

BILLERICA FINANCE COMMITTEE MINUTES
April 7, 2022

A Public Meeting of the Billerica Finance Committee was held on Thursday April 7, 2022, at 7:00 p.m. in Room 210 of the Town Hall

Present: David Gagliardi, Chairman; Doug Meagher, Vice Chairman; Mary McBride, Secretary; Donald Damon, Member; John Mulloy, Member; Philip Newfell, Member; Patrick Logue, Member; Doug Fogerty, Member, Kelley Sardina, 1st Associate, Sharon Healey, 2nd Associate; Town Accountant Paul Watson, Ex-Officio; and Joyce MacMillan, Recording Clerk.

Excused Absence: Rino Moriconi, Member.

CALL TO ORDER:

Chairman David Gagliardi called the meeting to order at 7:01 p.m.

PUBLIC COMMENT:

None

WARRANT ARTICLES:

Article 2 – Select Board Stipends – John Curran

This article had been discussed in previous meetings.

Doug Meagher seconded by Mary McBride made a motion to recommend Article 2 as printed in the preliminary warrant.

It was voted:

8 – In favor
2 – Opposed – Doug
Meagher, Phil Newfell

Article 4 – Budget Transfers – John Curran and Paul Watson

Article 4 being withdrawn

Article 15 – Purchase Hydro Excavator for Water Dept. – John Curran and Fred Russell

Mr. Russell explained that it would be more cost effective for the town to purchase rather than continually renting. Currently the town rents a Hydro Excavator at a cost of \$125,000 and with all the costs that goes with it, the total ends up costing around \$140,000. The purchase price of the excavator will be approximately \$575,000. The funding for the vehicle would come from the Water Retained Earnings which has a balance of approximately \$2.4 million. No borrowing needed.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Is there a difference between this vehicle and the one that the Wastewater Dept has? Yes, this vehicle is strictly for excavation. Is this already sourced, and we know the

purchase price? Yes. Do you know how many hours are on the Wastewater dept truck? No, but we will get that figure to you. Do you know of any communities in that area that have purchased one of these vehicles? Brookline (where Mr. Russell previously worked) has two. Does the company provide training? Yes, and currently there are only five people in the DPW with CDL license and only two with a tanker license. How soon could the town receive this truck? They are currently in stock. Why didn't the DPW purchase this before? Mr. Russell is not sure why, but he said that purchase cost vs rental cost is a money saver and other departments can benefit from the truck as well.

Doug Meagher seconded by Patrick Logue made a motion to recommend Article 15 as printed in the Preliminary Warrant.

It was voted:

9 – In favor
1 – Opposed – Kelly
Sardina

Article 17 – Authorize Stormwater Asset Management Project – John Curran

The town was awarded a grant to complete a Stormwater Asset Management Project which will be partially reimbursed by MassDEP. The cash match has already been funded by the Fiscal Year 2022 Town Budget, which was approved in Article 10 of 2021 Annual Spring Town Meeting. However, MassDEP and the Clean Water Trust require that the entire project cost be appropriated prior to reimbursement. This item already appropriated funds in the budget. There is Cash fund, in kind services of \$29,500, cash from Town Funds of \$63,500 and grant money of \$139,000.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Is Engineering covering more than Board of Health (BOH) now or will BOH still be ruling? They are hoping to move everything regarding storm water into Engineering now that they have a Stormwater Engineer. They will eventually be taking the lead with BOH still involved. This should help streamline the permitting process. Will meetings with the client still be public? Yes.

Doug Meagher seconded by Kelley Sardina made a motion to recommend Article 17 as printed in the Preliminary Warrant.

It was voted:

10 – In favor
0 – Opposed

Article 18 – Fund Design for New DPW Facility – John Curran and Fred Russell

Mr. Curran asked to table this one. They are still working on this with the state.

Article 19 – Increase Funding Authorization for WWTF Phase III – John Curran

This project has been before Town Meeting previously asking for more funds. The original project was estimated at \$9 million in 2019, the next time was an additional \$2.35 million due to bids coming in higher than planned; and now the Town is

requesting an additional \$1.65 million to cover the unforeseen conflicts listed below. This appropriation provides funds for unforeseen conditions encountered during construction of the Phase 3 Upgrades. Some of the change orders include boulder removal, additional dewatering, and additional abatement of hazardous materials during construction of the new Operations Building, the reconfiguration of electrical duct banks and relocation of a switchboard and transformer due to unforeseen underground conflicts.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Do you think this additional funding will be enough to get us where we need to be? This amount will cover all the demands of the construction company and we are hoping we do not need it all. What is the estimated completion time? They are looking at November. When did we borrow the \$9 million? We have not yet borrowed this money, it was an appropriation authorized at Town Meeting in 2019. Why is it this high, what are the overruns? The bids came in higher than the original \$9 million and now there are unforeseen underground conflicts. The mapping that was given to the contractors showing where the pipes are was incorrect and now piping must be re-routed, there was boulder removals and hazardous removal of asbestos, plus the company has some change order requests. Are the delays impeding the wastewater treatment plant? There will be borrowed funds through the Clean Water Trust loan at 2% rate.

Doug Meagher seconded by Patrick Logue made a motion to recommend Article 19 as printed in the preliminary warrant.

It was voted:

10 – In favor
0 – Opposed

Article 22 – Town -Owned Land for Affordable Housing – John Curran

One of the Select Board goals was to continue the creation of affordable housing in the Town of Billerica. This article would allow the Town to convey these two properties through an RFP /RFQ process to a party interested in building an affordable property in the Town. One property is on Seville Street which is about .45 acres, and the other is on Parkway Ave and that is about .188 acres. Habitat for Humanity will probably be one of the companies bidding on these. Currently we are waiting on the Tax Titles from K & P.

Chairman Gagliardi opened the floor to the committee for questions or concerns. What can be built there? Single family home. The proposal will require affordable housing be built on each lot. Will be a non-profit such as Habitat for Humanity doing the building. What about reselling the property, would it still be restricted as affordable? Yes, it will be restricted to sell to a qualified first-time home buyer and if they resell it, it will have to be sold as an affordable and so on. The deed will show the restriction. Does the Parkway Ave property meet the zoning requirements? Yes, it is grandfathered in, which means there was a structure there before. What is on the backside of the Saville property on the Tewksbury side? Looks like all wooded area. What are the taxes and

value? The house was taken for taxes owed and it is about a \$170,000 value. Can we pick who the Town donates it too? No, that would be a violation. It is a bid process..

Doug Meagher seconded by Mary McBride made a motion to recommend Article 22 as printed in the preliminary warrant.

It was voted:

9 – In favor
1 – Opposed – Patrick Logue

Article 23 - Town -Owned Land for Marijuana Cultivation – John Curran

The Town is interested in selling a parcel of Town owned land in the Adult Use Marijuana District. The Town would market the property for a cultivation site. A similar piece of property in the district sold for over \$2 million prior to the pandemic. The Town has a very advantageous host community agreement with the current retail operation and the retail market is only so large. Therefore, it makes sense to create a new revenue stream with a marijuana cultivation site. This would be a better revenue source to the Town than having a second retail facility.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Do we know what kind of revenue we could get from this? Not sure yet, there are some rulings that will be coming out that could change it but should be better than the retail facility. Who would be able to order from this cultivation site? Dispensaries, not individuals. We will get taxes and revenue from cultivation, are there interested cultivation entities? Yes. What would it look like? It is a building like a warehouse, cultivators use every square inch of the building. It is all indoors, well contained with fans and HVAC to regulate odors and such. Just as a FYI, the Open Space and Recreation Committee unanimously voted No on this last night because of how close it is to wetlands. What kind of security would there be? It is strict, they are regulated by the Cannabis Commission. Have we had any communication with the current retail store? Yes, but it is too early to say what the revenue will be. What is the lot size of this property? It is 2.2 acres. Cultivation centers really do not need a lot of space. The Town is limited to how many sites there can be, the same way liquor stores are. The property was acquired through a tax title some time after 1983.

Doug Meagher seconded by Don Damon made a motion to recommend Article 23 as printed in the preliminary warrant.

It was voted:

7 – In favor
3 – Opposed – Don Damon, Patrick Logue, Kelley Sardina

Article 24 – Transfer Care, Custody, Mgt & Control of School Grass Athletic Fields – John Curran

On May 1, 2018, the Billerica School Committee voted on two motions. 1. Turn over the care, custody, and control of all grass athletic fields except for Calabrese Stadium. 2. Turn over care, custody, and control of Calabrese Stadium upon the completion of the Billerica Memorial High School Project. The Town's Parks & Trees division has been maintaining these fields since these fields were voted by the School Committee to be surplus to the needs of the School Department. This article completes the conveyance of property from the School Depart to the Select Board. The School Committee still needs to do a final vote.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Will the Town need to add to staff for the Parks and Trees department? No, they have been taking care of these fields for a while now. The high school fields are artificial turf, these are grass. Are the school playgrounds included? No, the school still has control over the playgrounds. Which insurance would someone go through if they are hurt on a school field? All insurance is held by the Town, even the school insurance.

Doug Meagher seconded by Don Damon made a motion to recommend Article 24 as printed in the preliminary warrant.

It was voted: 10 – In favor
0 – Opposed

MINUTES: March 22, 24, and 31, 2022

Review minutes of March 22, 2022

Doug Meagher seconded by Don Damon made a motion to accept the minutes of March 22, 2022.

It was voted: 8 – In favor
0 – Opposed
3 – Abstained - Dave Gagliardi, Doug Meagher, Kelley Sardina

Review minutes of March 24, 2022

There is an error on page 4, the word thing should be think.

Doug Meagher seconded by Patrick Logue made a motion to accept the minutes of March 24, 2022, as amended.

It was voted: 6 – In favor
0 – Opposed
4 – Abstained - Dave Gagliardi, Doug Meagher, Doug Fogerty, Sharon Healey

Review minutes of March 31, 2022

The page heading/date is incorrect, says March 3 should say March 31

Doug Meagher seconded by Mary McBride made a motion to accept the minutes of March 31, 2022, as amended.

It was voted:

9 – In favor
0 – Opposed
1 – Abstained – Doug Fogerty

FINANCE COMMITTEE CODE OF CONDUCT: a copy was given the committee prior to the meeting

Chairman Gagliardi did a brief overview of the handout and stated that it is based on the Select Board's Code of Conduct and it has been vetted by Town Counsel.

The Finance Committee wrote Policies and Procedures back in 2015 but it was never adopted. A subcommittee should be created to rewrite the Policies and Procedures. There are no policies regarding social media because they cannot rule over social media. This committee serves at the pleasure of the Town Moderator. He or she would be the person enforcing this policy. Any issues would go to the Town Moderator, any action taken would be up to the Town Moderator. Chairman Gagliardi will get copies of all the policies noted in the Code of Conduct, which are used throughout the Town, for FinCom members.

Doug Meagher seconded by Kelley Sardina made a motion to adopt the Finance Committee Code of Conduct.

It was voted:

10 – In favor
0 – Opposed

MISCELLANEOUS CORRESPONDENCE – not subject to discussion

There are still five Warrant Articles to hear

The next meeting will be Tuesday April 26, 2022.

ADJOURNMENT:

Patrick Logue, seconded by Doug Meagher made motion to adjourn.

It was voted:

10 – In favor
0 – Opposed

Chairman David Gagliardi adjourned the meeting at 9:12 pm.

Joyce MacMillan, Recording Clerk