lease is up, they can like a tenant at will. Is the COVID-19 Testing for residents only? Yes, residents and town employees. Sidewalk obstructions, Chairman Rosa will send Mr. Curran a list of addresses he may have missed.

NEW BUSINESS:

John Clark, Treasurer speaking about Note Renewal/Borrowing

Mr. Clark is asking for the Select Board to vote to approve the issuance of a bonded Anticipation Note, note to exceed seven million, five hundred thousand dollars for the following municipal purpose: High School Construction Project approved on February 23, 2016, Article One.

Selectman Dan Burns seconded by Selectman John Burrows made the motion to approve the issuance of the Bond Anticipation Note, not to exceed \$7.5 million for the municipal purpose of the High School Construction Project as noted on February 23., 2016.

A roll call vote was taken:
It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

Mr. Clark has requested Selectman Burns to read the following for the Select Board: I the Secretary of the Select Board for the Town of Billerica certify that a meeting for the Board held January 25, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed all of which appear on the official record of the board in my custody voted to approve the sale of 7.5 million dollars two percent general obligation bond anticipation notes of the Town dated on January 29 2021 and payable January 28, 2022 to TD Securities, LLC at par and accrued interest plus, if any a premium of \$132,900.

Billerica Public Library would like to place signs on the Common May 1-15

Lisa Botte, representing the Billerica Public Library, is requesting to place four (4) signs on the Town Common from May 1 through May 15 to advertise the Library’s virtual Reader Run 5K. taking place in the month of May

Selectman Dan Burns seconded by Selectman John Burrows made the motion to approve the Library’s request to place four (4) signs on the Town Common from May 1 through May 15 in support of the Library’s virtual Reader Run 5K.

A roll call vote was taken:
It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

Richdale Beer, Wine and More 2021 License Extension

They are looking for an extension till the end of February due to not getting notifications out in time,

Selectman Dan Burns seconded by Selectman John Burrows made the motion to extend the liquor license to the end of February 28, 2021 to provide them time to get the necessary approvals for the ABCC and the Town.

A roll call vote was taken:
It was voted (4 – 0 - 1)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Abstained
Selectman Rosa – Aye

OLD BUSINESS:

Review and Discuss Police Chief Submission Item 1-6

Selectman Burrows going through each item:

- Bridge St Noise Complaint – We all heard the 911 dispatch, she did not sound stressed, I never told them I was a selectman and never directed anyone to do anything.
- Newspaper Articles Regarding the Economic Development Dept. – The department was failing us, they lost touch with commercial growth, former employees were making claims about violating the Town’s Policy’s were found not to be true. It might help to look into the employee’s behavior, I believe this is their 4th or 5th job with the town.
- Selectman access to department of DPW restricted area – it was an edited version of the tape; it didn’t show the whole story. The whole video would have showed me pulling into the DPW about 10 seconds after the supervisor that was

with me on site and there were already people working there. I was not there at off hours, there were about 7 employees there.

- Selectman access to temporary fire department substation – I received a call from a resident who happened to be a fire fighter who told me to take a ride by. I took the ride by, I never told anyone to do anything and I left.
- Selectman involvement in animal control investigation –
- Private property matters, being deemed outside Board of Selectman purview - I think I do a good job at keeping my job and what I do for the Town. I've supported several non-union projects in town, I have lots of friends in non-union jobs, a union organizer educates people, visit workers, you stick up for them, you know the industry. I've been too over 1700 nonunion job sites since I was hired on Halloween 2016, I've had two complaints.

Selectman Conway seconded by Andrew Deslaurier made a motion to have number six (6) referred to the Attorney General.

Prior to the vote, Attorney Mark Reich (Town Counsel) weighed in and the board also discussed it. There was a lengthy discussion.

A roll call vote was taken:

It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

NEW BUSINESS:

Review, discuss and possibly vote the potential purchase of Elks Property next to the lodge better known as the Lacrosse Field.

Chairman Rosa put this on the agenda because the body had to vote to sell the property and then the Grand Lodge had to vote on it. This has been a lacrosse field the Town has used for many years. The property has been appraised at \$285,000.

Chairman Rosa opened the floor for discussion. It was stated that they should give this some serious consideration. Unfortunately, it is too late to put an application in for this year via CPC, so not sure where funds would come from. There was talk about focusing on the PHR. The decision seems somewhat split. Should we focus on PHR and it is not the right time to purchase another piece of property, and the hearing from the president and vice president of the Youth Lacrosse League that it is not something they are interested in.

Dan Venezia, Vice President for the boy's Youth Lacrosse League called in, stating the Marshall Fields will serve as our need and fill the hole if the Elks field is sold. But long term the Marshall doesn't fill the need because it is a grass field. Turf is the ultimate goal in lacrosse. Due to Billerica not having any turf lacrosse fields, they cannot schedule any home games here for the first three weeks of the season because of the

grass fields. They cannot host playoff games because of the grass fields and in the Spring when they start lacrosse in late February/early March, they can't practice on their own fields because they're grass. It cost them approximately \$10,000 a year to rent other towns fields so they can practice.

Scott Einarson President of the Youth Lacrosse League stated they had already moved on from the Elks field because they knew it was going up for sale and their ultimate goal is to be on turf.

MEETING SCHEDULE:

The meeting Schedule is:
February 8, 2021 and February 22, 2021

ADJOURNMENT:

Selectman Dan burns seconded by Selectman John Burrows made the motion to adjourn from regular session.

A roll call vote was taken:
It was voted (5 – 0)

Selectman Burrow – Aye
Selectman Deslaurier–Aye
Selectman Burns - Aye
Selectman Conway – Aye
Selectman Rosa – Aye

Chairman Mike Rosa adjourned the regular meeting at 9:13 pm.

A True Copy Attest

Joyce MacMillan
Recording Secretary