

BILLERICA FINANCE COMMITTEE MINUTES
April 22, 2021

A Meeting of the Billerica Finance Committee was held on Thursday April 22, 2021 at 7:00 p.m. via Zoom Video Conferencing Communication App.

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

Excused Absent: Doug Meagher, Vice Chairman and John Mulloy, Member.
Absent Doug Fogerty, Member

CALL TO ORDER:

Chairman David Gagliardi called the meeting to order at 7:00 p.m.

PUBLIC COMMENT:

Doreen Healey came forward to ask if the Finance Committee meetings were taped. Chairman Gagliardi said “not my knowledge”. She asked if they could tape the meetings and the Chairman answered they could do that. Mary McBride asked how they could do that for this meeting and the chairman answered that they could not for this one, but they could for future meetings.

Marlies Henderson of Sprague St. N. Billerica came forward regarding Article 16 Community Preservation Committee Appropriations and Budget Recommendations. She believes the lines are blurred between budget and appropriation. Separation is important especially when not all CPA funds are expended, they should go back into the category reserve account that it was appropriated from. The CPA funds are not a source for the general funds.

Darlene Torres came forward regarding the School Budget and she wanted to let the committee know that a lot of hard work went into this and hopes the Finance Committee will support this budget.

ARTICLES:

School Budget Presentation – Tim Piwowar, Robin Hulsoor and Jill Geiser

Robin Hulsoor and Jill Geiser presented the Billerica Public Schools FY2022 budget Power Point Presentation which the committee received a copy of prior to the meeting. Jill Geiser began by going over the Educational and Finance Data, a comparison of a per pupil cost to some surrounding towns for 2020, the State Accountability System, Billerica SAT Scores comparison for 2013-2020, the AP Passing Scores for 2013-2020, and the Graduation rate and Drop Out count for 2013- 2020.

Robin Hulsoor took over to go over the FY2022 Budget, the Budget Challenges, the Budget Assumptions, what Drives the Budget, the Budget Changes, Historic Budget Trends and Current Budget Projection.

Chairman Gagliardi opened the floor to the committee for questions or concerns. When will the cost of living/contracts be negotiated? They hope to be starting the negotiations soon. Class sizes for grades 5 to 7 on average run about 22 students for middle schools. Will the Collective Bargaining be coming before the Finance Committee? They have not been settled yet so they will not be coming forth before Town Meeting. Were there any savings on utilities since the students were home for most of the year? No, the school still had to run the utilities. Do you know what the last five years of budgets are for some of the surrounding towns? No, it would be difficult to get but they could try to put something together. Is there a nurse for Project Support and where are they in the budget? There is a nurse in the building, it is not listed as a salary. It is not part of the budget; it is taken care of through a revolving fund. How many paraprofessionals are in Project Support? We have 26. What is the enrollment? Enrollment over all has decreased. The numbers they have are combined with last year. The revenue is not part of this budget, it goes into a revolving fund. This budget is only the operating budget for the schools. The maintenance has increased, this is due to the turf fields. The school dept takes care of the turf fields and Parks and Trees takes care of the grass fields. 20% is the actual SPED rate. The school is waiting on \$4.2 million in COVID-19 grants for this year. As for after school activities, it is hard to say how many participate since this past year many activities were canceled but they are trying to bring them back as soon as they can. The difference between ESL (English as a Second Language) and ELL (English Language Learner), in ESL the kids are pulled from the general classes and into specialized classes and ELL the kids stay in the general classes. There are under 100 total children in ESL/ELL classes. The number of homeless students this year is down, there is less than 10.

Mary McBride seconded by Rino Moriconi made a motion to recommend the Billerica Public School Budget in the amount of \$68,363,515.

A roll call vote was taken
It was voted 8-1-1:

John Kleschinsky –Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Abstain
Kelley Sardina - Nay
Mary McBride – Aye
Patrick Logue - Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

Article 33 – To Amend Zoning By-Laws for Commercial Kennel Use – Jim Dangora Jr and Justin Fishlin

This article is a petitioner’s article and a zoning change article. The petitioners are Justin and Sarah Fishlin, who own the property at 14 Republic Road, which backs up to the House of Correction. It is the Fishlin Family’s goal to open a commercial kennel at this location.

This article is to amend the zoning bylaws to add commercial kennels in an industrial district. The proponents did research in Billerica and surrounding communities and found that there is a need for kennels in the area. They found that this particular use is not permitted in any zoning district here in Billerica. There is a General ByLaw (VII section 2) that talks about the regulation and licensing of dogs. That particular provision provides that the Town Clerk may issue kennel licenses if the applicant demonstrates that the use of the property as a kennel is permitted in the zoning district. Mr. Dangora went over exactly what they are looking to amend the Zoning ByLaw. If this passes, it would help to generate licensing fees, create jobs here in town, the building would be renovated inside and out which would increase property taxes. The Fishlins are asking the Finance Committee to recommend this article.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Yes, they spoke with the direct neighbors. It does not matter how far the House of Correction property is, it was put in there to show where the Fishlin property is. The Planning Board vote was unanimous to approve this this change. The kennel would take a while to open; they must get the article passed, then get the ByLaw change approved by the Attorney General, and then go through the permitting process with the Board of Appeals. The current use of the property is a Life Safety company that specializes in Fire Alarm Systems, they are looking to subdivide and taken on less of the building.

Mary McBride seconded by Don Damon made a motion to recommend Article 33 to Town Meeting.

A roll call vote was taken
It was voted 9-1:

- John Kleschinsky – Aye
- Cheri Gargalianos - Aye
- Rino Moriconi - Aye
- Don Damon – Aye
- Sharon Healey – Aye
- Kelley Sardina - Aye
- Mary McBride – Aye
- Patrick Logue - Aye
- Phil Newfell - Nay
- Dave Gagliardi – Aye

Article 32 – Rezoning for 336 Boston Road – Joe Mercado

This article is a petitioner’s article for the rezoning of the property at 336 Boston Road. The Middlesex Animal Hospital has grown so much that they have had to turn away clients because they do not have the space. They purchased the property next to them

at 336 Boston Road and if the rezoning from residential to commercial is approved, they plan on increasing their building size and redo the parking lot. This rezoning would result in increased taxes (by changing from residential to commercial) for the town and would create more local jobs because they plan on hiring quite a few people.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The property at 336 Boston Rd is about 3 acres and the existing building is about 5000 sq ft. The new building would be adding at least 4400 sq ft. They are planning on hiring local. The last time they remodeled, 99% of the people were from Billerica. Currently they have about 13 people from Billerica working there and most have been there since the beginning. They currently have three students that shadow the veterinarians and one that is now a part time employee. They are open to working with the schools, they have had tours come through from Elementary up to High School. The house on the property is from the 1700's, they have reached out to the Historical Commission which has to approve the zoning change. The house is in rough shape, he plans on reaching out to see if anyone in the area can repurpose the materials from the house. The current property taxes are about \$6,000.

Mary McBride seconded by Don Damon made a motion to recommend Article 32 to Town Meeting.

A roll call vote was taken
It was voted 10-0:

John Kleschinsky – Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Aye
Kelley Sardina - Aye
Mary McBride – Aye
Patrick Logue - Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

Article 16 – CPC Appropriation & Budget Recommendations – Travis Brown and Mary Leach

Travis Brown explained that the Chairman of the CPC has retired, and that Travis, the former Vice Chair is now the Chairman. Mary Leach is going to present their article for FinCom and Town Meeting. This article is for the CPC projects that do not require any bonding. The CPC did send a copy of the power point presentation to the committee prior to the meeting. Mary Leach went over the presentation which included some history of the CPC then highlighting four of the projects and then the annual funds allocated for staff and technical support.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The Middlesex Canal Association project received \$100,000 back in 2018 and are now asking for \$280,000. They have also spent a significant amount of their own funds, but

Ms. Leach and Mr. Brown were not sure of the amount. The match from the state for 2021 has not yet been announced. The total dollar amount vote for tonight is \$780,000. The Billerica Municipal Affordable Housing Trust received \$200,000 last year and the total in the fund now is a little over \$100,000 because the Trust recently made a purchase of a duplex. Much of the CPA funding comes from the residents - it is 1% property tax surcharge which is estimated to be about \$1 million. 10% of the of the funds collected from the town along with the state match goes into the reserved "buckets" aka the special purpose fund balances. First, they reserve 10% into each of the buckets, then \$45,000 for admin costs, and then from what is left, goes into the undesignated fund balance. Then the recommendations for funding the projects are made. The funding can be made from the designated buckets or from the undesignated fund balance. Peggy Hannon Rizza recreational project is on a separate article because part of the project will be bonded. Middlesex Canal Project still has the plumbing, electrical, the elevator and more to complete. The Masonic Hall has budgeted funds from the Town as separate funds, not part of the CPA funding. Kelley Conway explained where they are and showed a spread sheet of where the funds are to be spent with the Katie Durand Memorial Park project and how they came up with the requested amount. The CPC vote was unanimous.

Mary McBride seconded by Don Damon made a motion to recommend Article 16 to Town Meeting in the amount of \$780,000.

A roll call vote was taken
It was voted 10-0:

John Kleschinsky – Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Aye
Kelley Sardina - Aye
Mary McBride – Aye
Patrick Logue - Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

Article 29 – Mixed Use Overlay Zoning District – Denise McClure and Michael Riley

Denise McClure, the interim Planning Director provided the committee with a copy of her presentation prior to the meeting. Using the PowerPoint presentation, she gave some background on this and how they got to where they are now, what the committee determined, and their goals and vision is for the area. Ms. McClure also went over the subzones, special permits, dimensional requirements, diversity requirements, design guide Affordable Housing requirements and parking.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Michael Riley, the Chairman of the Planning Board, gave a rundown on the general financials and is happy that it supports existing businesses. It goes hand in hand with

the state's economic recovery. The Planning Board vote was 5 to 2 in favor. The two that voted against, one had issue with definition of sense of place, more of confusion with it and the other member had issue with every line on the first page. Density Bonus, as far as the affordable aspect of it were gone over a bit more and what the Planning Board members would agreement to. Ms. McClure and Mr. Riley also went over the Mixed-Use zoning, the District Zones, and the largest and smallest (the largest being the Mall). The Town is an MBTA community, and the town meets all the zoning that qualifies us for funding. The voting from Town Meeting for this article would be a majority and for the next Article (30) would be a 2/3 vote. Many other towns do use similar mixed-use zoning.

Mary McBride seconded by Rino Moriconi made a motion to recommend Article 29 for Town Meeting.

A roll call vote was taken
It was voted 7-3:

John Kleschinsky –Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Nay
Sharon Healey – Aye
Kelley Sardina - Nay
Mary McBride – Aye
Patrick Logue -Nay
Phil Newfell - Aye
Dave Gagliardi – Aye

Article 30 – Amend PUD Overlay District – Denise McClure and Michael Riley

This article would remove the PUD Overlay District in its entirety if the Mixed-Use ByLaw and Overlay is approved.

Chairman Gagliardi opened the floor to the committee for questions or concerns. It is making sure the zoning map corresponds with the zoning districts.

Mary McBride seconded by Rino Moriconi made a motion to recommend Article 30 for Town Meeting.

A roll call vote was taken
It was voted 9-1:

John Kleschinsky –Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Aye
Kelley Sardina - Aye
Mary McBride – Aye
Patrick Logue -Nay
Phil Newfell – Aye

Dave Gagliardi – Aye

Article 10 – Vote FY22 Town and School Budget – Dave Gagliardi

This budget has already been reviewed; it is now just the formality of voting on the article.

Mary McBride seconded by Rino Moriconi made a motion to recommend Article 10 for Town Meeting in the amount of \$164,976,070.

A roll call vote was taken
It was voted 8-2:

John Kleschinsky –Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Nay
Sharon Healey – Aye
Kelley Sardina - Nay
Mary McBride – Aye
Patrick Logue -Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

Review of Budget and Town Meeting Preparation with Moderator – John McKenna

Mr. McKenna said he got his questions answered and did not need to come before the committee tonight.

Review Minutes for March 23 & 30

Mary McBride seconded by Don Damon made a motion to accept the minutes of March 23, 2021.

A roll call vote was taken
It was voted 10-0:

John Kleschinsky –Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Aye
Kelley Sardina - Aye
Mary McBride – Aye
Patrick Logue - Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

Mary McBride seconded by Rino Moriconi made a motion to accept the minutes of March 30, 2021.

A roll call vote was taken
It was voted 10-0:

John Kleschinsky –Aye

Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Aye
Kelley Sardina - Aye
Mary McBride – Aye
Patrick Logue - Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

MISCELLANEOUS CORRESPONDENCE – not subject to discussion

There may be another meeting, possibly April 27, 2021.

ADJOURNMENT:

Mary McBride seconded by Patrick Logue made a motion to adjourn.

A roll call vote was taken

It was voted 10-0:

John Kleschinsky –Aye
Cheri Gargalianos - Aye
Rino Moriconi - Aye
Don Damon – Aye
Sharon Healey – Aye
Kelley Sardina - Aye
Mary McBride – Aye
Patrick Logue - Aye
Phil Newfell - Aye
Dave Gagliardi – Aye

Chairman David Gagliardi adjourned the meeting at 9:28 pm.

Joyce MacMillan, Recording Clerk