



MEMORANDUM

TO: Select Board

FROM: John C. Curran, Town Manager

CC: Clancy Main, Assistant Town Manager
Robert Maynard, Director of Administrative Services

SUBJECT: Town Manager's Report, January 22nd, 2024
Agenda Item

DATE: January 17, 2024

Town Hall Training

Michele Rivera has set up two training sessions "Continuous Growth Mindset". These are intended to encourage employees to be more accepting of new ways of conducting the Town's business - and less resistant to change.

Budget Process / Goals

The Town has completed a majority of the department budgets to this point. Over the course of the next few weeks I will begin to fine tune the overall budget numbers. I will have a high-level summary at the first meeting in February with the final budget presentation at the last meeting in February. I will also be available to meet with individual Select Board members prior to the final presentation.

I have been continually meeting with the finance team in the school department. They are still reconciling the FY2024 budget expenditure and encumbrances with the appropriations available. The Superintendent is concerned about the structural integrity of the FY 2024 Budget. We both concur that it may be beneficial to temporarily engage an outside financial consultant to help with this reconciliation.

Grey St/ Salem Rd Intersection

Selectwoman Conway asked that this be included on the Agenda. Town Engineer Kelley Conway has reached out to BETA for a comprehensive traffic study for the Andover / Salem / Gray Street Triangle. Specifically , they will be evaluating whether this intersection warrants a traffic signal.

Municipal Finance Updates¹

The closeout fiscal 2023 supplemental budget signed into law on December 4, 2023 included a number of changes to modernize and streamline certain municipal finance rules. These changes impact the Town, specifically regarding the Opiate Abatement Funds.

¹ <https://www.mma.org/municipal-finance-changes-included-in-fy23-supplemental-budget-law/>

- Section 8 allows for a simple majority vote of the local legislative body, rather than a two-thirds vote, to draw down special purpose stabilization funds. A two-thirds vote is still required to establish both types of stabilization funds — general and special purpose — but the threshold has been lowered for drawing from special purpose funds.
- Section 9 also creates a “general fund revenue exception.” Under state law (Ch. 44, Sect. 53), all money received or collected from any source by a municipality belongs to its general fund and can only be spent after appropriation, unless a general or special law provides an exception. This rule can present accounting challenges when unexpected, conditional revenue is received, because the law requires this revenue to become part of the general fund even though it is intended for a specific purpose. As a result, these funds often become part of the next year’s free cash certification, creating confusion around how the funds can be used. The law now allows municipalities, with authorization from the Division of Local Services’ director of accounts, to reserve such one-time revenue in a special fund, thus keeping it out of the general fund and preventing it from eventually becoming free cash. The language clarifies how the receipts in special funds can be spent: if the receipt is for one specific purpose, such as opioid settlement funds, a municipal executive would be able to spend the funds without further appropriation; otherwise, qualifying revenue reserved in a special fund would be subject to appropriation. In both cases, the exception applies only to one-time, unanticipated receipts that are received by multiple communities.
- Section 197 allows cities and towns that have created a dedicated stabilization fund for statewide opioid settlement receipts to consolidate all monies previously received for this purpose into the special revenue fund, with clarifying language for how to proceed.
- Section 10 establishes a new Section 53k under Chapter 44, Section 53 to allow municipalities to create a special revenue fund (rather than using the general revenue fund) for funds coming to the municipality for a specific purpose. Municipalities often enter into host or mitigation agreements with developers or other entities to address the impacts of new development, and receive payments to mitigate these impacts. Section 10 allows communities to separately account for these payments and spend them for the dedicated purpose without further appropriation.
- Section 205 allows a city or town to amortize over fiscal 2025 through 2027 the amount of its fiscal 2024 major disaster-related deficit.

Town Center Public Information Session

On Monday, January 29th at 7:00PM in the Town Hall Auditorium (and on Zoom!) will be a Public Information Session hosted by my office on the Town Center Project. There will be another Information Session held on February 15th, at 7:00PM in the Town Hall Auditorium (and on Zoom!). This is an opportunity for residents to come and learn about the Project, my office will give a factually

based Presentation and answer questions, similar to the Information Sessions we did over the summer and at Town Meeting.

Glad Valley Project

The current advertisement date is 4/5/2025. On January 9, MassDOT had a Comment Resolution Meeting (CRM) to discuss the 100% Design Submittal comments. The PS&E submittal is scheduled for the end of February 2024. The Conservation commission closed the hearing for the Notice of Intent on January 10, 2024, and we are awaiting the Order of Conditions for the project. ROW efforts will be completed by MassDOT since the work limits are under their jurisdiction. This project is slated to begin in Spring 2025.

Yankee Doodle Bike Path

The current advertisement date is sometime in August 2024. VHB submitted the 100% design plans in the first week of January 2024. This included the updated design plans, specifications, estimate, and draft copies of the remaining environmental permits. VHB is also currently working on updated ROW plans based on the recent review that MassDOT provided at the end of 2023. They plan to resubmit the ROW plans I believe sometime this week. As far as the Town goes, our appraiser is working on completing the appraisals for the Right of Way impacts and we are planning to go to Spring Town Meeting for funding of all the easements. It has always been the intent, and the Capital Facilities Committee was informed of this on September 1, 2021, to seek funding for easement acquisition through CPA Funding. This office and engineering are working to reduce this expense through donations but it is very likely that Town will seek significant funding through CPA. This Town project will be directly competing with private projects. It would be helpful if the Select Board recommended that the CPC consider making this project a priority this year. Otherwise, the Town may not be able to move forward with the project.

Fire Department / 9C Cuts

Recently the Town was made aware that our Fire Department had an earmark from the State budget cut as part of the \$375 Million worth of cuts from the FY2024 Budget. There was an earmark in the FY24 budget for Billerica Fire in the amount of \$35,000 to pay for a Boat. That \$35,000 was cut down to \$15,000. The Town has already used existing capital money to cover the cost and purchase the boat. This did not affect the Fire Department budget line item in any way. We will be reimbursed for \$15,000.

Cable Advisory Committee

The Town is in the process of starting the Cable Ascertainment process. The Select Board should move forward with updating the Cable Advisory Board. Select Board Members Conway and Deslaurier are appointees to this committee. Their terms expire in June of 2024. There are four other openings we can advertise this committee and notify current members (with expired terms).

Tax Rate

Selectwoman Conway asked that this be included in the Town Managers report. The Town of Billerica has the 107 lowest residential tax rate out of the 342 Cities and Towns that have set their tax rate. That puts the Town of Billerica in the lower third of tax rates in the Commonwealth. Billerica is the 16th lowest tax rate among the 54 Cities and Towns in Middlesex County. This is also among the 30% of

Communities with the lowest tax rates. Billerica has the 28th highest commercial tax rate. This is due to the tax rate shift that allows the Select Board to shift the burden off the residents and onto the very large commercial base the Town has. It is also important to recognize that rents and assessments are more competitive in Billerica than surrounding communities making it a very viable location for business.

DOR Cod	Municipalit	Residenti	Commercial
1	Cambridge	5.92	10.46
2	Woburn	8.06	19.72
3	Medford	8.52	16.41
4	Burlington	8.94	25.81
5	Waltham	9.64	20.71
6	Newton	9.76	18.33
7	Melrose	9.93	17.71
8	Marlborough	10.24	17.66
9	Dracut	10.45	10.45
10	Somerville	10.52	18.20
11	Belmont	10.56	10.56
12	Arlington	10.59	10.59
13	Stoneham	10.59	20.17
14	Weston	11.12	11.12
15	Wakefield	11.25	21.70
16	Billerica	11.29	25.09
17	Winchester	11.33	10.81
18	Wilmington	11.43	26.23
19	Everett	11.46	24.00
20	Malden	11.69	18.20
21	Watertown	11.70	23.08
22	Reading	11.72	12.92
23	Bedford	11.88	26.70
24	Lowell	11.91	23.27
25	Ayer	12.25	27.38
26	Lexington	12.25	24.20
27	Natick	12.26	12.26
28	Framingham	12.46	25.41
29	Tyngsborough	12.72	12.72
30	Lincoln	12.89	19.70
31	Concord	13.13	12.24
32	North Reading	13.21	13.21
33	Ashland	13.24	13.24
34	Carlisle	13.33	13.33
35	Tewksbury	13.39	25.24
36	Shirley	13.57	13.57
37	Chelmsford	13.62	17.22
38	Westford	13.77	13.77
39	Dunstable	13.96	13.96
40	Hudson	14.00	27.50
41	Pepperell	14.35	14.35
42	Townsend	14.41	14.41
43	Hopkinton	14.61	14.60
44	Sudbury	14.61	21.16
45	Littleton	14.84	23.11
46	Boxborough	14.99	14.99
47	Holliston	15.06	15.06
48	Groton	15.09	15.09
49	Wayland	15.52	15.52
50	Ashby	15.53	15.53
51	Acton	16.67	16.67
52	Sherborn	16.95	16.95
53	Stow	16.97	16.97
54	Maynard	17.88	23.81