



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Members Present: Chair Jillian Pavidis, Vice Chair John Burrows, Secretary Daniel Darris-O'Connor, Member Michael Rosa, and Member Dina Favreau

Members Absent: None

Staff Present: Acting Town Manager Christopher Dillon, Assistant Town Manager Robert Maynard and Recording Secretary Dawn McDowell

Call to Order 6:00 PM

Chair Pavidis called the meeting to order at 6:00 PM.

The Pledge of Allegiance was recited.

Chair Pavidis read a statement regarding the challenges this Board has faced and the reorganization that recently happened. We need to move forward together and professionally.

Member Rosa read a statement. He disagreed with the process that three members did to reorganize the Board ignoring legal advice but we need to move forward and stop the chaos. He will continue to work professionally with the Board and all the committees he is on.

1. Open Microphone

Deb Meagher – Ms. Meagher spoke in favor of Tom Davis for the Billerica Housing Authority appointment.

Barbara Reidy from 10 Maplewood Ave – Ms. Reidy stated that members of the Board acted unprofessional at the meeting of May 21st but the meeting of May 29th trumped it. Members ignored and dismissed legal advice on the premises of collaboration at what potential legal costs.

Steve Strykowski of 16 River Street – Mr. Strykowski stated that he supports Tom Davis for the Billerica Housing Authority. The turmoil within the Select Board has to stop.

Dawn McDowell of 46 Rogers Street – Ms. McDowell read a statement regarding the investigation of Select Board member Dina Favreau and the feelings of the employees that were involved.

Kelley Sardina of 95 Grey Street – Ms. Sardina stated that it is difficult to attend Select Board meetings with a 6:00 PM start and asked that Open Mic be in the middle of the meeting or at the end. She put in a FOIA request for legal bills and she was told it needs to go through the chair first. We shouldn't waste time or money.

Richard Colantuoni of 5 Marlyn Road – Mr. Colantuoni stated that he has lived in Billerica for 56 years and has been on the ZBA for 26 years. He supports Eric Anable for ZBA.

Patricia Doherty of 16 River Street – Ms. Doherty stated that she supports Lewis Martakos for the Billerica Housing Authority. She know both of them and Tom is a great guy but Lewis likes everyone, is a bright and a good guy.

Guy LaPointe of 13 River Street – Mr. LaPointe stated he supports Tom Davis. He is like the Mayor of the housing.

Kathy Moschner of 16 River Street – Ms. Moschner stated that she likes both but Lewis is his own person. The Board needs to support everyone and Lew is the guy.

Darlene Torre of 47R Sheldon Street – Ms. Torre stated that each Board member took an oath to uphold the bylaws and Charter. You represent all residents. This is the highest elected officials in the Town and you need to work collaboratively. She doesn't have a lot of confidences in the Select Board with everything that has happened. The Chair position is very important and should be held by someone with experience. The Board needs to put all their feelings aside and do what is right.

Laureen Knowles of 3 Radcliff Road – Ms. Knowles stated that she supports Tom Davis for Billerica Housing Authority. He is a strong advocate for the residents.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Diana Saunders of 20 Oxford Road – Ms. Saudners stated that every board member should not be calling Town Counsel. We can't afford the legal bills and the lawyers have been wrong. Let's work together and someone should monitor who is talking with Town Counsel. It shouldn't be a free for all.

Grace Tucci of 7 Carson Street – Ms. Tucci stated that it's troubling on the direction of the Select Board. There is a lack of respect, the Board is fractured and there are double standards and inconsistencies. The leadership positions should be earned and shouldn't be a popularity vote. The process should be respected as well as each member and the legal advice should be respected. With the status of the Board, what law firm or Town Manager would want to come here.

Announcements

2. Vacancies on Boards and Committees

Secretary Darris-O'Connor read the vacancies on Boards and Committees.

3. All other announcements may be viewed on the Town of Billerica website

Proclamation and Public Recognition

4. Pride Month Proclamation

Secretary Darris-O'Connor read the Pride Month Proclamation.

5. Juneteenth Proclamation

Secretary Darris-O'Connor read the Juneteenth Proclamation

Public Hearings

6. Public Hearing – Approval of a Grant of License from the Town of Billerica -#31061903 - to Massachusetts Electric Company at 250 Treble Cove Road for National Grid to install ~2460' +/- #4/0 cu 3-1c primary UG cable in customer installed 4" conduits, 2 new manholes, manhole switchgear and manhole primary meter in order to accommodate relocation of underground facilities and install 300 KVA xfmr 277/480 for new building at Billerica Water Treatment Plant.

MOTION - Secretary Darris-O'Connor made a motion to open the public hearing at 6:42 PM for National Grid #31061903 Grant of License for 250 Treble Cove Road. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

Vazz Eang from National Grid appeared for the public hearing.

Member Rosa stated that the easement needs to go to Town Meeting so this is a license agreement. Fred Russell, DPW Director joined the meeting. Mr. Russell replied that was correct. This is for the new connection to the DPW and the easement will be submitted to Town Meeting in the Fall. Member Rosa asked if we should add a reference to this on the license. Mr. Russell replied he doesn't think it's needed.

Secretary Darris-O'Connor stated that there is no issue with the license as presented but could that statement be added. Mr. Russell replied correct, but if the Board feels more comfortable, they can add that statement.

There were no public comments from the audience or online.

MOTION - Secretary Darris-O'Connor made a motion to close the public hearing at 6:47 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

MOTION - Secretary Darris-O'Connor made a motion to approve the grant of license to National Grid #31061903 with the addition of the following language "The final step will be to go to Town Meeting for a permanent easement". The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

7. **Public Hearing –National Grid and Verizon- #31032929 –National Grid to install (1) JO Pole on Tamarak Street beginning at a point ~100’ southeasterly from exiting pole 3 location. New Pole 3 was previously petitioned to move ~50’ southeasterly (Hearing 12/9/24). The new pole 3 has been installed by the customer who wants the new pole 3 moved. On behalf of the customer at 8 Tamarak Street, National Grid request to keep the original pole 3 location, remove new pole 3 location and install a new pole 4 ~100’ southeasterly from original pole 3 location to supply electrical service to new home at 8 Tamarak Street.**

MOTION - Secretary Darris-O’Connor made a motion to open the public hearing at 6:47 PM for National Grid Pole Petition #31032929 for 8 Tamarak Street. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Vazz Eang from National Grid appeared for the public hearing.

Member Rosa asked if asked if any abutters had reached out. Mr. Eang replied no. Member Rosa asked if you have read the DPW comments and know that you need to reach out to them directly to mark the water and sewer.. Mr. Eang replied yes.

There were no public comments from the audience or online.

MOTION - Secretary Darris-O’Connor made a motion to close the public hearing at 6:48 PM. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

MOTION - Secretary Darris-O’Connor made a motion to approve the National Grid pole petition #31032929 for 8 Tamarak Street. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

8. **Public Hearing –National Grid and Verizon- #31117689 – National Grid to install (1) JO Pole (pole 4) on Ingersoll Road beginning at a point ~110’ westerly from existing pole 3 in the public way with anchor in order to support pole 3 and existing pole line**

MOTION - Secretary Darris-O’Connor made a motion to open the public hearing at 6:49 PM for National Grid Pole Petition #31117689 on Ingersoll Road. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Vazz Eang from National Grid appeared for the public hearing.

Member Rosa asked if asked if any abutters had reached out. Mr. Eang replied no. Member Rosa asked if you have read the DPW comments and know that you need to reach out to them directly to mark the water and sewer.. Mr. Eang replied yes.

There were no public comments from the audience or online.

MOTION - Secretary Darris-O’Connor made a motion to close the public hearing at 6:50 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

MOTION - Secretary Darris-O’Connor made a motion to approve the National Grid pole petition #31117689 for Ingersoll Road. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

New Business (Quick Items)

9. **New Common Victualler’s License for Under the Radar Culinary, LLC dba Big Al’s Pizza located at 240D Nashua Road – Manager Mallory Shackford**

Mallory Shackford appeared for the new Common Victualler’s License for Big Al’s Pizza located at 240D Nashua Road. They are a small family business and they deal with primarily takeout but they will have 16 seats. They have their Serve Safe Certificates and they will wait on the final Board of Health inspection before they can open.

There were no questions.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

MOTION - Secretary Darris-O'Connor made a motion to approve the Common Victualler's License for Under the Radar Culinary, LLC dba Big Al's Pizza located at 240D Nashua Road with the manager of Mallory Shackford. The hours of operation will be 11:00 AM – 11:00 PM Monday-Friday, 7:00 AM – 11:00 PM Saturday and Sunday and with the incorporation of the ZBA Decision Case #25-16 conditions 1-7. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

10. Discussion and Possible Vote on Gift Acceptance:

- a. Billerica Public Library
 - i. Donation of Artificial Flowers and Pots (Estimated Value) ~\$30
 - ii. Donation of \$3,500
 - iii. Donation of T-shirts (Estimated Value) ~\$40
- b. Veterans' Services
 - i. Donation of \$200 Market Basket Gift Cards
- c. Council on Aging
 - i. Donation of \$150
 - ii. Donation of \$45

MOTION - Secretary Darris-O'Connor made a motion to accept the gifts as presented pursuant to MGL, Chapter 44, Section 53A and authorize expenditure of the funds for the stated purpose. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

Appointments

11. Police Constables – (Expires 06/30/2028)

- a. Cory Bandouveres
- b. Timothy McKenna

MOTION - Secretary Darris-O'Connor made a motion to appoint Cory Bandouveres as a police constable with an expiration date of June 30, 2028. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

MOTION - Secretary Darris-O'Connor made a motion to appoint Timothy McKenna as a police constable with an expiration date of June 30, 2028. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

12. Appointments that Require Interviews:

- a. **Billerica Housing Authority - Tenant Member (1 Open)** (Expires 04/30/2029)
 - i. Lewis Martakos

Lewis Martakos appeared before the Board. He has made a lot of friends at his housing complex. He was a small business owner before he retired and has attended many of the BHA meeting. He wants to help. He doesn't have all the answers but wants to help his community.

Member Rosa thanked Mr. Martakos and Mr. Davis for applying. We are always looking to get people involved. Member Rosa asked how long you have lived at the Housing Authority. Mr. Martakos replied about a year and half. He has read the handbook and understands the residents' concerns. He has also been involved with budgets with his business.

- ii. Thomas E. Davis

Thomas Davis appeared before the Board. Mr. Davis stated that he has lived in his community for seven years and has met a lot of the residents. He is an Army Veteran from 1969-1972. He has been a Private Investigator, a small business owner and has worked at Home Depot. He gets along with 99% of the residents and we watch out for everyone. He would like to represent the residents on the Board.

Member Rosa thanked Mr. Davis for his service and he noted that there are multiple letters of recommendation for him from the residents.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Steve Strykowski a resident stated that the tenant Board member should represent the residents, not the Director.

MOTION - Secretary Darris-O'Connor made a motion to recommend Lewis Martakos as Tenant Member on the Billerica Housing Authority with the expiration date of April 30, 2029. The motion was seconded by Member Rosa and voted 3-2-0. Secretary Darris-O'Connor, Vice Chair Burrows and Chair Pavidis voting in favor, Member Rosa and Member Favreau voting opposed.

Secretary Darris-O'Connor stated that there are other volunteer opportunities that you could apply for.

Member Favreau stated that there are considerable tenant recommendations for Mr. Davis and she would like to reconsider the last vote.

MOTION - Member Rosa made a motion to reconsider the appointment of Lewis Martakos as Tenant Member on the Billerica Housing Authority. The motion was seconded by Member Favreau and voted 2-3-0. Member Rosa and Member Favreau voting in favor, Secretary Darris-O'Connor, Vice Chair Burrows and Chair Pavidis voting against. The motion fails.

b. **Board of Appeals (1 Regular Open) – 2 Applicants (Expires 06/30/2028)**

iii. Christopher Sennott

Christopher Sennott appeared before the Board. Mr. Sennott stated that he has been a contractor for 20 years and has been at many meetings on the other side of the Board. He would like to make the process easier.

Member Favreau asked what do you know about the ZBA and how it relates to the zoning bylaws and litigation. Mr. Sennott stated that the decisions should be black and white based on the law. He knows that the zoning is in process of being redone and he is not familiar with litigation procedures. Member Favreau asked why a variance would be given. Mr. Sennott stated that the applicant can't be the setbacks, a variance is needed. He would be more lenient to a side or rear setback than with a front setback. Member Favreau asked if you would work with the Planning Board on issues. Mr. Sennott replied absolutely.

Vice Chair Burrows stated that the ZBA granted variances to 279 Boston Road and what would his thoughts be on that. What would you have done with St. Mary's? Mr. Sennott stated on 279 Boston Road, he probably wouldn't have voted for that because it's too close to the road and there should have been more negotiations and at St. Mary's as long as the project did not interfere with traffic, he would have granted the variance.

Secretary Darris-O'Connor thanked Mr. Sennott for applying and asked if he had any special skills or abilities to help with the ZBA. Mr. Sennott stated that he has the ability to collaborate and his negotiation skills. Secretary Darris-O'Connor asked if he knows of the authority the ZBA has. Mr. Sennott replied that the ZBA approves or denies applications for variances. Secretary Darris-O'Connor asked if a project meets the requirements but there are a lot of residents who oppose the project, what would you do. Mr. Sennott replied if they meet the requirements, it's hard to go against it. Secretary Darris-O'Connor asked how would you get residents involved. Mr. Sennott replied that he would post the agenda and share all the information that he receives.

Member Rosa stated that the ZBA grants variances and a former ZBA member used to help residents who come before the ZBA, would you also. Mr. Sennott replied absolutely. Member Rosa asked if he was aware of the reasons a variance may be granted. Mr. Sennott replied yes.

iv. Eric Anable (Incumbent)

Eric Anable appeared before the Board. Mr. Anable stated that he has lived in Billerica for 25 years and has spent the last six years on the ZBA, three as an alternate and three as a regular member. The last year, he has been the Chair.

Member Favreau asked what do you know about the ZBA and litigation. Mr. Anable stated that the vast majority that the ZBA deals with is variances and special permits. There is not a lot of litigation. There was the Dunkin Donuts that we denied that has been remanded back to us, so he is not sure how they will handle this. Member Favreau asked what



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

the biggest issues are. Mr. Anable replied lot splits. They are not approving them as much as they were approved before.

Vice Chair Burrows stated that 279 Boston Road should not have been approved in his opinion and the Dunkins should have been approved. What are the criteria for variances? Mr. Anable stated that Dunkins was before us twice and they went to the Planning Board. Vice Chair Burrows stated that you should have compromised. Mr. Anable stated that if it is reasonable he would entertain it, but when residents come out against a project, it makes him think about it. He tries to get the neighbors together. Vice Chair Burrows stated that developers have endless bank accounts and in the end, you should negotiate to get the best project for everyone.

Secretary Darris-O'Connor asked how the public should get involved. Mr. Anable stated that we want people to be heard. He posts to social media when there are contentious hearings.

Member Rosa stated that it is good advice to talk with neighbors before the hearing. Some bad examples the ZBA has approved are 279 Boston Road which is way too close to the street, the Val has a forty-seat restaurant with no parking and it was never intended for that. That project was originally 200 units, came before the ZBA to reconfigure the rooms to 211. When there are business and residents there are always conflicts. He agreed with the Dunkin Donuts decision in Pinehurst but there were no reasons on why it was denied. One question, on big projects similar to the Val how would you address it now? Mr. Anable stated that they came in for a hundred-seat restaurant and was told no. They came back with forty and extra parking across the street. We typically don't negotiate; the Planning Board does.

Chair Pavidis asked how do you deal with a developer who constantly continues the public hearing. Mr. Anable stated that residents have said that they lose track of projects when they are always continued, so they made Dunkin Donuts re-notice abutters. They must have a good reason to continue.

MOTION - Secretary Darris-O'Connor made a motion to appoint Christopher Sennott as a regular member of the Board of Appeals. The motion was seconded by Member Rosa and voted 2-3-0. Member Rosa and Vice Chair Burrows voting in favor, Secretary Darris-O'Connor, Member Favreau and Chair Pavidis voting against. The motion fails.

MOTION - Secretary Darris-O'Connor made a motion to appoint Eric Anable as a regular member of the Board of Appeals. The motion was seconded by Member Rosa and voted 3-2-0. Secretary Darris-O'Connor, Member Favreau and Chair Pavidis voting in favor, Member Rosa and Vice Chair Burrows voted against.

13. Appointments that Secretary Darris-O'Connor NOT Require Interviews:

- a. **Agricultural Commission (2 Associate Open)** – 1 Applicant (Expires 06/30/2028)
 - i. Jon Larson

MOTION - Secretary Darris-O'Connor made a motion to appoint Jon Larson as an associate member of the Agricultural Commission. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

- b. **Board of Appeals (1 Associate Open)** – 1 Applicant (Expires 06/30/2028)
 - i. John LaFauci

MOTION - Secretary Darris-O'Connor made a motion to appoint John LaFauci as an associate member of the Board of Appeals. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- c. **Commission on Disabilities (2 Regular Open)** – 2 Applicants (Expires 06/30/2028)
 - i. Maria Martin (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Maria Martin as a regular member of the Commission on Disabilities. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- ii. Jason Gale (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Jason Gale as a regular member of the Commission on Disabilities. The motion was seconded by Member Rosa and unanimously voted 5-0-0



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

- d. **Community Preservation Committee – (1 Regular Open)** – 1 Applicant (Expires 06/30/2028)
i. Bryan Bertram

MOTION - Secretary Darris-O'Connor made a motion to appoint Bryan Bertram as a regular member of the Community Preservation Committee. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- e. **Conservation Commission – (2 Regular Open)** – 2 Applicants (Expires 06/30/2028)
i. Diane DePaso (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Diane DePaso as a regular member of the Conservation Commission. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- ii. Jeff Connell (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Jeff Connell as a regular member of the Conservation Commission. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- f. **Constable (Bonded) – 2 Applicants (Renewal)** – (Expires 06/30/2028)
i. Guy J. Gill

MOTION - Secretary Darris-O'Connor made a motion to appoint Guy Gill as a bonded constable. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- ii. David Babineau

MOTION - Secretary Darris-O'Connor made a motion to appoint David Babineau as a bonded constable. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- g. **Council on Aging (2 Regular Open)** – 2 Applicants (Expires 06/30/2028)
i. Barbara Flaherty (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Babara Flaherty as a regular member of the Council on Aging. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- ii. John Pellegrino (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint John Pellegrino as a regular member of the Council on Aging. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- h. **Historic Commission (2 Regular Open)** – 1 Applicant (Expires 06/30/2028)
i. Travis Brown (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Travis Brown as a regular member of the Historic Commission. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0

- i. **Local Cultural Council - 2 Year Appointment (3 Positions Open)** – 1 Applicant (Expires 06/30/2027)
i. Parashu Phuyal (Incumbent)

MOTION - Secretary Darris-O'Connor made a motion to appoint Parashu Phuyal as a regular member of the Local Cultural Council. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- j. **Open Space and Recreation Commission (1 Position Open)** – 1 Applicant (Expires 06/30/2027)
i. Maria Martin

MOTION - Secretary Darris-O'Connor made a motion to appoint Maria Martin as a regular member of the Open Space and Recreation Commission. The motion was seconded by Member Rosa and unanimously voted 5-0-0

- k. **Scholarship Foundation Committee (6 Open Positions)** – 2 Applicants (Expires 06/30/2028)
i. Lawrence Norman



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

MOTION - Secretary Darris-O'Connor made a motion to appoint Larry Norman as a regular member of the Scholarship Foundation Committee. The motion was seconded by Member Rosa and unanimously voted 5-0-0

ii. Michael Rosa

MOTION - Secretary Darris-O'Connor made a motion to appoint Michael Rosa as a regular member of the Scholarship Foundation Committee. The motion was seconded by Member Rosa and unanimously voted 5-0-0

Presentation

14. Water and Sewer Rates Presentation – 1st Reading

Fred Russell, DPW Director appeared for the presentation for the water and sewer rate. Gavin Foles from Waterworth gave the presentation. His presentation included walkthrough with financial models.

Member Favreau stated that there was no narrative to follow the slides and she would like the detailed information that was given that the charts were based on. Member Favreau asked how long have we known that we will be operating in the deficit in 2027. Mr. Russell stated that we will be operating in the deficit in 2027 without any rate increases. He will provide the charts with the information.

Member Rosa stated that on page 5, we need to be careful. There is no water subsidy so everything spent out of the account needs to be for water. Mr. Russell agreed. Member Rosa stated that on page 6, is the orange with the subsidy and what is the purple. Mr. Russell replied yes and the purple shows penalties and interest and fees and permits. Member Rosa stated on page 8, does that show retained earnings. Mr. Russell replied no, the red line shows the operating threshold. Member Rosa asked what the balance of the retained earnings is. Amit Chhyani joined the meeting. Mr. Chhyani replied he is not sure, but can get that number. Member Rosa stated that on page 13, tier 1 are mostly seniors who have the least ability to pay. The second tier is families and the third tier is the businesses. We need to help the first two tiers. He would suggest increasing the percentage less on the first two tiers and higher on the third tier and we should also increase outside users more with a 0, 5 and 7% increase. Mr. Russell stated that he would have to take a deep dive and they can look at this. He did note that there are not a lot of outside users. Member Rosa stated that on page 15, the project capital improvements are flat except in 2025-2028, is this because of the ARPA money. Mr. Russell stated that they haven't realized the debt service. This was used for design. Member Rosa stated that on page 19, did the cash position drop due to the Brown Street project and was it to raise and appropriate. Mr. Russell replied yes. Member Rosa stated that we need to look at creative ways to fund one-time capital expenses.

Member Rosa stated that on the sewer rates, 7-10% is steep. Are we phasing out the \$200k subsidy in 2030? He is concerned with the rate increases on the sewer side. Mr. Russell stated that these are just projections. What you are voting on is for next year only. Member Rosa stated that he appreciates the forecasting but it doesn't take into effect our push on economic development. If we can look at creative ways to lower this, he would appreciate that.

Vice Chair Burrows stated that staff has provided three options on what is best for Billerica.

Chair Pavidis asked that at the next meeting, the analytics used to create the proposal are provided.

Committee Reports

Old Business

15. Vote to Make the Investigation Report into the Conduct of Select Board Member Dina Favreau a Public Document and Send Attachments to Town Counsel for Possible Redactions Before Release – Per Legal Opinion from May 21, 2025 Advisory Opinion #9

Member Favreau recused herself.

Secretary Darris-O'Connor stated that this is inherently a public document.

MOTION - Secretary Darris-O'Connor made a motion to formerly accept the investigation report completed on May 12, 2025 from Discrimination and Harassment Solutions, LLC from Regina Ryan titled Investigation Report on



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Allegations of Misconduct and Inappropriate Treatment of Town Employees, Along with Violations of the Town Charter, Bylaws, and Policies by Dina Favreau. The motion was seconded by Vice Chair Burrows. On a Point of Order. Member Rosa read the opinion from Town Counsel. The motion was unanimously voted 4-0-0.

MOTION - Secretary Darris-O'Connor made a motion to accept the report, give a copy to the Town Clerk and post it online. The motion was seconded by Vice Chair Burrows and unanimously voted 4-0-0.

MOTION - Secretary Darris-O'Connor made a motion to send the exhibits to Town Counsel for possible redactions prior to public release. The motion was seconded by Member Rosa. After the following discussion, it was unanimously voted 4-0-0.

Vice Chair Burrows stated that his report was never sent for redactions. This is setting a precedent.

Member Rosa stated that Town Counsel has some concerns with some of the exhibits and we should go with the recommendations of Town Counsel.

Secretary Darris-O'Connor doesn't see the harm with Town Counsel review.

Vice Chair Burrows added that sharing emails from Town Counsel on social media are also privileged.

16. Update on Community One-Stop Grant Submission for Real Estate Services Technical Assistance – Requested by Katherine Malgieri

Katherin Malgieri joined the meeting. Ms. Malgieri stated that the Board voted to support the submission of the grant last time she was here. She provided a copy of the grant that will be submitted and asked if there were any questions.

Member Rosa stated that he read through and it is well done. On page 1, there is a selection of mixed uses. Ms. Malgieri replied it was a drop-down menu so we had no choice.

Vice Chair Burrows asked how long it took to put this together. Ms. Malgieri replied the actual grant application about 2 hours but she is still working on it and it takes a while to gather the information.

17. Town Manager's Update

Mr. Dillon gave the Town Manager's Report.

Spring Town Meeting

After three nights, Spring Town Meeting has concluded. The FY2026 budget passed as well as the Zoning Recodification and a number of other articles. He would like to thank the IT Department, Town Clerks office, and the Facilities Department for all of their hard work to make Town Meeting a success.

Kohlrausch Park Improvement

The Kohlrausch Park Improvement project is moving along, albeit a little slower than anticipated. The significant amount of rain that we've received over the last few weeks slowed progress, but to date the new swings and Zip Line features have been installed. We are hoping the playground improvement will be completed in the next couple of weeks. The pavilion install will take place shortly after.

Old Ditson (Pinehurst Park) Project

The Town was successful in applying for a \$400,000 PARC Grant this past winter to help fund the Old Ditson Park project. Those funds will become available as of July 1. To avoid any disruption on the Farmer's Market, this project will plan to break ground in early October. As a refresher, this project will include the installation of a walking path, picnic pavilion, new playground, basketball courts, fitness court, improved parking, as well as other improvements.

Chair Pavidis asked what the timeline was for the park. Mr. Maynard replied about a year.

Green Communities



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Recently the Town submitted the FY2024 Green Communities annual report to secure grant funding to reduce energy uses and costs by implementing clean energy projects. Our most recent Green Communities project was completed in 2022, \$180,000 of grant funds were used to weatherize and install LED lights at the Library, Town Hall, Police Station, Fire HQ, COA, and the Wastewater Treatment Plant.

Boston Road Pinehurst

Crews are preparing the roadway over the next two weeks for paving. Paving is scheduled to start on June 15 and will be done at night similar to when they milled the road. It is anticipated that this work will take about 2 weeks to complete, weather permitting. Paving should be completed by July 4th.

Vice Chair Burrows stated that grass is coming up in the sidewalk that was just done on Boston Road.

Town Audit

The annual audit field work and all the financial reporting are complete. The audit firm has gone through 2 acquisitions within the last year. These acquisitions have caused disruptions in timelines and the Town anticipates the audit report by the end of June.

Playgrounds

Last week 75 cubic yards of wood chips were delivered to the Kids Konnection playground along with outdoor surfacing mats. The Facilities and Parks Department will be working together to install the mats and surfacing material.

Vice Chair Burrows gave a shout out to facilities for spreading all the mulch.

Recreation Center

The Recreation Center has reached the milestone of 100% Construction Design. The first set of bids are out, and site mobilization is planned for July. There has been a lot of hard work behind the scenes by many to keep the project charging forward throughout the design phase, and we are thrilled to be heading into the construction phase soon. Special shoutout to Building Commissioner, Mark LaLumiere, for his leadership role throughout this process.

Member Rosa stated that the bids came in higher than anticipated. Mr. Maynard stated that the bids have not been sent out yet, we just got approval with Conservation last week, so they will be going out to bid this week.

Energy Advocate Program

Recently the Town of Chelmsford and Town of Billerica secured grant funds for an energy advocate between both communities. This individual once hired will work to help residents discover the benefits of the Mass Save program. As well as helping the two Towns achieve their sustainability goals.

Member Rosa asked if there was a schedule for the energy advocate. Mr. Dillon stated that they can be reached by phone or email and will have a schedule that they will be available at Town Hall. Member Rosa replied that this is a great program.

Member Favreau asked if they can help with residents living in multi-family dwellings or is it just single family. Mr. Dillon replied he was not sure, but they should be able to help with questions from the residents.

Town Website

On June 2nd and 3rd, the website redesign consultant, JGPR will be in Town to photograph various departments and sites around Town for the new website.

Skate Park Project

The Skate Park project is set to kick-off the week of June 2nd with site prep and demo of the existing park. Over the past couple of months, many of the new ramps and obstacles have been being built and pre-cast off-site, and will be



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

delivered over the first two weeks of June. Residents will see a lot of progress over the next few weeks. We are currently targeting a grand opening for the Skate Park in mid-late August.

Member Favreau stated that this is great for the Town.

New Business

18. Gift Acceptance Policy – Section 46 – 1st Reading – Requested by Member Rosa

Member Rosa stated that he worked with the Town Accountant and the Executive Secretary on this policy. This will put a policy in place for gift acceptances.

There were no questions.

19. Set a Date for a Special Meeting to Discuss Economic Development – Specifically What Can be Done to Facilitate Filling our Vacant Commercial and Industrial Properties – Requested by Member Rosa

Member Rosa stated that we need to set a special meeting to target specific items to help with economic development. A brochure is being worked on and we should be proactive for Billerica including getting as many grants as possible and allowing by-right uses in zoning. We need to look at TIFs and retain existing businesses.

Chair Pavidis stated that we should go after some low hanging fruit and look at long-term steps to bring in economic development and set priorities for this Board and staff.

20. Set a Date for a Special Meeting to Discuss Water Line Infrastructure – Focusing on Lining Pipes and Accelerating the Replacement of the 2" Water Lines in Pinehurst – Requested by Member Rosa

Member Rosa stated that this is similar to the previous agenda item. We need to have a separate meeting to discuss water line infrastructure. This is a top priority for residents and it will improve the fire insurance rating.

21. Discussion and Possible Vote on Creating a Remote Town Meeting Committee – Requested by Vice Chair Burrows

Vice Chair Burrows stated that he is going to bring back the article for remote Town Meeting next spring but with a 3–4-year deadline. We should get a committee up and running for this with members including the Town Clerk, Town Manager's office, Electronic Committee members, Town Accountant and the IT Director.

Chair Pavidis agreed with this.

Member Burrows requested a recommendation from Robert Maynard. Mr. Maynard recommended a committee make up similar to the screening committee.

Member Darris-O'Connor asked if we should push the vote out so we can work on the details of the committee make up to be.

Member Rosa asked that this comes back at the next meeting to discuss membership.

22. Discussion on Grants – MassWorks Infrastructure Program, Massachusetts Downtown Initiative, Housing Choice Grant Program, Community Planning Grant Program, HousingWorks Infrastructure Program, Underutilized Properties Program, Site Readiness Program, Transformative Development Initiative Equity Investment Program – Requested by Member Favreau

Chair Pavidis stated that the original agenda was to also possibly vote which was concerning with Town Staff.

Member Favreau stated that she is concerned with how this request was handled. The vote was removed and what authority did you change my agenda item. This undermined the urgency of this agenda. Chair Pavidis stated that this interfered with day-to-day operations and there wasn't time to address these goals. Member Favreau stated that we approved goals and we can't vote on items that are in the Town Manager's report. The vote does not interfere with day-to-day operations. Per our policies, 2.2 – 2.5, all items received by the deadline should be included. This is time



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

sensitive because we lost the opportunity for \$13 million in grants by missing the June 4th deadline. This was a failure to act since we discussed this in January. This increases the burden to the residents. Chair Pavidis stated that there was not time to submit the goals this year. Member Favreau stated that no one should alter the agenda. Vice Chair Burrows stated that this happened to him last week with Member Rosa as chair. Chair Pavidis stated that we need to define day-to-day operations and we as Board members need to respect that.

Mr. Dillon stated that he would like to speak on the grants. He's been here for 12 days. The Town just received the MBTA compliance letter, which we needed to be eligible for these grants. Prior to this letter, we were not allowed to submit for these grants so we could not apply. When projects come up, staff looks for all grants that may apply. We can't just apply for grants if there is no corresponding project. He asked if there were projects that the Board knows about that some of these grants would be eligible for.

Member Favreau stated that we were in interim compliance. The only grant that required a project was the Housing Works Grant. There were other grants available for technical assistance and infrastructure repair.

Secretary Darris-O'Connor stated that all grants are important but we have limited resources and we need to be strategic applying for grants. We just got approval for the MBTA and it's silly to waste time to write grants when we were not in compliance. It is inappropriate to order town employees to apply for grants when there is not a project to go with them. This interferes with day-to-day operations.

Chair Pavidis stated that we will discuss day-to-day operations and our role as Select Board members in a separate meeting.

Member Rosa stated that grant we discussed with the Planning Department required the Select Board approval. Some of these grants also require Select Board approval. This is not interfering with day to day, we are exercising ~~are~~ our role in the grant process, and that is very different.

23. Discussion and Possible Vote on Open Meeting Law (OML) Complaints: Dina Favreau dated and received on 05/29/25, and Chris Raven dated 05/23/25 received on 05/30/25 – Acknowledge Receipt and Review Complaints, Authorize Submission of Responses by Town Counsel

Secretary Darris-O'Connor stated that we received a lot of these complaints and we often send them to Town Counsel but he believes that both of these are frivolous and we have spent a lot of wasted money on legal bills.

MOTION - Secretary Darris-O'Connor made a motion to take no action. The motion was seconded by Vice Chair Burrows. The favorable vote was 3 but there was discussion on the motion prior to the negative vote:

Member Favreau stated that she was unsure what was being voted on. Secretary Darris-O'Connor stated in the past we have referred these to Town Counsel but our legal bills are inflated and these are frivolous complaints.

Member Favreau asked what right Secretary Darris-O'Connor has to determine if these complaints are frivolous.

Member Rosa stated that you can't take "no action", we need to respond to the complaints and we have a limited amount of time to respond. If you don't want to send it to Town Counsel, he would be fine with that but who is going to respond to the complaints.

After the following discussion, Secretary Darris-O'Connor stated that he rescinded his original motion and made the following.

MOTION - Secretary Darris-O'Connor made a motion not to send the OML complaints to Town Counsel. There was no second.

Member Burrows stated that you have to send it to Town Counsel because someone has to respond to an OML Complaint, and Town Counsel would formulate a template letter that they do. Secretary Darris-O'Connor stated that he doesn't agree with the practice.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Member Rosa asked if the Secretary was going to respond to the OML complaints. Secretary Darris-O'Connor stated that he would respond to them if they were legitimate complaints.

MOTION - Secretary Darris-O'Connor made a motion to respond to the OML complaint that we found no OML violation. There was no second.

Member Favreau stated that she finds that members violating the OML is the originating problem.

MOTION - Vice Chair Burrows made a motion to send the two OML complaints to Town Counsel to have them acknowledge and address them. After the following discussion, the motion was seconded by Member Favreau and voted 4-1-0. Member Rosa voting against.

Member Rosa stated that we should not send this to Town Counsel because they have already provided an opinion on May 28th. Member Rosa read the opinion from Town Counsel into the record.

Secretary Darris-O'Connor stated that Town Counsel did not make a determination of the OML complaint.

Approval of Meeting Minutes

24. April 7, 2025 Regular Meeting

MOTION - Secretary Darris-O'Connor made a motion to approve the Select Board minutes of April 7, 2025 as presented. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

25. April 15, 2025 Special Meeting

MOTION - Secretary Darris-O'Connor made a motion to approve the Select Board minutes of April 15, 2025 as presented. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

26. April 28, 2025 Regular Meeting

MOTION - Secretary Darris-O'Connor made a motion to approve the Select Board minutes of April 28, 2025 as presented. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

27. May 01, 2025 Acting Town Manager Negotiation Committee Meeting

MOTION - Secretary Darris-O'Connor made a motion to approve the Select Board Acting Town Manager Negotiation Committee minutes of May 1, 2025 as presented. The motion was seconded by Member Rosa and voted 4-0-1. Secretary Darris-O'Connor abstained from voting.

28. May 05, 2025 Regular Meeting

MOTION - Secretary Darris-O'Connor made a motion to approve the Select Board minutes of May 05, 2025 as presented. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Meeting Schedule

June 16, 2025 and July 14, 2025

MOTION - Secretary Darris-O'Connor made a motion to adjourn the regular meeting of June 2, 2025 at 9:20 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Exhibits for the Select Board Meeting – June 02, 2025

Call to order 6:00 PM

1. **Open Microphone – No Exhibits**

Announcements

2. **Vacancies on Boards and Committees – Vacancy List dated 04/23/25**
3. **All other announcements may be viewed on the Town of Billerica website – No Exhibits**

Proclamation and Public Recognition

4. **Pride Month Proclamation – Proclamation**
5. **Juneteenth Proclamation – Proclamation**

Public Hearings

6. **Public Hearing – Approval of a Grant of License from the Town of Billerica -#31061903 - to Massachusetts Electric Company at 250 Treble Cove Road for National Grid to install ~2460' +/- #4/0 cu 3-1c primary UG cable in customer installed 4" conduits, 2 new manholes, manhole switchgear and manhole primary meter in order to accommodate relocation of underground facilities and install 300 KVA xfmr 277/480 for new building at Billerica Water Treatment Plant. – Grant of License undated, Electric Distribution Easement dated 04/04/25, DPW Comments dated 05/27/25, Contractor Comments undated, Police Comments undated, Electrical Comments dated 05/23/25, Abutters List dated 05/12/25, Notice of Hearing undated, Email from G. Moriera dated 05/01/25**
7. **Public Hearing –National Grid and Verizon- #31032929 –National Grid to install (1) JO Pole on Tamarak Street beginning at a point ~100' southeasterly from exiting pole 3 location. New Pole 3 was previously petitioned to move ~50' southeasterly (Hearing 12/9/24). The new pole 3 has been installed by the customer who wants the new pole 3 moved. On behalf of the customer at 8 Tamarak Street, National Grid request to keep the original pole 3 location, remove new pole 3 location and install a new pole 4 ~100' southeasterly from original pole 3 location to supply electrical service to new home at 8 Tamarak Street. – Application dated 03/24/25, DPW Comments dated 05/27/25, Contractor Comments dated 05/28/25, Police Comments 05/23/25, Electrical Comments dated 05/23/25, Abutters List dated 05/12/25, Notice of Hearing undated**
8. **Public Hearing –National Grid and Verizon- #31117689 – National Grid to install (1) JO Pole (pole 4) on Ingersoll Road beginning at a point ~110' westerly from existing pole 3 in the public way with anchor in order to support pole 3 and existing pole line – Application dated 03/24/25, DPW Comments dated 05/27/25, Contractor Comments dated 05/28/25, Police Comments 05/23/25, Electrical Comments dated 05/23/25, Abutters List dated 05/12/25, Notice of Hearing undated**

New Business (Quick Items)

9. **New Common Victualler's License for Under the Radar Culinary, LLC dba Big Al's Pizza located at 240D Nashua Road – Manager Mallory Shackford – Billerica application dated 05/02/25, ZBA decision dated 04/16/25, Board of Health Plan Approval dated 04/08/25, Board of Health Letter of approval dated 04/16/25**
10. **Discussion and Possible Vote on Gift Acceptance: - Gift Acceptance Summary undated**
 - d. **Billerica Public Library**
 - i. **Donation of Artificial Flowers and Pots (Estimated Value) ~\$30**
 - ii. **Donation of \$3,500**
 - iii. **Donation of T-shirts (Estimated Value) ~\$40**
 - e. **Veterans' Services**
 - i. **Donation of \$200 Market Basket Gift Cards**



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

- f. Council on Aging**
 - i. Donation of \$150**
 - ii. Donation of \$45**

Appointments

11. Police Constables – (Expires 06/30/2028)

- c. Cory Bandouveres** – Application dated 05/07/25
- d. Timothy McKenna** – Application dated 05/06/25

12. Appointments that Require Interviews:

- c. Billerica Housing Authority - Tenant Member (1 Open) (Expires 04/30/2029)** – Emails from D. Harbarger dated 05/30/25, Email from K. Gould dated 05/31/25, Email from J. Ryan dated 05/31/25
 - iii. Lewis Martakos** – Application dated 04/11/25
 - iv. Thomas E. Davis** – Application dated 04/18/25
- d. Board of Appeals (1 Regular Open) – 2 Applicants (Expires 06/30/2028)**
 - iii. Christopher Sennott** – Application dated 04/11/25
 - iv. Eric Anable (Incumbent)** – Application dated 04/24/25

13. Appointments that Secretary Darris-O'Connor NOT Require Interviews:

- l. Agricultural Commission (2 Associate Open) – 1 Applicant (Expires 06/30/2028)**
 - i. Jon Larson** – Application dated 05/05/25
- m. Board of Appeals (1 Associate Open) – 1 Applicant (Expires 06/30/2028)**
 - i. John LaFauci** – Application dated 04/11/25
- n. Commission on Disabilities (2 Regular Open) – 2 Applicants (Expires 06/30/2028)**
 - i. Maria Martin (Incumbent)** – Application dated 05/14/25
 - ii. Jason Gale (Incumbent)** – Application dated 05/28/25
- o. Community Preservation Committee – (1 Regular Open) – 1 Applicant (Expires 06/30/2028)**
 - i. Bryan Bertram** – Application dated 05/16/25
- p. Conservation Commission – (2 Regular Open) – 2 Applicants (Expires 06/30/2028)**
 - i. Diane DePaso (Incumbent)** – Application dated 01/15/25
 - ii. Jeff Connell (Incumbent)** – Application dated 02/24/25
- q. Constable (Bonded) – 2 Applicants (Renewal) – (Expires 06/30/2028)**
 - i. Guy J. Gill** – Application dated 05/07/25
 - ii. David Babineau** – Application dated 05/15/25
- r. Council on Aging (2 Regular Open) – 2 Applicants (Expires 06/30/2028)**
 - i. Barbara Flaherty (Incumbent)** – Application dated 04/10/25
 - ii. John Pellegrino (Incumbent)** – Application dated 04/11/25
- s. Historic Commission (2 Regular Open) – 1 Applicant (Expires 06/30/2028)**
 - i. Travis Brown (Incumbent)** – Application dated 05/16/25
- t. Local Cultural Council - 2 Year Appointment (3 Positions Open) – 1 Applicant (Expires 06/30/2027)**
 - i. Parashu Phuyal (Incumbent)** – Application dated 05/09/25
- u. Open Space and Recreation Commission (1 Position Open) – 1 Applicant (Expires 06/30/2027)**
 - i. Maria Martin** – Application dated 08/30/24
- v. Scholarship Foundation Committee (6 Open Positions) – 2 Applicants (Expires 06/30/2028)**
 - i. Lawrence Norman** – Application dated 04/07/25
 - ii. Michael Rosa** – Application dated 05/14/25

Presentation

- 14. Water and Sewer Rates Presentation – 1st Reading – Waterworth Presentation undated**

Committee Reports



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 02, 2025**

Old Business

- 15. Vote to Make the Investigation Report into the Conduct of Select Board Member Dina Favreau a Public Document and Send Attachments to Town Counsel for Possible Redactions Before Release – Per Legal Opinion from May 21, 2025 Advisory Opinion #9 – Memo from Brooks & DeRensis dated 05/21/25**
- 16. Update on Community One-Stop Grant Submission for Real Estate Services Technical Assistance – Requested by Katherine Malgieri – Grant application undated**
- 17. Town Manager’s Update – Town Manager’s Report dated 05/28/25**

New Business

- 18. Gift Acceptance Policy – Section 46 – 1st Reading – Requested by Member Rosa – Gift Acceptance Policy undated**
- 19. Set a Date for a Special Meeting to Discuss Economic Development – Specifically What Can be Done to Facilitate Filling our Vacant Commercial and Industrial Properties – Requested by Member Rosa – No Exhibits**
- 20. Set a Date for a Special Meeting to Discuss Water Line Infrastructure – Focusing on Lining Pipes and Accelerating the Replacement of the 2” Water Lines in Pinehurst – Requested by Member Rosa – No Exhibits**
- 21. Discussion and Possible Vote on Creating a Remote Town Meeting Committee – Requested by Vice Chair Burrows – No Exhibits**
- 22. Discussion on Grants – MassWorks Infrastructure Program, Massachusetts Downtown Initiative, Housing Choice Grant Program, Community Planning Grant Program, HousingWorks Infrastructure Program, Underutilized Properties Program, Site Readiness Program, Transformative Development Initiative Equity Investment Program – Requested by Member Favreau – No Exhibits**
- 23. Discussion and Possible Vote on Open Meeting Law Complaints: Dina Favreau dated and received on 05/29/25, and Chris Raven dated 05/23/25 received on 05/30/25 – Acknowledge Receipt and Review Complaints, Authorize Submission of Responses by Town Counsel – OML Complaints from D. Favreau dated 05/29/25 & Chris Raven dated 05/23/25, Email from P. DeRensis dated 05/30/25**

Approval of Meeting Minutes

- 24. April 7, 2025 Regular Meeting– April 7, 2025 Minutes**
- 25. April 15, 2025 Special Meeting– April 15, 2025 Minutes**
- 26. April 28, 2025 Regular Meeting– April 28, 2025 Minutes**
- 27. May 01, 2025 Acting Town Manager Negotiation Committee Meeting– May 01, 2025 Minutes**
- 28. May 05, 2025 Regular Meeting – May 05, 2025 Minutes**

Meeting Schedule

June 16, 2025 and July 14, 2025 – No Exhibits

Approved On: October 06, 2025