

**BILLERICA SELECT BOARD MEETING MINUTES  
FEBRUARY 14, 2022 @ 7PM  
THOMAS CONWAY HEARING ROOM, 205**

In attendance: Chairman Dan Burns, Vice Chairman Andrew Deslaurier, Secretary Mike Rosa, Selectman John Burrows (Remote), Selectwoman Kim Conway, Town Manager John Curran, Asst Town Manager Clancy Main

Open Microphone

No one spoke for open mic.

**Announcements (See attached)**

**Appointments**

Secretary Rosa makes a motion to appoint William Bulens to the Conservation Commission as a regular member. Seconded by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

**Public Hearing**

Cambridge Network Solutions, Jeff Harrington Director of Construction, petition for underground conduit placement at 40 Manning Road.

Secretary Rosa makes a motion to open the public hearing at 7:04 PM. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

There were no questions from the public.

Secretary Rosa asks if any abutters concerns. Mr. Harrington replied no. Secretary Rosa asked if he is aware of the DPW recommendations. Mr. Harrington replied yes. He spoke with the Billerica DPW today. Secretary Rosa stated that he is concerned with approving something that has not been approved by the DPW first. Selectwoman Conway stated that their comments were submitted.

Secretary Rosa makes a motion to close the public hearing. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Secretary Rosa makes a motion to approve the petition to trench and install (1) 4" conduit starting at Pole #19 on Manning Road, +/- 250' westerly then +/- 70' southerly to the existing private property handhole in accordance with the plan titled "Proposed conduit installation at 40 Manning Road, Billerica, MA" with the condition of having the sewer and water lines marked out and having a detail officer on site. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway abstained, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 4-0-1)

Island Hospitality Management d/b/a Homewood Suite, License #106, Requesting Change of Manger to JoEllen Kurtz

Secretary Rosa makes a motion to open the public hearing at 7:10 PM. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

There were no questions from the audience.

Secretary Rosa asked if Ms. Kurtz has read the rules and regulations and there will be no change in hours from their existing license. Ms. Kurtz replied yes that is correct and she has read the regulations.

Secretary Rosa makes a motion to close the public hearing. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Secretary Rosa makes a motion to approve the change of manager for Island Hospitality Management d/b/a Homewood Suite, License #106 to JoEllen Kurtz. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Marshall's Auto Sales requesting a change of manager to Gregg Tanquay.

Secretary Rosa makes a motion to open the public hearing at 7:14 PM. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Jim Marshall appeared for the hearing. The hours of operation will stay the same, this is just a change of manager.

There were no questions from the audience.

Secretary Rosa makes a motion to close the public hearing. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Secretary Rosa makes a motion to approve the change of manager at Marshall's Auto Sales, License #129, to Gregg Tanquay. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

**Meeting Minutes – September 27, 2021, November 8, 2021, and November 22, 2021**

Secretary Rosa stated that there are corrections to these minutes. They should be brought back.

**Update from Billerica Youth Advisory Committee (BYAC)**

Sean Furbush, Chair of the BYAC started the presentation of work that has been done over the last few months. Thomas Postell, Vice Chair gave a summary of what BYAC is. John LaFacui presented what they have been working on including civic engagement/social media, intergenerational center, environmentalism, and voter registration.

Secretary Rosa stated that he was very impressed with the work being done. Work with Open Space and Recreation Committee to help for preserving green space. He has ideas for raising money. Work with small local businesses to get job opportunities out there.

Selectwoman Conway stated that she is thrilled with getting involved with the Intergenerational center. Suggest going to Town Meeting.

Vice Chair Deslaurier stated that this was a great presentation, he encouraged to push voter registration and he thinks that would be a great impact.

Selectman Burrows stated that this was impressive, but he would expect nothing less from this group. He advised them to look towards the future on who will continue this.

Chair Burns thanked the committee for their hard work. We can probably come up with funds, so if there are projects that the committee wants to work on, just let us know.

## **Presentation**

### **Preliminary Budget Presentation**

Mr. Curran presented the preliminary budget. Mr. Curran is looking to change the Assistant Town Manager title to Deputy. The Select Board as a whole was not in favor of this.

Selectman Burrows asked about the Recreation Department expenses and asked what their major expenses are. Mr. Curran replied porta potties. Selectman Burrows asked if the School Department pays rent to the Town because they are houses in Town Hall. Mr. Curran replied no, they have a good deal.

Secretary Rosa does not like the change in title from Assistant Town Manager to Deputy Town Manager. He doesn't believe a budget for tools is necessary because most of the guys come in with their own tools.

Selectwoman Conway agrees that the title should not be change to Deputy Town Manager.

Vice Chair Deslaurier asked why there is a such a turnover in Veteran's Services. Our veterans don't realize the services that are available to them. He is not in favor of changing the title to Deputy Town Manager. He agrees with Secretary Rosa and there should not be a tools budget.

Selectmen Burrows agreed that employees should bring their own tools. They take care of them better when they are their own.

Chair Burns agrees with the employees bring their own tools.

## **Old Business**

### **Town Managers Report**

Pinehurst Fire Station – Grand Opening March 19, 2022 from 10:00 AM to 1:00 PM

Selectwoman Conway asked how we can notify the residents about this. Mr. Curran stated that he could do a Code Red to notify the residents. Chair Burns agreed that we need to show the residents this new station.

### **Personnel Updates**

Selectwoman Conway asked how we hire a Veteran's Director that will stay. Mr. Curran replied he doesn't know. The last hire was well known and liked but he took a position as a Firefighter in another municipality. Selectwoman Conway asked if Denise was doing the job of the Director of Community

Development. Mr. Curran replied she is covering the planning office, and he wouldn't hesitate to hire Denise down the road if needed. A discussion ensued regarding job descriptions and day to day coverage.

Selectman Burrows asked how general information gets out to the public.

#### Masonic Hall

#### CPC Update

Selectwoman Conway wants to get started on the feasibility study for the Intergenerational Center.

Chair Burns stated that the building will be expensive but it's a tool for the community.

#### Katie Durand Canoe & Kayak Launching/Concord River Boat Launch

Selectman Rosa is happy this is moving forward.

Vice Chair Deslaurier asked if that State trying to get around the local bylaw. Mr. Curran stated that if they file as a state entity then they don't have to comply with local regulations. DEP can override the local bylaw. Vice Chair Deslaurier stated that he is receiving a lot of positive feedback on the Katie Durand launching.

Chair Burns stated that he is looking forward to easy access to the river.

#### Boston Road North

Vice Chair Deslaurier asked how this was being funded. Mr. Curran replied by multiple sources, the majority is being funded by the TIP project. The street scape improvement has to be funded through free cash or use of ARPA money.

#### Library Director Update

Secretary Rosa asked how the available services are being rolled out to the community. Mr. Main replied that the new Director is having a slow rollout and getting used of the position. Once she is set, they will use social media to get the message out.

#### Howe School/PHR

Chair Burns is happy things are moving along.

#### Cabot Property

Secretary Rosa stated that the house was historic and has been moved and Concord Road is a scenic road. What are the limitations of the scenic road? Mr. Curran stated that he will find out the limitations.

Selectman Burrows stated that it is exciting what is happening to this property.

Chair Burns says this business will bring other businesses into Town and he hopes that Town Meeting will agree to rezone this property.

#### Community Care Collective

The proposed grand opening is the last week of February.

#### COVID-19 Update

Vice Chair Deslaurier asked if there will be another clinic for younger residents. Mr. Curran stated that he will work with the School Department to see if this can happen.

## New Business

Billerica Housing Authority declines purchase of affordable property at 41 Boston Road, Unit #474, Billerica, MA

Kevin Reader, owner of the property joined the meeting.

Secretary Rosa makes a motion that the Select Board give up their right of first refusal on 41 Boston Road, Unit 474. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Approve and Adopt the Order of Taking for the Boston Road Project

Kelly Conway, Town Engineer appeared to speak on this project. There are 57 properties that will be affected by this project. If there is an affirmative vote tonight, the project can be put out to bid. This will be a 3-year project.

Secretary Rosa says two documents in the package that are titled the same. One seems to be sign offs from people with realty trusts and one is everyone else. Ms. Conway explained the encroachment licensing agreements. Mass DOT requires these agreements be in place or removed from the right of way. There are three properties that have encroachments on the right of way: Pro-Fitness at 333 Boston Road has a sign encroaching, 350 Boston Road has 2 light posts encroaching and Burns Funeral Home at 354 Boston Road has 3 signs encroaching. The agreement allows the owners to keep their signs and light poles at their own risks. If down the road, they need to replace these items, they will be placed out of the right of way. She believes there are separate easements on these three properties.

Chair Burns asked how the damages money is paid to the property owners and how is the amount determined. Ms. Conway replied that a lot has to do with overhead wires, which is most of the costs. This project will have about 50 poles being shifted. 99% of the properties have a temporary easement of approximately 4 years.

Mr. Curran asked who will oversee the project. Ms. Conway stated that Mass DOT will oversee the construction project and we will be the liaisons to the residents which is similar to Middlesex Turnpike. Chair Burns doesn't want the nightmare of Middlesex Turnpike. He has received numerous complaints and he doesn't want things to look worse during construction.

Mr. Curran stated that we need safeguards in place.

Secretary Rosa stated that he is very concerned with the condition of the road especially with Mass DOT in charge. Construction of Boston Road south was handled by the Town, and it was a good project. We need safeguards in place. Mr. Curran stated that he will sit down with the engineer to put the concerns to rest.

Secretary Rosa makes a motion to adopt the order of taking presented to the Select Board on February 14, 2022 for purpose of acquiring land on Boston Road and award damages as presented. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Approve and Adopt the Encroachment Agreements for the Boston Road Project

Kelly Conway, Town Engineer appeared to speak on the project. This is in conjunction with the previous discussion.

There were no other questions from the Select Board.

Secretary Rosa makes a motion to approve the encroachment agreements as presented to the Select Board on February 14, 2022. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

**Meeting Schedule**

February 28, 2022 and March 7, 2022

Chair Burns stated that the March 7<sup>th</sup> meeting will be the selection of the Executive Secretary, the Preliminary Warrant will be reviewed and a work session to discuss ARPA funding will be conducted.

Secretary Rosa makes a motion to adjourn. Second by Vice Chair Deslaurier. Selectman Burrows-AYE, Selectwoman Conway-AYE, Selectman Rosa-AYE, Vice Chair Deslaurier-AYE, Chair Burns-AYE

(Roll Call Vote 5-0)

Approved On:                      June 6, 2022