



**TOWN OF BILLERICA  
SELECT BOARD MINUTES  
FEBRUARY 06, 2023**

**Members Present:** Chair Andrew Deslaurier, Vice Chair Michael Riley, Secretary Kimberly Conway (Remote), Member Michael Rosa, and Member John Burrows

**Members Absent:** None

**Staff Present:** Town Manager John Curran, Assistant Town Manager Clancy Main, and Director of Administrative Services Robert Maynard

Chair Deslaurier stated that the meeting is a hybrid meeting with a Zoom option. Secretary Conway is remote, so all votes will be taken by roll call.

**Call to Order 7:00 PM**

Chair Deslaurier called the meeting to order.

The Pledge of Allegiance was recited.

**1. Open Microphone**

*Chris Tribou of 13 Bridle Road* – Mr. Tribou appeared to thank Mr. Maynard for all his help. He called in to get some information on the sewer project and he was able to get all the information.

*Kelly Sardina of 95 Gray Street* – Ms. Sardina stated that the Board of Health is meeting at the same time as this meeting and asked when there are two meetings at the same time, that the public comment be adjusted so it's not at the same time. Ms. Sardina stated that she is concerned that the budget just went online today and hopes it will be reviewed thoroughly and this will not be the only meeting. This just reinforces how important a recording policy is so residents can stay informed. Mr. Curran stated that for the record, the budget is not online. The only thing that has been presented is a summary preview. As soon as the budget is available, it will be presented to the Select Board and will be given to the Finance Committee and be put online.

**Announcements**

**2. Vacancies on Boards and Committees**

Secretary Conway read the list of vacancies of boards and committees.

**3. All Other Announcements may be Viewed on the Town of Billerica Website**

**Public Hearing**

**4. National Grid/Verizon - #30677444 – National Grid to install (1) JO Pole 104-50 on Salem Road Pole 105 Salem Road approximately 64' north from existing pole #105 Salem Road in order to accommodate electric service upgrade to 4 Captain Gookin Ave. and request permission to lay and maintain underground laterals, cables and wires in the above or intersection public ways.**

**MOTION** - Secretary Conway made a motion to open the public hearing for National Grid/Verizon, Petition #30677444 at 7:06 PM. The motion was seconded by Member Rosa and unanimously voted 5-0. On a roll call vote: Secretary Conway voted Aye, Member Rosa voted Aye, Vice Chair Riley voted Aye, Member Burrows voted Aye and Chair Deslaurier voted Aye.

Vaz Eang from National Grid appeared via Zoom. Mr. Eang stated that these two petitions are to install two poles in the public way. The current conduit is underground and goes across the public way. If there was a problem with the conduit, they would have to rip up the road so by adding these two poles, they wouldn't have to disturb the roadway.



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Dave Ferry of 3 Captain Gookin Ave – Mr. Ferry stated that he has lived at his house for 28 years and has always had underground utilities. Why would it be changed to overhead now? Mr. Eang stated that we want to add the poles incase something happens to the conduit. Mr. Ferry’s service will remain the same. Mr. Curran stated that this situation is true of all underground conduits. It’s not fair to the residents that have always had underground conduit to now have poles. We are working to get all utilities underground, not the other way around.

Mark LaLumiere, Building Commissioner joined the meeting. Mr. LaLumiere stated that he agrees with the Town Manager. He also added that there could be conditions of the subdivision that the utilities be underground.

Vice Chair Riley agreed with the Town Manager.

Member Rosa stated that this is counterintuitive. There are neighborhoods all over town that have underground utilities. The problems usually occur with overhead services when tree limbs fall on them, not underground. It also appears that this application and the next one are essentially the same. They have the same work number and both poles are shown on the same plan. Chair Deslaurier stated that he is finding that these two applications are the same, and it will be handled under one application.

Chair Deslaurier stated that this is contrary to what the neighbors want. We can vote on this tonight or we can continue it and allow National Grid to talk with the neighbors.

Member Burrows stated that there are two options for utilities: underground or on poles. Underground is the way things are moving to.

**MOTION** - Secretary Conway made a motion to close the public hearing. The motion was seconded by Member Rosa and unanimously voted 5-0. On a roll call vote: Secretary Conway voted Aye, Member Rosa voted Aye, Vice Chair Riley voted Aye, Member Burrows voted Aye and Chair Deslaurier voted Aye.

**MOTION** - Secretary Conway made a motion to approve the National Grid/Verizon pole petition for #30677444. The motion was seconded by member Rosa and unanimously voted 0-5. On a roll call vote: Secretary Conway voted No, Member Rosa voted No, Vice Chair Riley voted No, Member Burrows voted No and Chair Deslaurier voted No. The motion did not pass.

5. **National Grid/Verizon - #30677444 – National Grid to install (1) JO Pole 104-51 beginning at a point approximately 130’ northeast from proposed pole 104-50 Salem Road in order to accommodate electric service upgrade to 4 Captain Gookin Ave and request permission to lay and maintain underground laterals, cables and wires in the above or intersection public ways.**

Chair Deslaurier stated that item #5 is a duplicate petition of agenda item #4.

**New Business**

11. **BMHS Blast Celebration – Request (4) 18 1/4” x 24 1/4” Signs on the Common from February 7, 2023 to March 10, 2023 for a Fundraiser on March 10th from 7:00 PM to 10:00 PM at the Billerica Elks – Requested by Maureen Xavier**

Maureen Xavier appeared and requested 4 signs in the common for a fundraiser to support Billerica Blast, which is an all night long celebration for Billerica graduating seniors.

**MOTION** - Secretary Conway made a motion to approve four (4) 18 ¼” x 24 ¼” signs on the common from February 7, 2023 to March 10, 2023 for a fundraiser on March 10<sup>th</sup> from 7:00 PM to 10:00 PM at the Billerica Elks to support Billerica Blast. The motion was seconded by Member Rosa and unanimously voted 5-0. On a roll call vote: Secretary Conway voted Aye, Member Rosa voted Aye, Vice Chair Riley voted Aye, Member Burrows voted Aye and Chair Deslaurier voted Aye.



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**Old Business**

**7. Senior Tax Work Off Program – Clarification of Maximum Assets for a Married Couple to be set at \$75,000 – Requested by Vice Chair Riley**

Vice Chair Riley stated that when voted on the maximum assets for the senior tax work off program we did not specify the amount for a married couple. It was determined that this amount should be \$75,000.

Member Rosa asked if we could make it more. He thinks \$100,000 is more reasonable for assets for a married couple. Member Rosa stated that he spoke with a lot of residents when the tax bills came out and he suggested they sign up for this program but they didn't think they qualified because the amount of assets are so low.

Chair Deslaurier asked who determined the amount. Vice Chair Riley replied the Director of the COA and the Assessor. There could be a qualifying amount, he is unsure.

Member Burrows asked if there was any documentation to back up this amount and is it in line with surrounding communities. Mr. Curran replied no, the people who run this program have suggested \$75,000. He would suggest that the Board vote on that and we can investigate increasing it to \$100,000 if the program does not fill up.

Secretary Conway stated that this amount is not statutory and is at the will of the Town. There are a certain number of spots available for this program and by increasing the amount we are allowing more people. We could vote \$75,000 and come back with a higher number if it is deemed necessary.

Vice Chair Riley stated that we should see how the program runs with \$75,000. Member Rosa stated that \$100,000 in total assets is not a lot.

Chair Deslaurier stated that we did not supply this number, it was requested by the people who run the program and published on our agenda as \$75,000.

**MOTION** - Member Rosa made a motion to approve the maximum assets for a couple as \$100,000 for the Senior Tax Work Off Program. The motion was not seconded.

**MOTION** - Vice Chair Riley made a motion to approve the maximum assets for a couple as \$75,000 for the Senior Tax Work Off Program. The motion was seconded by Member Rosa and voted 4-0-1. On a roll call vote: On a roll call vote: Secretary Conway voted Aye, Member Rosa voted Aye, Vice Chair Riley voted Aye, Member Burrows abstained from voting and Chair Deslaurier voted Aye.

**New Business (Continued)**

**9. VFW Post 2597 – Request Permission to Conduct a Poppy Drive at the Market Basket stores located at 199 and 700 Boston Road and O'Connor's Hardware at 446 Boston Road on Friday, May 19, 2023 and Saturday, May 20, 2023.**

**MOTION** - Secretary Conway made a motion to approve the request to conduct a poppy drive at the Market Basket stores located at 199 and 700 Boston Road and O'Connor's Hardware at 446 Boston Road on Friday, May 19, 2023 and Saturday, May 20, 2023. The motion was seconded by Member Rosa and unanimously voted 5-0. On a roll call vote: Secretary Conway voted Aye, Member Rosa voted Aye, Vice Chair Riley voted Aye, Member Burrows voted Aye and Chair Deslaurier voted Aye.

**10. Town Manager's Contract Sub-Committee – Requested by Chair Deslaurier**

Chair Deslaurier stated that he and Vice Chair Riley will serve on the subcommittee for the Town Manager's contract.



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**8 FY24 Initial Budget Presentation**

Mr. Curran stated that tonight is just a preliminary budget summary. They are still missing the Shawsheen Tech budget. The Town has stayed for the most part under 2%. There will be no new positions and this will be a level service budget. The DPW has increased due to the Waste Management contract. The schools have increased 3.78% at an increase of \$2,779,793. This is majority due to the contracts that were settled. The shared costs between the Town and School increased 2.13% or \$1,016,554. This is building insurance, OPEd and pension costs. The Water Enterprise fund increased 3.66% or \$267,960. This is due to increased chemical costs and sludge removal. The Wastewater Enterprise fund has decreased 7.36% or \$682,355 due to the removal of debt service. There are still unsettled contracts and if they are not settled in time, then they will be a separate article for Town Meeting. The levy is \$4.1 million compared to last year when it was \$7 million.

Chair Deslaurier asked when the school budget will be done. Mr. Curran stated that the School Committee will meet at a special meeting on February 21<sup>st</sup> to discuss the budget.

Member Rosa asked if any part of the new DPW is included in this budget. Mr. Curran replied no. Member Rosa why is the public safety budget going down but the library and recreation is going up. Mr. Curran stated that there are state statues about how much money is required to buy books. You need to look at the amount and not the percentage. The public safety budget is so much larger than the library. The decrease in the public safety budget is mostly due to retirements. Member Rosa stated in the Human Services line item, we get 75% reimbursement for the veterans. Is that considered? Mr. Curran replied no, we are only looking at expenditures, not revenue. Member Rosa stated that we will have to see what the education budget comes in with. Member Rosa asked where the \$800,000 in free cash from last year will be used. Mr. Curran stated that it will be used for retro pay when the contracts are signed. Member Rosa stated that he appreciates the summary but he wants to see the real numbers.

Member Burrows stated that the school budget has increased \$8 million with only 25 extra kids since 2020 and removal of the responsibility of the fields. It doesn't add up. He would encourage everyone to go the School Committee meeting.

Secretary Conway asked when will the public hearing be held for the budget. Mr. Curran stated that the Finance Committee will hold the public hearing, so he is not sure yet. It will be sometime in March and want to make sure there are no big surprises.

Chair Deslaurier stated that percentage is confusing. What percentage of the public safety decrease is due to retirement. Mr. Curran replied about \$213,000 in Police and \$21,000 in Fire. Chair Deslaurier stated that does not add up to what is listed so the numbers should be looked at. Chair Deslaurier stated that the decrease in human services is due to retirement not a reduction in services. Mr. Curran replied that was correct. Chair Deslaurier stated that if the contracts are settled before February 27<sup>th</sup> will the numbers go up. Mr. Curran replied yes.

**Old Business (Continued)**

**7. Town Manager's Report**

Mr. Curran presented his report.

• **Town Center**

Mr. Curran stated that the office has met with BETA, Verizon, Comcast and National Grid to discuss utility coordination with the Town Center project. A site walk will occur in March.

Secretary Conway asked if there is an overall schedule. Mr. Curran replied there is no final schedule due to the need to finalize funding but he can get a design schedule out to the Board. Secretary Conway stated that there needs to be a lot of public discussion on this project. Mr. Curran agreed and he has been contacted by some residents who were opposed to the project in the past now like the idea.



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Member Rosa stated that looking at the original proposal and what was proposed a few months ago, there are only two significant changes; cutting large trees in front of O'Connor's parcel to provide more parking and the exit out of the Senior Center. He can't believe that those minor changes would be \$1 million. Mr. Curran stated that the original plans were not 100% design. The \$1 million will bring this up to bid documents. Member Rosa stated that this will be a large public hearing process so we are way off from going to bid in his opinion.

- **Post-Audit BMHS Project Summary**

Mr. Curran stated that the final meeting was held on January 26<sup>th</sup> via Zoom. The total MSBA reimbursement was \$70,698,309 and the total cost to Billerica was \$99,998,677 which is under budget. The committee voted to recommend that Town Meeting dissolve the committee.

Secretary Conway stated that the committee did a great job with this project.

Member Burrows asked if the post audit discussed the roof leaks and the IT issues. Mr. Curran replied that these are warranty issues.

- **One Stop Grant Application**

Mr. Curran stated that the State has consolidated many of its development related grants into One Stop for Growth application. The Planning staff will be submitting two Expression of Interest applications due on March 17<sup>th</sup>. One for the Town Center redevelopment and one for revitalization of the technology park.

Member Rosa stated that he would absolutely oppose PUD IP zoning for the technology park. Mr. Curran stated that they are not trying to change zoning, they are trying to fill the space.

Vice Chair Riley asked if we could use the One Stop to look at getting senior housing.

Member Burrows asked if we were looking at affordable housing or an intergenerational building on Cider Farm. Mr. Curran stated that nothing has been ruled out.

- **Marketing Update**

Mr. Curran stated that Seven Letter will be working on the first step of the marketing plan, which will be a community-wide survey.

Secretary Conway stated that she would like to see drafts of the plan as soon as they are available.

Member Burrows stated that we are lacking commercial components and that is all they should be focusing on.

- **Farmer's Market**

Mr. Curran stated that the Farmer's Market is looking to operate at the old Ditson site for this season due to the constraints of the COA lawn.

Secretary Conway asked if there is enough parking at the Ditson and is this only a temporary location until the Town Center is redesigned. Mr. Curran replied there should be enough parking and they would like to move back to the center when it's complete.

Vice Chair Riley stated that there may be issues with parking at the Ditson. We'll have to see.

Chair Deslaurier stated that the COA location is a great location because it has the walkability component and hopefully they still have a few in this location.

- **Kohlrausch Park**

Mr. Curran stated that the Recreation Department has submitted an application to the CPC for the redesign of Kohlrausch Park. There will be a public information session on February 15<sup>th</sup> at 7:00 PM.



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Member Rosa stated that he is concerned with creating these tennis courts when we don't even know if we are taking four out of PHR. Mr. Curran stated that the Rec Department has said there is a need in North Billerica. Member Rosa stated that there is nothing in Pinehurst either.

- **Schools Facility Study**

Mr. Curran stated the School Department may be looking for a Letter of Intent for the MSBA in April for a Middle School.

Secretary Conway stated that she is concerned with going to voters with another new school when we desperately need affordable housing, especially for seniors. We are also looking at a new DPW, COA and Rec Center so this is a lot to put on residents.

Member Rosa agreed with Secretary Conway. It's ironic that the school budget goes up but the Town has taken over their playgrounds. Maintenance of buildings is so important and they do not do a good job. He also agrees that senior housing is more important. Mr. Curran stated that debt service is huge on the town side. Member Rosa agreed, but those are town services like water and sewer which also supplies the schools.

Chair Deslaurier stated that the study shown to us a few months ago stated that seniors and millennials are the fastest growing demographic in Billerica. All facilities serve the residents.

- **Peggy Hannon Rizza Recreation Complex**

Mr. Curran stated the project is close to being completed. The snack shack is moving along. The control panel for power is still on back order. The goal is to have the ribbon cutting prior to March 31<sup>st</sup>.

- **Financial Work Session**

Mr. Curran stated that he would like to have a working session in March to understand all the tax impacts of the upcoming projects.

Secretary Conway stated that she will fight tooth and nail if someone is against the rest of the town getting sewer. It's not right for those residents that have been patiently waiting their turn.

- **Recreation & COA Feasibility Study**

Mr. Curran stated that the Capital Facilities Committee will meet on February 13<sup>th</sup> at 5:30 PM. This will be a kickoff meeting with the architect Abacus. The timeline was presented.

Member Rosa asked if it has been decided if there will be one building or two separate buildings. Mr. Curran stated that they are looking at all options.

Vice Chair Riley stated that we need to take the time to make sure that we come up with the best option for Billerica.

- **Retirees Breakfast**

Mr. Curran stated there will be a retirement breakfast on February 9<sup>th</sup> at 9:00 AM at the Police Station to honor Lt. Opland, Lt. Elmore, Office Smith, and Lt. Conway.

- **21 Canterbury Street**

Mr. Curran stated the Select Board voted on October 17, 2022 to declare 21 Canterbury Street as a public nuisance. The Building Commissioner was in the process of removing the structure but the property has been purchased and the owner will be tearing it down.

Member Rosa stated that he thought there were multiple owners of this property. Mr. Curran stated that a contractor bought enough shares to be in control. Member Rosa asked if this was in tax title. Mr. Curran replied that he believes that there is a lien that will be taken care of.



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- **New DPW Building**

Mr. Curran stated a diagram has been presented for the new DPW building. The Town will be holding a public information session on this project at the Howe School. They took comments from the neighbors that were incorporated into the new diagram.

Member Rosa stated that it is great to get the neighbors involved at an early stage. That goes a long way.

Chair Deslaurier asked if we had a timeframe for the DPW. Mr. Curran stated that they are looking at Fall Town Meeting for the budget. Then go out to bid, start construction in Spring 2024 and it will be an 18 month schedule so it will complete in 2025. Chair Deslaurier stated that we could redevelop the existing DPW site for commercial or housing.

- **January Bromate Update**

Mr. Curran stated the January Bromate numbers were received and it is good news. The average level was 0.0017 mg/L which is within the EPA guidelines.

- **Billerica Mobile Apps**

Mr. Curran stated the DPW has contracted with Connected Bits to develop an app for residents to report issues.

Secretary Conway loves the idea of an app. It's what everyone is using.

Member Rosa asked what the cost of the app is. Mr. Curran stated that he was not sure but would get the price.

Chair Deslaurier stated that the mobile app is meeting the needs of the majority of users.

- **Bike Path**

Mr. Curran stated that due to a significant increase in construction costs from \$9 million to \$18.6 million, the project had to be resubmitted to the Project Review Committee. The environmental process has started with Conservation.

Secretary Conway stated that if this is approved, when will it start. Mr. Curran replied spring 2024.

Vice Chair Riley stated that he would like to get quarterly updates.

- **Boston Road**

Mr. Curran stated the contractor is in process of finding a laydown area for material and equipment storage. The winter work includes installing new drainage structures and pipes. Mass DOT anticipates new utility pole installation to start in February.

Member Rosa stated that the construction on Middlesex Turnpike has been a disaster and there should be fines assessed if they violate construction hours. Mr. Curran stated that we can do that now and be proactive.

Member Burrows stated that there is an area near the Marshall School near the train tracks that could be used for material storage.

**Meeting Schedule –February 27, 2023 and March 6, 2023**

**MOTION** - Secretary Conway made a motion to adjourn the February 6, 2023 Select Board meeting at 9:10 PM. The motion was seconded by Member Rosa and unanimously voted 5-0. On a roll call vote: Secretary Conway voted Aye, Member Rosa voted Aye, Vice Chair Riley voted Aye, Member Burrows voted Aye and Chair Deslaurier voted Aye.

*Respectfully Submitted by Dawn McDowell,  
Recording Secretary*



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**Exhibits for the Select Board Meeting – February 06, 2023**

**Call to order 7:00 PM**

1. **Open Microphone**– No Exhibits

**Announcements**

2. **Vacancies on Boards and Committees**- Vacancies list
3. **All other announcements may be viewed on the Town of Billerica website** – No Exhibits

**Fiscal Efficiency and Public Recognition**

**Public Hearing**

4. **National Grid/Verizon- #30677444 – National Grid to install (1) JO Pole 104-50 on Salem Road Pole 105 Salem Road approximately 64’ north from existing pole #105 Salem Road in order to accommodate electric service upgrade to 4 Captain Gookin Ave. and request permission to lay and maintain underground laterals, cables and wires in the above or intersection public ways** – Application from NG dated 1/13/23, Contractors Acknowledgement Form dated 1/17/23, Engineering Comments dated 1/17/23, Electrical Inspector Comments dated 1/20/23, Police Comments dated 1/20/23, Abutters List, Public Hearing Notice
5. **National Grid/Verizon - #30677444 – National Grid to install (1) JO Pole 104-51 beginning at a point approximately 130’ northeast from proposed pole 104-50 Salem Road in order to accommodate electric service upgrade to 4 Captain Gookin Ave and request permission to lay and maintain underground laterals, cables and wires in the above or intersection public ways** – Application from NG dated 1/13/23, Contractors Acknowledgement Form dated 1/17/23, Engineering Comments dated 1/17/23, Electrical Inspector Comments dated 1/20/23, Police Comments dated 1/20/23, Abutters List, Public Hearing Notice

**Old Business**

6. **Town Managers Report** – Town Manager’s Report dated February 2, 2023
7. **Senior Tax Work Off Program – Clarification of Maximum Assets for a Married Couple to be set at \$75,000** – Requested by Vice Chair Riley – Email from M. Riley dated 1/27/23

**New Business**

8. **FY24 Initial Budge Presentation** – Fiscal Year 2024 Budget Summary
9. **VFW Post 2597 - Request Permission to Conduct a Poppy Drive at the Market Basket stores located at 199 and 700 Boston Road and O’Connor’s Hardware at 446 Boston Road on Friday, May 19, 2023 and Saturday, May 20, 2023** – Memo from W. Magnan dated 1/16/2023
10. **Town Manager’s Contract Sub-Committee – Requested by Chair Deslaurier** – No Exhibits
11. **BMHS Blast Celebration – Request (4) 18 1/4” x 24 1/4” Signs on the Common from February 7, 2023 to March 10, 2023 for a Fundraiser on March 10th from 7:00 PM to 10:00 PM at the Billerica Elks** – Requested by Maureen Xavier– Email from M. Xavier dated 2/1/23, Sign Depiction

**Meeting Schedule**

**February 27, 2023 and March 6, 2023**

**Approved On: February 27, 2023**