



**TOWN OF BILLERICA  
SELECT BOARD MINUTES  
JULY 17, 2023**

**Members Present:** Chair Michael Riley, Secretary Andrew Deslaurier, Michael Rosa, and John Burrows

**Members Absent:** Vice Chair Kimberly Conway

**Staff Present:** Town Manager John Curran and Director of Administrative Services Robert Maynard

Chair Riley stated that the meeting is a hybrid meeting with a Zoom option.

**Call to Order 7:00 PM**

Chair Riley called the meeting to order.

The Pledge of Allegiance was recited.

**1. Open Microphone**

Marlies Henderson of 31 Sprague Street – Ms. Henderson stated that the Board will be discussing the Talbot Dam removal in Executive Session tonight. The removal of the dam will be good for the water quality. There is concern with only having one water supply source, but the MWRA is currently waiving the connection fees. There is a high potential for contamination of the water supply as it is. The real impact is the historical impact.

**Announcements**

**2. Vacancies on Boards and Committee**

Secretary Deslaurier 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. Public Hearing for Pinehurst Liquors, LLC – Transfer of an Off-Premises Retail Wine & Malt license §15 from Nilkanth Store LLC DBA Pinehurst Liquors to Pinehurst Liquors LLC DBA Pinehurst Liquors at the Premises Located at 816 Boston Road, Billerica, MA 01821**

**MOTION** - Secretary Deslaurier made a motion to open the public hearing for Pinehurst Liquors, LLC at 7:04 PM. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

Attorney Steven Lentine appeared for the transfer of an off-premises wine and malt license for Pinehurst Liquors located at 816 Boston Road. There will be no changes to the facility. The current owner will retain ownership of the building.

Member Rosa asked if they have read the Billerica rules and regulations. Attorney Lentine replied yes.

There were no questions from the public.

**MOTION** - Secretary Deslaurier made a motion to close the public hearing for Pinehurst Liquors, LLC. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**MOTION** - Secretary Deslaurier made a motion to approve the transfer of the Wine and Malt License for Pinehurst Liquors, LLC. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.



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**5. Continued Public Hearing for National Grid - #30775471 - National Grid to install approximately 35' #350 al 3c in 2-3" conduits from HH4 to new HH 4-1 in order to supply electric service to 2 Cartwright Lane**

Alec Noel-Birdson from National Grid appeared for the discussion on the continued pole petition for #30775471, 2 Cartwright Lane. This application is for a new house being built.

Member Rosa asked if HH4 was going to be replaced. Mr. Birdson replied yes. Member Rosa asked if National Grid would contact the DPW for the water and sewer markings that is separate from Dig Safe. Mr. Birdson replied yes, that is part of our procedure.

There were no questions from the public.

**MOTION** - Secretary Deslaurier made a motion to close the public hearing for National Grid #30775471. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

Mr. Curran stated that this is a paved road and asked how it would be patched. Mr. Birdson stated that generally, National Grid will bring the road back to the same quality as before the installation.

**MOTION** - Secretary Deslaurier made a motion to approve the National Grid pole petition for 2 Cartwright Lane #30775471. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**New Business**

**14. VFW Solomon Post #8819 – Change of Manager – 12 Phinney Street – New Manager Donna Fox**

Donna Fox and Commander Ron Stocker appeared for the change of manager application. Ms. Fox will be the new manager at the VFW.

There were no questions.

**MOTION** - Secretary Deslaurier made a motion to approve the change of manager application for the VFW Solomon Post #8819 to Donna Fox. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**12. Appointment of Election Workers for FY24 – Submitted by the Town Clerk**

Secretary Deslaurier stated that the Town Clerk has submitted a list of election workers for FY24.

**MOTION** - Secretary Deslaurier made a motion to appoint the precinct officers and Town Meeting checkers for FY23 as presented in a memo dated July 7, 2023. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**Approval of Minutes**

**6. May 22, 2023**

**MOTION** - Secretary Deslaurier made a motion to approve the Select Board minutes of May 22, 2023 as presented. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.



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**7. June 5, 2023**

**MOTION** - Secretary Deslaurier made a motion to approve the Select Board minutes of June 5, 2023 as presented. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**Appointments**

**8. Local Cultural Council – Benjamin Perry (3<sup>rd</sup> Term) – Expires June 30, 2025**

**MOTION** - Secretary Deslaurier made a motion to appoint Benjamin Perry to a 3<sup>rd</sup> term on the Local Cultural Council. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**9. Council on Aging – Marguerite Massey Alternate Member and Joseph Marino Alternate Member – Expires June 30, 2025**

**MOTION** - Secretary Deslaurier made a motion to appoint Marguerite Massey as an Alternate Member on the Council on Aging. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**MOTION** - Secretary Deslaurier made a motion to appoint Joseph Marino as an Alternate Member of the Council on Aging. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**Old Business**

**10. Town Manager’s Report**

Mr. Curran presented his report.

• **Professional Recognition**

Mr. Curran stated that he would like to recognize Deputy Chief Gerry Roche for filling in for the Chief in his absence and Chris Bartlett, IT Director for working last weekend when we lost phone and internet at the COA, Water Department and Fire Station Five.

**MOTION** - Secretary Deslaurier made a motion to put a letter in the personnel file for Deputy Chief Gerry Roche and IT Director Chris Bartlett. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

• **Library Elevator**

Mr. Curran stated that the repairs to the elevator have started and should take two to three weeks to fix.

• **Yankee Doodle Bike Path**

Mr. Curran stated the local environmental permitting is complete. We anticipate going to CPC and Fall Town Meeting for the payouts for the easements. There are 59 properties impacted.

Secretary Deslaurier stated that this will include sidewalks.

• **Paving Projects**

Mr. Curran stated work is ongoing on Treble Cove Road and will take 3 more weeks to complete curbing and sidewalks. Sidewalk work continues on Tufts Lane/Purcell Drive and Lexington Farms Way/Apple Orchard Drive. Paving should be beginning on Call Street.



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Secretary Deslaurier stated that they have done a great job with adding sidewalks with the paving projects.

Member Rosa stated that there are still sidewalks with telephone poles in the middle of them like Andover Road. The Complete Streets pointed out all the locations in Town. We need to start the process of fixing these. Mr. Curran stated that the sidewalk assessment identified the problems and all new projects going forward are not allowed to do that. Member Rosa stated that we need to send a list to National Grid and have them move the poles and then we can patch the holes they were moved from. The Complete Streets has been going on for a long time and we haven't done anything to address it. Mr. Curran stated that he will look into this.

- **Town Center**

Mr. Curran stated the Town continues to meet with boards, committees and residents as well as public information sessions. The response has been positive.

Secretary Deslaurier stated that this will be a great change for the community.

Member Burrows stated that he will wait to see the final plan.

- **Boston Road North**

Mr. Curran stated that the contractor is installing drain lines. There will be a water shutdown on July 19<sup>th</sup> affecting 12 residents and 1 business and all have been notified. The gas work for the gas main relocation is also ongoing.

Member Rosa asked if the shut down could be down at night. Mr. Curran replied that most people are home at night so there will be less of an impact but he will make sure that National Grid double checks with the business.

- **New DPW Facility**

Mr. Curran stated that the Town received preliminary results that there may be bedrock and large boulders on site. The Town will meet with neighbors in the coming weeks to update them on the progress.

Member Rosa stated that this was a good fix for the locker room issue.

- **Planning Department**

Mr. Curran stated the on November 2, 2020 the Select Board voted to reorganize the Planning and Economic Development department. The clerical position has been vacated, so they have now posted for an Associate's Planner position.

Member Rosa stated that in your summary the Assistant Planner will handle administrative duties, but the Town Bylaw stated that the Town Planner supports the Planning Board. Mr. Curran agreed and stated that they will now have 3 planners: an assistant planner, senior planner and Community Development Director.

Secretary Deslaurier stated that applicants have sometimes received a chilly reception from this department so he hopes this will improve.

Member Burrows stated that he doesn't understand if we have two planners now with a third new one, why are they subcontracting all the work out. The Director said at the last Planning Board meeting that zoning wasn't rocket science so he doesn't understand why we have to pay Denise and Judy to do their jobs, especially when nothing new has come in.

- **Auditorium**

Mr. Curran stated that the project is moving along. Two rooms have been framed on the balcony and a door installed between the balcony and room 110 for chair storage. The project is on schedule.

Member Burrows asked if there is any historical standard that has to be met. Mr. Curran replied no, that only deals with outside of buildings.



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- **North Billerica Fire Station**

Mr. Curran stated that the reports have come back with recommendations to fix the structural issues of the building and living quarters. The immediate need would be \$35,000 with the total cost of \$500,000. The second phase would be to evaluate the living quarter improvements and he is carrying a \$2 million amount for this work.

Member Rosa stated that he has been looking at other fire stations and \$2 million is not enough to fix this station to be equal to the Pinehurst Station. Mr. Curran stated that the goal is to address the structural concerns now and then move to the environment and living quarter issues and a facelift of the building. Member Rosa stated that there are safety issues with special washrooms for turnout gear. Mr. Curran agreed and that will be addressed.

Member Burrows sent a couple of articles from Chelmsford. They used modular construction for the Fire Stations and they look pretty good.

Chair Riley stated that the safety of the Fire Department personnel is the most important thing to address.

- **Steve's Pinehurst Tavern**

Mr. Curran stated that Steve's Pinehurst Tavern has been sold. The transfer has not happened yet but they will be on the August Select Board agenda.

- **Clerical Re-Organization**

Mr. Curran stated that due to a number of retirements, there are a few changes that will occur to ensure that these positions are filled efficiently.

Member Rosa stated that you are downgrading the Fire Department clerk to a Senior Clerk and updating the Senior Clerk from part time to full time. Mr. Curran replied yes. Member Rosa stated that in the DPW, Judy Dunn did all the tax and water and sewer billing, now you are spreading it out with the Assessor's office and a Head Clerk in the DPW. Is this a cost savings. Mr. Curran replied yes, Ms. Dunn's position is being eliminated and the Head Clerk is a much lower pay scale. Member Rosa asked who will do the check runs now. Mr. Curran replied it will be split between the clerks and the Assistant Treasurer will be the Munis point of contact.

Chair Riley asked if this was discussed during collective bargaining. Mr. Curran replied that they have a signed side agreement.

**New Business (Continued)**

**11. VFW Post #2597 – Request for Approval of the 5K “Freedom” Race on Saturday, September 17, 2023 starting at 10:00 AM. The race will start and end at the Billerica Moose Club, 104 Boston Road.**

**MOTION** - Secretary Deslaurier made a motion to approve the 5K Freedom Race on Saturday, September 17, 2023 subject to the route approval of the Traffic Safety Officer. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**13. India Association of Greater Boston (IAGB) – Request for India Day Flag Raising Ceremony on Saturday, August 12<sup>th</sup> at 11:00 AM**

**MOTION** - Secretary Deslaurier made a motion to approve the IAGB India Day Flag Raising on August 12<sup>th</sup> at 11:00 AM. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.



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**Meeting Schedule – August 14, 2023 and September 11, 2023**

**MOTION** - Secretary Deslaurier made a motion to go into Executive Session pursuant to MGL, c.30A §21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares – Talbot Mills Dam Discussion and only return to adjourn. The motion was seconded by Member Rosa and unanimously voted 4-0-0. On a roll call vote: Member Rosa voted Aye, Secretary Deslaurier voted Aye, Member Burrows voted Aye and Chair Riley voted Aye.

**MOTION** - Secretary Deslaurier made a motion to adjourn the meeting of July 17, 2023 at 8:35 PM. The motion was seconded by Member Rosa and unanimously voted 4-0-0.

*Respectfully Submitted by Dawn McDowell,  
Recording Secretary*



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**Exhibits for the Select Board Meeting – July 17, 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

**Public Hearing**

4. **Public Hearing for Pinehurst Liquors, LLC – Transfer of an Off-Premises Retail Wine and Mal License §15 from Nilkanth Store LLC DBA Pinehurst Liquors to Pinehurst Liquors, LLC DBA Pinehurst Liquors at the Premises located at 816 Boston Road, Billerica, MA 01821**– Billerica Application dated 05/24/23, Memo from Lt. Coffey dated 06/19/23, ABCC Application dated 05/24/23
5. **Continued Public Hearing for National Grid - #30775471 - National Grid to install approximately 35’ #350 al 3c in 2-3” conduits from HH 4 to new HH 4-1 in order to supply electric service to 2 Cartwright Lane.** – NG Application dated 06/06/23, Plan dated 07/06/23, DPW Comments dated 07/12/23, NG Comments dated 07/08/23, Electric Comments dated 07/11/23, Safety Officer Comments dated 07/09/23, Abutters List, Public Hearing Notice

**Approval of Minutes**

6. **May 22, 2023** – Minutes
7. **June 05, 2023** – Minutes

**Appointments**

8. **Local Cultural Council – Benjamin Perry** – Application dated 06/23/23
9. **Council on Aging (Alternate Members 2) – Marguerite Massey** – Application dated 07/07/23, Joseph Marion – Application dated 07/07/23

**Old Business**

10. **Town Manager’s Report** – Town Manager’s Report dated 07/17/23

**New Business**

11. **VFW Post #2597 – Request for Approval of the 5K “Freedom” Race on Saturday, September 17, 2023 starting at 10:00 AM** – Memo from W. West dated 06/27/23
12. **Appointment of Election Workers for FY24** – Memo from D. McCoy dated 07/07/23
13. **India Association of Greater Boston (IAGB) – Request for India Day Flag Raising Ceremony on Saturday, August 12<sup>th</sup> at 11:00 AM**– Email from D. McDowell dated 07/10/23,
14. **VFW Solomon Post #8819 – Change of Manager – 12 Phinney Street – New Manager Donna Fox** – Billerica application dated 07/12/23, Memo from Lt. Coffey dated 07/12/23, ABCC Application dated 06/17/23
15. **Executive Session Pursuant to M.G.L, c. 30A, §21(a)(3), to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares – Talbot Mills Dam Discussion**– No Exhibits

**Meeting Schedule**

**July 17, 2023 and August 14, 2023**

**Approved On: August 14, 2023**