



**TOWN OF BILLERICA
SELECT BOARD MINUTES
OCTOBER 07, 2024**

Members Present: Chair John Burrows, Vice Chair Dina Favreau, Secretary Michael Rosa, Member Kimberly Conway and Member Michael Riley

Members Absent: None

Staff Present: Town Manager Clancy Main and Recording Secretary Dawn McDowell

Call to Order 6:00 PM

The Pledge of Allegiance was recited.

Chair Burrows called the meeting to order and stated that the meeting is hybrid via Zoom.

1. Open Microphone

Sandra Giroux of 21 Horman Road – Ms. Giroux invited the Board to the food pantry on October 26th from 1:00 PM to 3:00 PM for an Open House. We are also doing a food drive for cranberry sauce or soup.

Keith Manning of 43 Richardson Street – Mr. Manning stated that it is glaring after Town Meeting that Brooks and DeRensis is incompetent. They were asked one question at Town Meeting and couldn't provide an answer. We should look for a new Town Counsel and it seems our Chair has undue influence over them.

Kelly Sardina of 95 Gray Street – Ms. Sardina asked why the Select Board meetings have been moved to 6:00 PM. We should encourage more participation from residents.

Announcements

2. Vacancies on Boards and Committees

Secretary Rosa read the vacancy list.

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

Proclamation and Public Recognition

4. Down Syndrome Awareness Month

Secretary Rosa read the Down Syndrome Proclamation.

5. Officer Ryan Koles and K9 Cassius

Secretary Rosa read the Proclamation and presented it to Officer Koles.

Public Hearing

6. Continued Public Hearing – New On Premises §12 General On-Premises All Alcoholic Beverage License, Weekly and Sunday Entertainment for Champions Indoor Golf Billerica, Inc dba Champions Indoor Golf at the premises located at 446 Boston Road, Unit #8, Billerica, MA 01821

Attorney Matt Porter, Andrew Gildea and Dan Watson appeared for the continued public hearing. Attorney Porter stated that they met with the Board of Health, and they will have snacks and a hot dog machine. They also have an agreement with DeVito's Pizza right next store and they will have pizza delivery if customers want it. There is also going to be a new Mexican Restaurant next door that will be available for delivery.

The Board welcomed Champions Indoor Golf.

There were no questions from the audience or online.

MOTION - Secretary Rosa made a motion to close the public hearing at 6:20 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.



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MOTION - Secretary Rosa made a motion to approve the liquor license for Champions Indoor Golf located at 446 Board Road, Unit #8 with 4,800 SF with the Hours of Operation of 10:00 AM to 10:00 PM Monday-Saturday and 10:00 AM to 9:00 PM on Sunday and subject to the determination of the Building Commissioner if a ZBA Special Permit and Common Victualler's License is required. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion to approve the weekday and Sunday Entertainment License for Champions Golf located at 446 Boston Road, Unit #8. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

7. Public Hearing – National Grid and Verizon - #31024027 – (Allen Road) – National Grid to relocate 1 JO Pole on Allen Road ~5' easterly from Existing Pole 87-9, per the request of the Billerica Engineering Department for Roadway and Sidewalk Placement

MOTION - Secretary Rosa made a motion to open the public hearing for National Grid #31024027 Allen Road at 6:20 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Alec Birdsong appeared for National Grid. This petition is to move the pole 5' back so the Town can install a sidewalk.

Secretary Rosa asked if you have seen the DPW comments and that water and sewer markings require a call to the DPW. Mr. Birdsong replied yes. Secretary Rosa asked if any abutters have contacted National Grid. Mr. Birdsong replied no.

There were no questions from the audience or online.

MOTION - Secretary Rosa made a motion to close the public hearing at 6:21 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion to approve the National Grid Pole Petition for Allen Road #31024027. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

New Business (Quick Items)

8. Christmas Parade Route

Dan Burns, John LaFauci and Amy Dearth appeared to discuss the Christmas parade. Mr. LaFauci stated that the parade will be on December 15th and the route has been approved by the Traffic Safety Officer. Mr. Burns stated that this will be the 4th year. This started during COVID, and they would like the Town's involvement. There will be a fundraiser at What the Fork on Wednesday from 1:00 PM to 4:00 PM.

MOTION - Secretary Rosa made a motion to approve the route for the Christmas Parade. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

9. One-Day Special Alcohol License – Boys and Girls Club of Greater Billerica – Annual Hall of Fame Dinner Fundraiser on November 21, 2024 from 5:45 PM to 9:00 PM Located at 19 Campbell Road and Request to Waive All Fees

MOTION - Secretary Rosa made a motion to approve the one-day beer and wine license for the Boys and Girls Club of Greater Billerica on November 21, 2024 from 5:45 PM to 9:00 PM located at 19 Campbell Road. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion to waive all fees. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.



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10. One-Day Special Alcohol License – Billerica Holiday Festival Inc. – Annual Billerica Holiday Festival on November 22, 2024 from 6:30 PM to 9:00 PM Located at 15 Concord Road and Request to Waive All Fees

John Gagliardi appeared for the request for the one-day special alcohol license and permission to use town property for the 2024 Winter Festival. They will have the tree lighting, Home for the Holidays and free pictures with Santa.

MOTION - Secretary Rosa made a motion to approve the one-day all alcohol license for the Billerica Holiday Festival Inc. on November 22, 2024 from 6:30 PM to 9:00 PM located at 15 Concord Road. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion to waive all fees. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

11. Request Permission to Use Town Property for the 2024 Winter Festival and the 26th Annual Tree Lighting on Saturday, December 7, 2024 with a Rain Date of Sunday, December 8, 2024 – Requested by John Gagliardi

MOTION - Secretary Rosa made a motion to grant permission to use town property for the 2024 Winter Festival and 26th Annual Tree Lighting on Saturday, December 7, 2024 with a Rain Date of Sunday, December 8, 2024. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

12. Request a Formal Policy to Honor Fallen Veterans on Memorials – Requested by Veteran's Agent Donnie Jarvis

Donnie Jarvis appeared to request that we find a way to honor all our veterans not just the ones that died during combat. He has spoken with families, and we should honor all the service.

Member Conway stated that this is a great idea and asked what he is looking for. Mr. Jarvis stated that he would like to create a committee and pull together some ideas and bring it back. Member Conway stated that she agrees and will wait to see what the veterans involved come up with.

Member Riley stated that he agrees. Perhaps we can do a slide show on one of the tv near the Veteran's office of all the veterans who have passed.

Vice Chair Favreau stated that she fully supports this idea, and she comes from a military family.

Secretary Rosa thanked Mr. Jarvis for bringing this forward. He has been involved in all the memorials and committee is a great idea.

Chair Burrows asking if you are asking for a subcommittee. Mr. Jarvis replied yes, he will look at putting this together and come back.

13. Wreaths Across America and HERO Act Presentation – Jessica French

Mr. Jarvis stated that the HERO Pact Act was signed in 2022. We had 75 Veteran's come to our meeting and on December 2nd we will be hosting a State Veteran's Service event. It will be a public discussion on the HERO Act.

Member Conway asked if we have to vote on this as a town. Mr. Jarvis replied yes and he will bring it back.

Secretary Rosa stated that he fully supports it. There are some things we can adopt but there are some things that Town Meeting needs to approve. Mr. Jarvis replied yes, and he will come back with what the Board can approve and what Town Meeting needs to approve.

Jessica French joined the meeting via Zoom. On December 14th, they are having a wreath laying ceremony at Fox Hill Cemetery and they would like to extend an invitation and request use of Town property. Secretary Rosa stated that this is not on the agenda but can add it to the next agenda and approve it.



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Ms. French stated that Billerica was chosen for a stop of the wreaths going to Arlington Cemetery. There will be an incredible convoy and a ceremony at WL French.

14. One-Day Special Alcohol License – Billerica Council on Aging – Ladies Night on October 21, 2024 from 4:00 PM to 6:30 PM Located at 25 Concord Road and Request to Waive All Fees – Requested by Jean Bushnell

This agenda item was withdrawn.

Appointments

Presentation

15. Presentation of Preservation Massachusetts Award for the Howe School

Preston Richardson from PRA Architects joined the meeting. Mr. Main stated that this award was given for the Howe School. This was a great project and a labor of love. PRA Architects were involved with the Howe School and the Buck Auditorium.

16. NMCOG Updates – Jenny Raitt

Jenny Raitt and Kelly Limia from NMCOG appeared to give an update. Ms. Raitt stated that they are 1 out of 13 regional agencies in the State. They have provided assistance for the MBTA zoning, Green Communities, training and clean energy. They are going to update the MOU within the next year. We need to update the 5-year-old EDC Strategy as well as providing service for the Sealer of Weights and Measures. There has been a vacancy in this position and the State is now providing the service. We also offer call to projects.

Ms. Limia stated that she has worked with the Town Manager's office, Planning and Engineering. They have done background compliance for MBTA Compliance and grant funding. She has also worked on the RFP for the regional bike path.

Ms. Raitt stated that the Community Assessment for Billerica will be \$14,000. There will be an At Home in Great Lowell on November 7th.

Member Conway asked who makes the call for projects. Ms. Raitt stated that it could come from the Manager's office or Planning office. Member Conway stated that that we stay a member of the CEDS committee. Mr. Main stated that he will make sure.

Secretary Rosa thanked them for the update. MBTA is a sore spot and then the ADUs get approved right after. Is NMCOG helping us with the negative impact. We have 10% affordability, and we have significantly more affordable units, but they don't could because there are no deed restrictions. We do our part, but the State doesn't care. Can NMCOG give us a voice. We need to focus on filling our vacant commercial space. We need to bring in new business, but we also need to retain our existing businesses. Ms. Raitt stated that we can help with Economic Development and filling vacant commercial space. Secretary Rosa stated that we are losing commercial real estate tax and personal property tax with empty buildings. It's a slap in the face to have housing for migrants but not our Veterans.

Vice Chair Favreau asked for the status on Floyd Street/Boston Road. Ms. Limia stated that it is probably be under TIP review. Vice Chair Favreau stated that she has been pushing the vision zero and safe streets for all. All neighborhoods near schools should be reviewed and have sidewalks. Ms. Limia stated that we are going to apply for more federal money. Vice Chair Favreau asked that they explain the 25 mph for street. Ms. Raitt stated that we can follow up with the Town Manager, but it cannot be on State roads.

Chair Burrows stated that we need a retention plan for Economic Development.



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Old Business

17. Town Managers Report

Mr. Main stated that there are two items that are not in the report. They are looking to have the groundbreaking for the DPW on October 19th at 10:00 AM. Let him know if that doesn't work for anyone.

Mr. Main stated that FY24 has been closed out and the free cash, water and sewer enterprises were certified so now they can move forward with the Munis Chart of Accounts conversion.

- **Three Month Look Ahead**

Mr. Main stated as the Select Board approaches the selection of a permanent Town Manager in the next few months his focus will be on making sure the new permanent Town Manager will make a smooth transition. He plans to have the tax rate set and the budget documents to the Department Heads early to allow ample time and reduce chaos during the process. He will also be making sure that our ARPA allocation is either fully allocated or spent by the 12/31/2024 deadline. As well as moving the Town Wide Audit, North Billerica Fire Station, Town Website, Skate Park, and Police Space needs study towards the early stages and continuing the current building projects. After the permanent Town Manager is in place the Board should then pursue further discussion about the Council on Aging, ADU's, Sewer Contracts, a Land Bank Policy, Town Center Safety Improvements and other Board goals.

Member Conway stated that she likes not making long-term policies until the permanent Town Manager is appointed.

Secretary Rosa stated that he likes the 3 months look ahead. We need to use the ARPA money and not waste time.

Vice Chair Favreau stated that this was a great job.

- **Town Meeting Wrap Up**

Mr. Main gave a Town Meeting wrap up.

Article 7 - He spoke with Recreation Director David Grubb about the Skate Park. He spoke to the designer and expects this project to be out to bid soon. The designer understands the urgency as part of the funding needs to be allocated by the end of the calendar year.

Article 12 – He reached out to Marcum (Government | Marcum LLP | Accountants and Advisors) who will be performing the Town Wide Financial and Risk Analysis Audit. He will be sending them a letter to proceed on October 9th and having a kickoff meeting with them next week.

Article 14 – He spoke to Town Counsel they will be writing up a purchase and sale for the land. The Town has also notified Left Field and Galante Architects to proceed with the next steps after October 9th.

Article 16 – He emailed with our preferred website vendor. (jgpr.net) They have sent the contract, and he expects to sign after the Town Meeting funding deadline passes and a review from Town Counsel. Robert Maynard will be running this project.

Article 26 – He spoke with Hamdi Cobanoglu from Left Field he has prepared the ad and will place it out for bid after the referendum deadline passes.

Article 31 – He expects to have a final meeting with the neighborhood next week and a final thumbs up from the Select Board on the 21st. There is some urgency to spend or allocate \$400,000 by the end of the calendar year due to the ARPA Funds. Playground Capital – Facilities Director Bob Sallese has \$2,500 in his budget for a playground safety inspection. Once completed this will be the foundation for the repair plan. DPW Articles – He has not connected with the DPW Director but will have more information on Monday night.

Member Conway stated that she liked the Town Meeting wrap up.

Secretary Rosa stated that he likes the Town Meeting wrap up.



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• **No Parking - Covington**

Mr. Main stated that during a recent public hearing it was brought to my attention that the neighbors are having issues with various trucks idling / parking on Covington during the lunch hours. He will be asking the Board at a future meeting to have no parking signs installed in that area. He needs to have a further conversation and make recommendations from the Building Commissioner and Police Chief.

Member Riley stated that he was familiar with this issue, and this is a great idea.

18. Appoint of One Additional Select Board Member to the Town Accountant/Finance Director Subcommittee

Chair Burrows stated that he is going to appoint Member Conway and Secretary Rosa as members of the Town Accountant Subcommittee.

19. MBTA Discussion – Districts and Survey

Chair Burrows asked why the option to “do nothing” wasn’t included. Mr. Main stated that the survey closes tonight at midnight. He will meet with the Planning staff tomorrow. There will be a paper compliance zone, something with some development and the required 40%. There may be a second survey needed. Milton is moving forward with something in case they lose.

Member Conway asked with the Milton case, can the State withhold grants. Mr. Main replied he was not sure. Member Conway stated that as soon as its complete, get Town Counsel opinion.

Secretary Rosa stated that Tewksbury said no. The survey should have had the residents rate the sites and have a “No” option. We should get another survey. Mr. Main agreed that it was a miss. We could do a smaller pointed survey.

Member Riley stated that it is good know if the residents want this. Milton is a little different. We shouldn’t be treated the same as other towns without meeting their 10% affordability.

Vice Chair Favreau stated that she has been following this. The question is does the AG have the authority to enforce communities to comply. There are no administrative regulations, just guidelines.

New Business

20. Updates to the Select Board Policies and Procedures – Section 2.0 Select Board Meetings – 1st Reading

Secretary Rosa stated that he’s been working with Ms. McDowell and Town Counsel and the update has been provided.

Vice Chair Favreau stated that the only recommendation would be to put standing monthly reports under Presentation if there is one. Secretary Rosa agreed, should be under 2.6 under Old Business.

Member Conway stated that she agrees with changing the start time to 6:00 PM since we are having 5-hour meetings. She’s not at her best late in the night. She is not thrilled with reciting laws, but if Town Counsel recommends it, she is ok. Like having new business quick items so people don’t have to wait.

21. Request Lighting of Gazebo in Pink for Breast Cancer Awareness Month – October

Mr. Main stated that we received a request from a resident to change the lights on the gazebo to pink for October. We need to look at a policy with lights and use of town property.

Member Conway stated that this should be recognized. We need to discuss how we celebrate all the issues such as Domestic Abuse, Substance Awareness, Autism, etc. Mr. Main stated that he will look at this.

MOTION - Secretary Rosa made a motion to approve pink lights on the gazebo for the month of October. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.



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Approval of Meeting Minutes

22. July 15, 2024

The minutes of July 15, 2024 are not ready for approval.

23. July 24, 2024 (Town Counsel Subcommittee Meeting)

The minutes of July 24, 2024 are not ready for approval.

24. August 05, 2024 Special Meeting

The minutes of August 05, 2024 are not ready for approval.

25. September 4, 2024 (Town Counsel Subcommittee Meeting)

The minutes of September 4, 2024 are not ready for approval.

Meeting Schedule

October 21, 2024 and November 4, 2024

MOTION - Secretary Rosa made a motion to adjourn the meeting of October 07, 2024 at 7:39 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*



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Exhibits for the Select Board Meeting – October 07, 2024

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

Announcements

2. **Vacancies on Boards and Committees** – Vacancy List dated 10/01/24
3. **All other announcements may be viewed on the Town of Billerica website**

Proclamation and Public Recognition

4. **Down Syndrome Awareness Month** - Proclamation
5. **Office Ryan Koles and K9 Cassius**- Proclamation, Memo from Town of Chelmsford dated 08/20/24

Public Hearing

6. **Continued Public Hearing – New On Premises §12 General On-Premises All Alcoholic Beverage License, Weekly and Sunday Entertainment for Champions Indoor Golf Billerica, Inc dba Champions Indoor Golf at the premises located at 446 Boston Road, Unit #8, Billerica, MA 01821** – Billerica Application, ABCC Application, Email from M. Porter dated 10/04/24, Email from Lt. Coffey dated 10/04/24
7. **Public Hearing – National Grid and Verizon - #31024027 – (Allen Road) – National Grid to relocate 1 JO Pole on Allen Road ~5’ easterly from Existing Pole 87-9, per the request of the Billerica Engineering Department for Roadway and Sidewalk Placement** – National Grid Application dated 09/19/24, DPW Comments dated 09/25/24, NG Comments dated 09/26/24, Electrical Comments dated 09/30/24, Safety Officer Comments dated 10/01/24, Assessor’s List dated 09/23/24,

New Business (Quick Items)

8. **Christmas Parade Route** – Billerica Parade Route, Email from M. Rosa dated 10/01/24,
9. **One-Day Special Alcohol License – Boys and Girls Club of Greater Billerica – Annual Hall of Fame Dinner Fundraiser on November 21, 2024 from 5:45 PM to 9:00 PM Located at 19 Campbell Road and Request to Waive All Fees** – Billerica Application dated 09/16/24, Memo from Lt. Coffey dated 09/11/24
10. **One-Day Special Alcohol License – Billerica Holiday Festival Inc. – Annual Billerica Holiday Festival on November 22, 2024 from 6:30 PM to 9:00 PM Located at 15 Concord Road and Request to Waive All Fees** – Billerica Application dated 09/16/24, Memo from Lt. Coffey dated 09/12/24, Memo from Billerica Holiday Festival dated September 2024
11. **Request Permission to Use Town Property for the 2024 Winter Festival and the 26th Annual Tree Lighting on Saturday, December 7, 2024 with a Rain Date of Sunday, December 8, 2024 – Requested by John Gagliardi** - Billerica Application dated 09/16/24, Memo from Lt. Coffey dated 09/12/24, Memo from Billerica Holiday Festival dated September 2024
12. **Request a Formal Policy to Honor Fallen Veterans on Memorials – Requested by Veteran’s Agent Donnie Jarvis** – Memo from D. Jarvis dated 08/21/24, The HERO Act – Fact Sheet
13. **Wreaths Across America and HERO Act Presentation – Jessica French**
14. **One-Day Special Alcohol License – Billerica Council on Aging – Ladies Night on October 21, 2024 from 4:00 PM to 6:30 PM Located at 25 Concord Road and Request to Waive All Fees – Requested by Jean Bushnell** – No Exhibits – Item Withdrawn



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Appointments

Presentation

15. **Presentation of Preservation Massachusetts Award for the Howe School** – No Exhibits

16. **NMCOG Updates – Jenny Raitt** – NMCOG 2024 Annual Report

Old Business

17. **Town Managers Report** Town Manager Report dated 10/03/24

18. **Appoint of One Additional Select Board Member to the Town Accountant/Finance Director Subcommittee**
– No Exhibits

19. **MBTA Discussion – Districts and Survey** – Survey flyer

New Business

20. **Updates to the Select Board Policies and Procedures – Section 2.0 Select Board Meetings – 1st Reading** –
Section 2.0 updates, Email from J. Hucksam dated 10/04/24

21. **Request Lighting of Gazebo in Pink for Breast Cancer Awareness Month – October** – No Exhibits

Approval of Meeting Minutes

22. **July 15, 2024** – No Exhibits

23. **July 24, 2024 (Town Counsel Subcommittee Meeting)** – No Exhibits

24. **August 05, 2024 Special Meeting** – No Exhibits

25. **September 4, 2024 (Town Counsel Subcommittee Meeting)** – No Exhibits

Meeting Schedule

October 21, 2024 and November 4, 2024

Approved On: **January 27, 2025**