



SELECT BOARD

TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

RECEIVED
2025 AUG -7 P 2:28
TOWN CLERK
BILLERICA

Jillian K. Pavidis, *Chair*
John J. Burrows, *Vice Chair*
Daniel R. Darris-O'Connor, *Secretary*
Michael S. Rosa, *Member*
Dina M. Favreau, *Member*

<https://us02web.zoom.us/j/83477138002>

phone 1 929 205 6099
webinar id: 834 7713 8002

BILLERICA SELECT BOARD AGENDA

AUGUST 11, 2025 @ 6:00 PM

365 BOSTON ROAD, THOMAS CONWAY HEARING ROOM #205 AND HYBRID VIA
ZOOM

Call to order 6:00 PM

1. Open Microphone

Announcements

2. Vacancies on Boards and Committees
3. All other announcements may be viewed on the Town of Billerica website

Proclamation and Public Recognition

4. National Wellness Month – August 2025 – Requested by Vice Chair Burrows
5. International Overdose Awareness Day – August 31, 2025 – Requested by Vice Chair Burrows
6. National Recovery Month – September 2025 – Requested by Member Favreau
7. Select Board Resolution to Censure Member Favreau for Violations of the Town Charter and Select Board Code of Conduct – Discussion and Possible Vote – Requested by Secretary Darris-O'Connor

Public Hearings

8. **Public Hearing – National Grid and Verizon #31120803** – National Grid to install (1) 55' Class H1 Pole beginning ~500' southeast of the centerline of the intersection of Rangeway Road between Pole 19 and Pole 18 on the same side of the road. The new Pole will be labeled Pole #18-50
9. **Public Hearing – National Grid and Verizon #31168685** - National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Floyd Street (Aka 10 Parlmont Park)
10. **Public Hearing – National Grid and Verizon #31162556** - National Grid to install (1) new JO pole (Pole #15-50) on Salem Road beginning at a point ~460' east of the centerline of the intersection of Pollard Street and Floyd Street (Aka 10 Parlmont Park)

New Business (Quick Items)

11. **Discussion and Possible Vote on Election Workers for FY26 Appointment Request**
– Requested by Town Clerk Donna McCoy
12. **Discussion and Possible Vote on General Obligation Building Bond – Bond Anticipation Note (BAN)** – Requested by Town Treasurer Elaine Russo
13. **Request for (4) 18” x 24” Signs on Town Property** – 2 at the Town Common, 1 at PHR and 1 at Vietnam Veteran’s Park for the Great Lowell Bicycle & Pedestrian Plan (GLBPP) Survey from August 12, 2025 to August 19, 2025 – Requested by Marlies Henderson
14. **KHD, Inc. dba High Octane Harley Davidson located at 1 Chelmsford Road** – Change of Date of 1-Day Special Wine and Malt License and Entertainment **FROM** Sunday, August 31, 2025 from 5:00 PM to 9:00 PM **TO** Saturday, August 30, 2025 (Previously Approved on March 3, 2025) – Requested by KHD, Inc.
15. **Request for (4) 18” x 24” Signs on the Common** for the Solomon Post VFW #8819 Penny Sale Fund Raiser from October 9, 2025 to November 9, 2025 – Requested by Member Rosa
16. **New Common Victualler’s License for Snowdaes Co, LLC dba Snowdaes** located at 99 Chelmsford Road, Nyden Heng, Manager
17. **Discussion and Possible Vote to Approve the 5th Annual Freedom Road Race** for September 7, 2025 sponsored by the VFW Post #2597 starting and ending at the Billerica Moose Club located at 104 Boston Road

Appointments

Presentation

18. **Discussion and Possible Vote** – Final Design Plans for the North Billerica Fire Station
19. **Discussion and Possible Vote** – Preliminary Design for the Police Station

Committee Reports

Old Business

20. **Discuss Outcome of Vote on Motion to Rescind Prior Board Vote Allocating Free Cash and Overlay Surplus for 2” Water Line Replacement** – Requested by Secretary Darris-O’Connor
21. **Discussion and Possible Vote – Commercial and Industrial Economic Development Policy** – 2nd Reading – Requested by Member Rosa

New Business

22. **Draft Preliminary Warrant Discussion** – October Town Meeting
23. **Discussion and Possible Vote on Installation of a 30 MPH Speed Limit Sign and Electronic “Speed Notification” Sign on Treble Cove Road Near House #130** – Requested by Member Rosa
24. **Discussion and Possible Vote on Installation of (2) Two Slow Deaf Child Sign Around 13 Sycamore Lane** – Requested by Member Rosa

25. **Discussion and Possible Vote** – Complete Streets Policy Review – Requested by Member Favreau
26. **Discussion and Possible Vote** – Town-wide Sidewalk Inventory and Maintenance Plan – Requested by Member Favreau
27. **Discussion and Possible Vote** – Paving Plan and Budget – Requested by Member Favreau
28. **Discussion and Possible Vote** – Extension of Acting Town Manager’s Contract Until a Permanent Town Manager is Appointed – Not to Exceed 3 Months – Requested by Chair Pavidis

Approval of Meeting Minutes

29. June 2, 2025 Regular Meeting
30. June 11, 2025 Special Meeting
31. July 21, 2025 Special Meeting

Meeting Schedule

September 8, 2025 and September 22, 2025

Executive Session

32. **Executive Session Pursuant to G.L. c. 30A, § 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel** – Acting Town Manager

VACANCIES ON BOARDS AND COMMITTEES

SELECT BOARD APPOINTMENTS

COMMITTEE	OPENINGS	TERM EXPIRES
Billerica Agricultural Commission	1 – Associate Member	2026
Cabot Land Re-Use Committee	2 – Members 2 – Members 2 – Member 6 TOTAL	2028 2027 2026
Historic Commission	1 - Member 1 – Member (Alternate)	2028 2027
Historic District Commission	2 – Alternate Members (1 Center Dist. Res) 2 – Alternate Members (1 Center Dist. Res & 1 Mills Dist. Res) 4 TOTAL	2027 2028
Local Cultural Council	2 – Members	2027
Municipal Affordable Housing Trust	1 – Member (Attorney) 1 – Member (Banker) 1 – Resident 1 – Resident 1 – Member (Realtor) 5 TOTAL	2027 2026 2026 2027 2027
Open Space and Recreation Committee	1 – Resident Appointment	2028
Scholarship Committee	4 – Members	2028

MODERATOR APPOINTMENTS

COMMITTEE	OPENINGS	TERM EXPIRES
General Bylaw Review Committee	8 – Members	2028
Zoning Bylaw Review Committee	5 – Members	2028

PROCLAMATION

National Wellness Month – August 2025

Whereas: the health and well-being of our residents is of paramount importance to the vitality and prosperity of our community; and

Whereas: National Wellness Month is observed throughout the month of August to highlight the importance of self-care, healthy routines, and holistic wellness practices; and

Whereas: physical, mental, emotional, and social well-being are critical components of a thriving and productive society; and

Whereas: employers, healthcare providers, community organizations, and individuals across the country participate in wellness initiatives that promote long-term healthy habits and sustainable lifestyle changes; and

Whereas: the Town of Billerica recognizes the significance of promoting wellness and encourages residents to explore programs, resources, and activities that support their overall well-being;

Now, Therefore, we, the Select Board of the Town of Billerica, do hereby proclaim the month of August 2025 as National Wellness Month and encourage all residents, employees, and community members to take this opportunity to prioritize their health, support one another in making positive lifestyle choices, and contribute to a culture of wellness throughout our town.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member

PROCLAMATION

International Overdose Awareness Day – August 31, 2025

Whereas: International Overdose Awareness Day is recognized around the world on August 31st to raise awareness of overdose, reduce the stigma of drug-related deaths, and acknowledge the grief felt by families and friends whose loved ones have died or suffered permanent injury due to drug overdose; and

Whereas: substance use disorder is a chronic, treatable medical condition that affects individuals from all walks of life, and overdose continues to be a leading cause of death across the nation and within our own community; and

Whereas: thousands of lives are lost each year due to drug overdose, including those involving opioids, stimulants, and other substances—deaths that are often preventable with education, treatment, and access to life-saving resources such as naloxone; and

Whereas: International Overdose Awareness Day aims to spread the message that overdose death is preventable, that help is available, and that those who struggle with substance use disorders are deserving of compassion, dignity, and support; and

Whereas: we honor and remember those we have lost, support those in recovery, and extend our gratitude to the families, first responders, healthcare workers, and organizations working tirelessly to prevent overdose and promote healing;

Now, Therefore, we, the Select Board of the Town of Billerica, do hereby proclaim August 31, 2025 as International Overdose Awareness Day and encourage all residents to help reduce the stigma of addiction, promote harm reduction strategies, support prevention and recovery programs, and stand in solidarity with all those affected by the overdose crisis.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member

PROCLAMATION

Recognizing National Recovery Month – September 2025

Whereas: National Recovery Month is observed every September to celebrate the millions of Americans who are in recovery from substance use and mental health disorders, and to promote the message that recovery is possible; and

Whereas: the 2025 theme of National Recovery Month, “*Join the Voices for Recovery: Together We Are Stronger*,” emphasizes the importance of unity, shared strength, and the power of community in supporting recovery; and

Whereas: substance use and mental health challenges impact individuals and families in every community, and overcoming these challenges often requires support, understanding, and access to comprehensive, compassionate care; and

Whereas: more than 20 million Americans are living in recovery, demonstrating that prevention works, treatment is effective, and people do recover and thrive; and

Whereas: recovery strengthens individuals, families, and entire communities, and deserves to be recognized and supported throughout the year through increased public awareness, education, and access to recovery resources and services; and

Whereas: National Recovery Month is an opportunity to reduce stigma, encourage those in need to seek help, celebrate the gains made by those in recovery, and acknowledge the dedication of treatment providers, recovery coaches, peer support workers, family members, and advocates; and

Whereas: we honor and uplift the voices of individuals with lived experience, whose courage and resilience continue to inspire hope and drive change across our community;

Now, Therefore, we, the Select Board of the Town of Billerica, do hereby proclaim the month of September 2025 and urge all residents to join in supporting those in recovery, promoting awareness, and helping to build a more inclusive, recovery-ready community, because *together, we are stronger*.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member

RESOLUTION

Select Board Resolution to Censure Select Board Member Dina Favreau for Violating the Billerica Town Charter and Select Board Code of Conduct

Whereas: on May 12, 2025, Discrimination and Harassment Solutions, LLC published a report on the findings of an independent investigation into allegations of misconduct by Select Board Member Dina Favreau; and

Whereas: this report concluded that Member Favreau violated the Billerica Town Charter and Select Board Code of Conduct, specifically finding that Member Favreau:

- Harassed and intimidated Town of Billerica employees;
- Created a hostile and unmanageable work environment for town employees, including the former Town Manager;
- Inappropriately and illegally interfered with day-to-day Town operations in violation of the Billerica Town Charter;
- Chased Vice Chair Burrows on a public roadway in an apparent incitement of road rage and engaged in behavior so threatening and erratic that Town of Billerica employees had to hide in elevators for their safety;

Whereas: the Billerica Select Board has a duty to uphold the principles of professionalism, mutual respect, and lawful governance in accordance with the Billerica Town Charter and the Select Board Code of Conduct; and

Whereas: the actions of Member Favreau violate her oath of office and have harmed the integrity, operations, and reputation of the Select Board and the Town of Billerica and go against the aforementioned principles of professionalism, mutual respect, and lawful governance.

Now, Therefore, ~~Be It Resolved~~, the Billerica Select Board hereby formally **CENSURES** Member Dina Favreau for violations of the Billerica Town Charter and the Select Board Code of Conduct;

Now, ~~Be It Further Resolved~~, the Select Board reaffirms its commitment to ensuring a safe, respectful, and harassment-free work environment for all Town of Billerica employees and will take all appropriate actions necessary in protecting the integrity of Town governmental operations.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member



June 4, 2025

To the Board of Selectmen - Billerica, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Questions Design - Alex Campbell - alex.campbell@nationalgrid.com

Please notify National Grid's Jenn Iannalfo of the hearing date / time to
Jennifer.Iannalfo@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

Dave Johnson

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact Design -- Alex Campbell -- alex.campbell@nationalgrid.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To The Board of Selectmen
Of Billerica, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Sterling Street - National Grid to install 1 JO pole on Sterling Street, beginning at a point approximately 500 feet Southeast of the centerline of the intersection of Rangeway Road. National Grid proposes to install 55ft Class H1 pole. Pole will be installed between P19 and P18 Sterling Road on the same side of the road as P19 and P18. Pole will be labeled P18-50, Billerica, MA.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked Sterling Road - Billerica, Massachusetts.

No.# 31120803

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

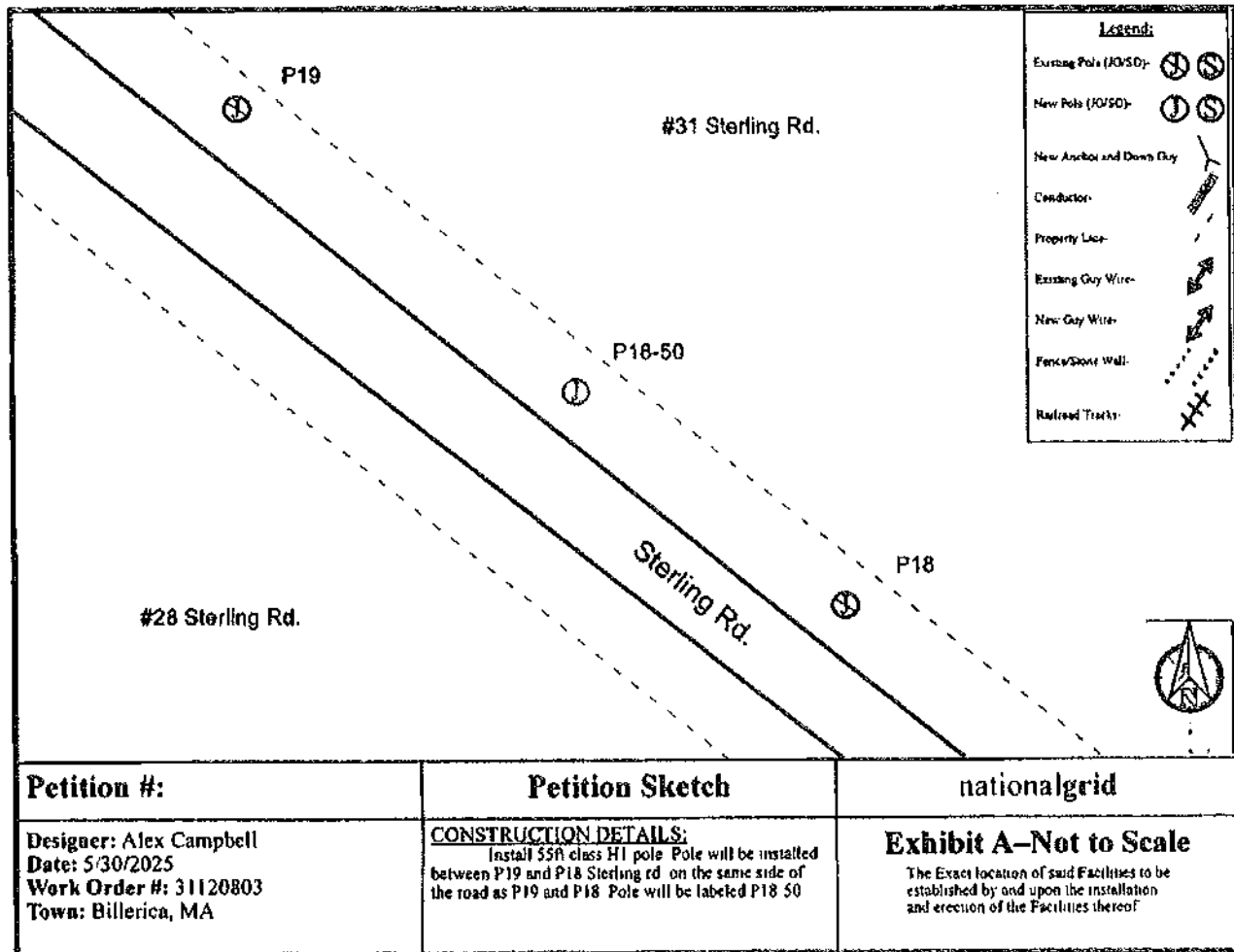
Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *JS* _____
Manager / Right of Way



June 4, 2025

Questions contact Design - Alex Campbell - alex.campbell@nationalgrid.com

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Billerica, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 30th day of May, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked - Sterling Street - Billerica, Massachusetts.

No.# 31120803

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Sterling Street - National Grid to install 1 JO pole on Sterling Street, beginning at a point approximately 500 feet Southeast of the centerline of the intersection of Rangeway Road. National Grid proposes to install 55ft Class H1 pole. Pole will be installed between P19 and P18 Sterling Road on the same side of the road as P19 and P18. Pole will be labeled P18-50, Billerica, MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__.

City/Town Clerk.

Massachusetts 20__
Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20__, at _____ o'clock, M
At _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,
and that we mailed at least seven days before said hearing a written notice of the time and place of
said hearing to each of the owners of real estate (as determined by the last preceding assessment
for taxation) along the ways or parts of ways upon which the Company is permitted to erect
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing
with notice adopted by the _____ of the City of _____
Massachusetts, on the _____ day of 20__ and recorded with the records of location
orders of the said City, Book _____, and Page _____. This certified copy is made under
the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



**HEARING NOTICES FOR
NATIONAL GRID, VERIZON and COMCAST
POLE LOCATIONS, CONDUIT, ETC.**

☒ DPW

Location of Pole/Conduit:	31 Sterling Road (38-30-1)
Reason of Pole/Conduit:	National Grid to install (1) 55' Class H1 Pole beginning ~500' southeast of the centerline of the intersection of Rangeway Road between Pole 19 and Pole 18 on the same side of the road. The new Pole will be labeled Pole #18-50
Plan #:	31120803
Comments on Plan: No specific concerns with regards to installation of new pole 18-50, as long as the following general comments are adhered to: The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines. <u>DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.</u> Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed. A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required). Contractor Acknowledgement Form is attached for signature.	
Signature:	<i>Stephen Robertson</i> DPW Representative
Date:	7/25/25
Please return to the Select Board Office by: July 28, 2025	



HEARING NOTICES FOR
NATIONAL GRID, VERIZON and COMCAST
POLE LOCATIONS, CONDUIT, ETC.

CONTRACTOR ACKNOWLEDGEMENT FORM

Location of Pole/Conduit:	31 Sterling Road (38-30-1)
Reason of Pole/Conduit:	National Grid to install (1) 55' Class H1 Pole beginning ~500' southeast of the centerline of the intersection of Rangeway Road between Pole 19 and Pole 18 on the same side of the road. The new Pole will be labeled Pole #18-50
Plan #:	31120803
Comments on Plan: No specific concerns with regards to installation of new pole 18-50, as long as the following general comments are adhered to: The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines. <u>DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.</u> Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed. A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required).	

I hereby certify that I am aware of these DPW comments regarding the work described.

Dave Johnson
Signature - Utility Company Representative

7/22/25
Date

Dave Johnson
Print Name - Utility Company Representative

National Grid
Utility Company Name



HEARING NOTICES FOR
NATIONAL GRID, VERIZON AND COMCAST
POLE PETITION LOCATIONS, CONDUIT, ETC.

☐ DPW

☒ Electrical Inspector

☐ Safety Officer, Police

Location of Pole/Conduit:	31 Sterling Road (38-30-1)
Purpose of Pole/Conduit:	National Grid to install (1) 55' Class H1 Pole beginning ~500' southeast of the centerline of the intersection of Rangeway Road between Pole 19 and Pole 18 on the same side of the road. The new Pole will be labeled Pole #18-50
Plan #:	31120803
Comments on Plan:	
Any Interference with line of sight?	☐ YES ☒ NO
Markings for Fire Hydrant Needed?	☐ YES ☒ NO
Resident's Complaints?	No
Signature:	<i>M. Bellu</i>
Date:	7/21/25
Please return to the Select Board Office By: July 28, 2025	



HEARING NOTICES FOR
NATIONAL GRID, VERIZON AND COMCAST
POLE PETITION LOCATIONS, CONDUIT, ETC.

☐ DPW

☐ Electrical Inspector

☒ Safety Officer, Police

Location of Pole/Conduit:	31 Sterling Road (38-30-1)
Purpose of Pole/Conduit:	National Grid to install (1) 55' Class H1 Pole beginning ~500' southeast of the centerline of the intersection of Rangeway Road between Pole 19 and Pole 18 on the same side of the road. The new Pole will be labeled Pole #18-50
Plan #:	31120803
Comments on Plan:	NO COMMENTS
Any Interference with line of sight?	☐ YES ☒ NO
Markings for Fire Hydrant Needed?	☐ YES ☐ NO
Resident's Complaints?	NO KNOWN COMPLAINTS
Signature:	SGT. [Signature] #99
Date:	20 JULY 2025
Please return to the Select Board Office By: July 28, 2025	



Board of Assessors
Town Hall
365 Boston Road
Billerica, Massachusetts 01821

Received
JUL 14 2025
Board of Assessors
Billerica, MA

JOHN B. SPEIDEL, *Chairman*
RICHARD J. SCANLON, *Associate*
RICK LADD, *Associate*

Tele: (978) 671-0971
assessors@town.billerica.ma.us

ABUTTERS LIST REQUEST

Name National Grid Date July 14, 2025
Address of Property: 31 Sterling Road Plate 38-30-1
Telephone Number _____ Parcel _____

I request one copy of the following abutters list and three copies of the labels for the above listed property. The cost of this service shall be \$2.00 per name. The list shall be available five to ten (5-10) working days from the requested date or earlier.

Signature of applicant

John McDaniel for NO

Types of Abutters Lists

There are four types of abutters lists which may be required in the Town of Billerica. The board or commission you are seeking approval from and the particular request you are making determines the type of list. You will need to contact the applicable board or commission to determine which of the following will be required in your case.

(Circle one – If no letter is circled a “D” list will be prepared.)

A. Direct Abutters - Direct Abutters to Parcel and Roadway Being Improved

This list contains direct abutters only. Properties across public right-of-ways or paper streets, which have not been discontinued, are not included. (This list should include direct abutters to the roadway being improved if road construction is involved.)

B. Abutters Within 100 Feet

This list contains all abutters within 100 feet of the parcel, notwithstanding public or private streets or ways, municipal borders or bodies of water.

C. Abutter to Abutter Within 300 Feet

This list contains abutters to direct abutters within 300 feet of the parcel. If there is more than one abutter between the subject parcel and the abutting property within 300 feet the owner will not be notified.

D. All Property Owners Within 300 Feet (Cell Towers – All Property Within 500 Feet)

This list contains all properties within 300 feet of the subject parcel. Abutters to abutter restrictions do not apply.

Assessor's
Signature

John B. Speidel

Date

7/14/25

Amount

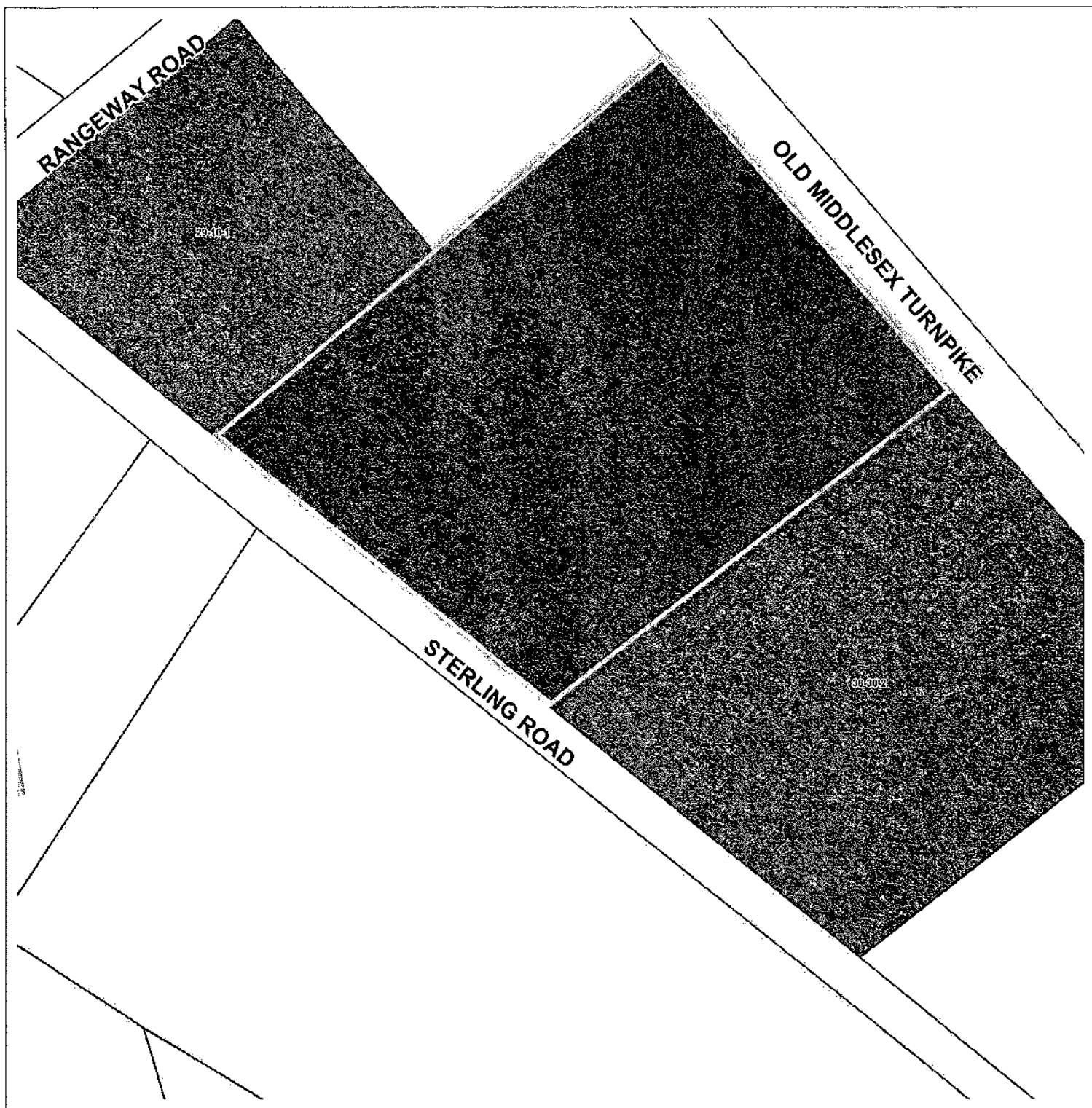
\$6.00

Parcel ID	Location	Owner 1	Owner 2	Address 1	Address 2	City	State	Zip Code
29-16-1	152 RANGWAY RD	JUNIPER RANGWAY 154 LLC		261 ARGILLA RD		IPSWICH	MA	01938
38-30-1	31 STERLING RD	BVL 31 STERLING ROAD LLC	C/O BROOKFIELD PROPERTY GROUP	PO BOX 20197		ATLANTA	GA	30325
38-30-2	27 STERLING RD	FOUR PILARS LLC		20 INDUSTRIAL AVE		CHELMSFORD	MA	01824

DISCLAIMER: This list is certified based upon records held in this department as of the date on the abutter's list. It was completed to the best of our ability based upon the information we have available. We do not certify the accuracy of this list per se, only the names and addresses listed on it. In most cases, public disclosure of the hearing pertaining to this list is required and published in the local newspaper. Every effort has been taken to insure proper notification.

The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.


John B. Speidel
Chief Assessor
July 14, 2025



Abutters Map for Parcel ID 38-30-1 Using Direct Abutters

Printed on 07/14/2025 at 01:18 PM

Legend

-  Parcel Boundary Selection
-  Parcel Boundary





SELECT BOARD
TOWN HALL
365 BOSTON ROAD
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Jillian K. Pavidis, *Chair*
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Dina M. Favreau, *Member*
Michael S. Rosa, *Member*

NOTICE OF HEARING

To: NATIONAL GRID, VERIZON AND ALL ABUTTERS

You are hereby notified that a hearing will be held by the Select Board on Monday, August 11, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

<https://us02web.zoom.us/j/83477138002>
phone 1 929 205 6099
webinar id: 834 7713 8002

National Grid #31120803

Parcel: 38-30-1
31 Sterling Road

National Grid to install (1) 55' Class H1 Pole beginning ~500' southeast of the centerline of the intersection of Rangeway Road between Pole 19 and Pole 18 on the same side of the road. The new Pole will be labeled Pole #18-50

If there any questions on this hearing: Please email Alex Campbell at alex.campbell@nationalgrid.com



June 23, 2025

To the Board of Selectmen - Billerica, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Rohail Aijaz (857) 654-6534 or raijaz@cpteng.com or Rohail.aijaz2@nationalgrid.com

Please notify National Grid's Jenn Iannalfo of the **hearing date / time** to Jennifer.Iannalfo@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

Dave Johnson

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact Design – Rohail Aijaz – 857-654-6534 or raijaz@cpteng.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To The Board of Selectmen
Of Billerica, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Salem Road - National Grid to install 1 JO pole on Salem Road beginning at a point approximately 380 feet East of the centerline of the intersection of Pollard Street and Floyd Street. NGrid proposes to install new pole P14-50 at approximately (42.573373, -71.27483), Billerica, MA.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Salem Road - Billerica, Massachusetts.

No.# 31168685

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson*

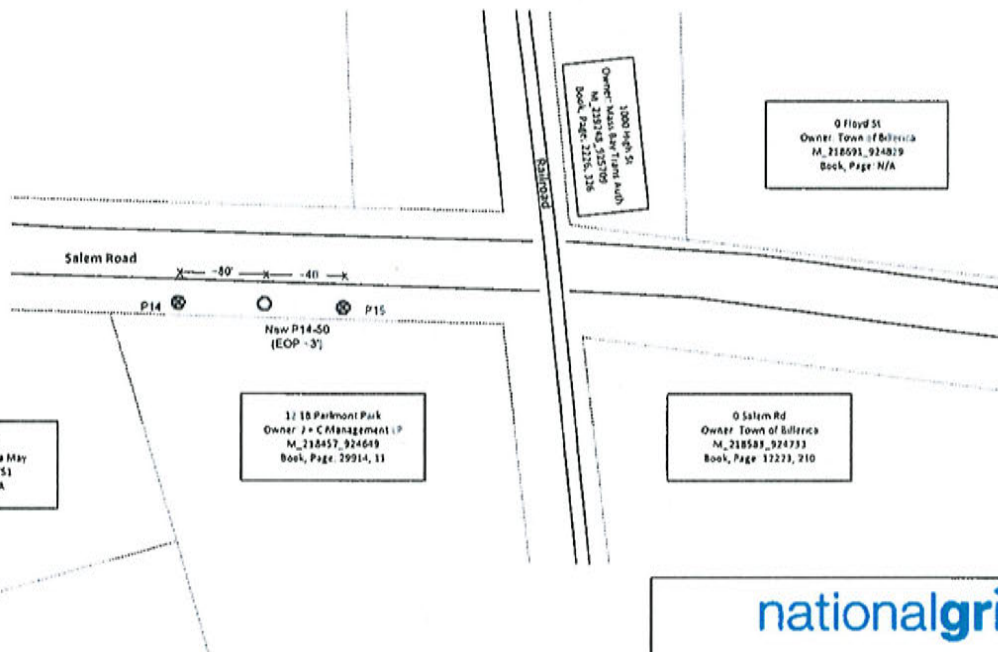
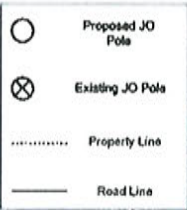
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way

PETITION SKETCH
CITY OF BILLERICA
MIDDLESEX COUNTY

Legend



The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.

ControlPoint
TECHNOLOGIES

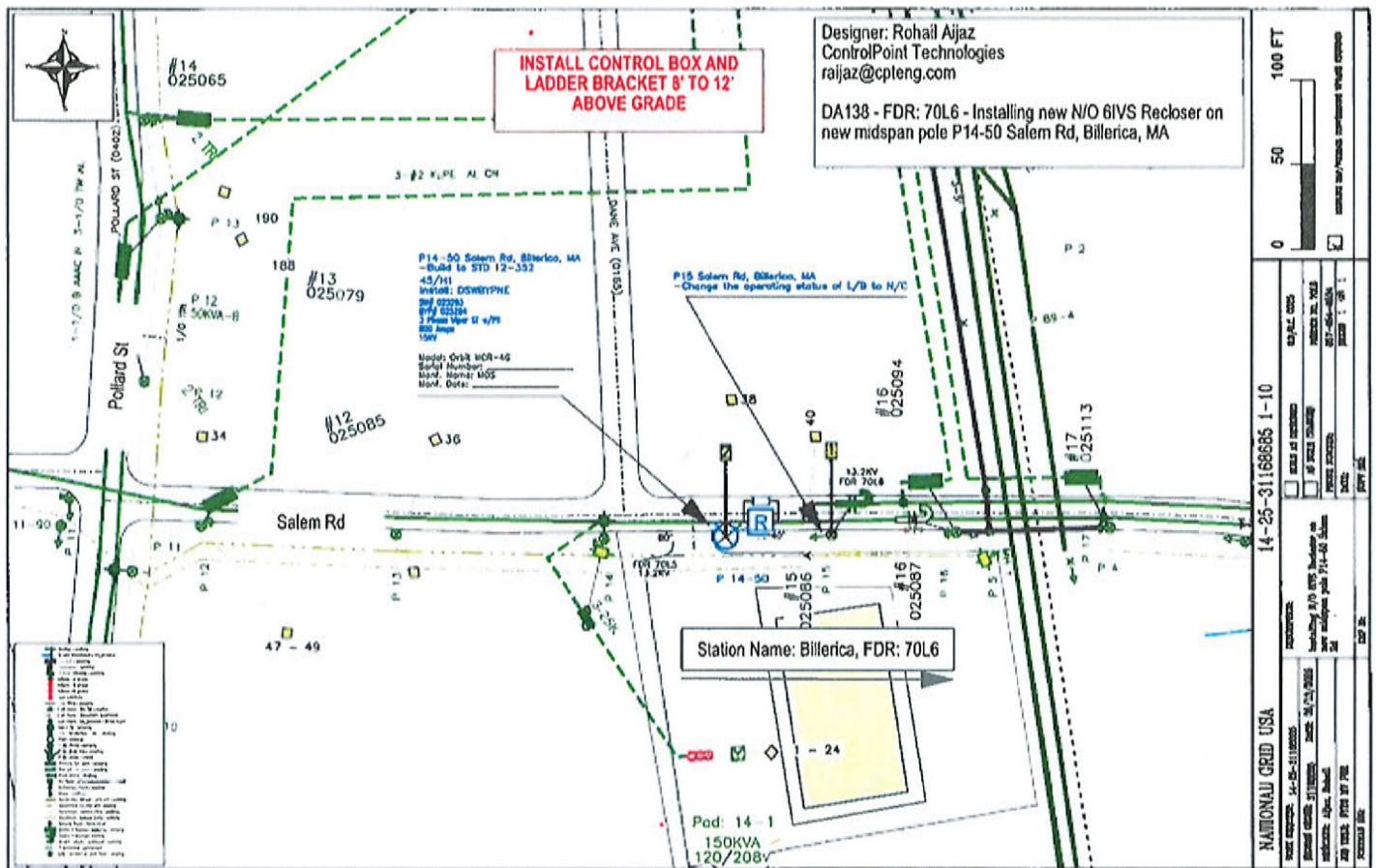
Designer: Rohail Ajaz
ControlPoint Technologies, Inc.
200 Ledgewood Place Rockland, MA 02370
857-654-6534

nationalgrid

Petition Sketch for Pole 14-50 Salem Rd, Billerica, MA
WR# 31168685

SHEET
1 OF 1

Not To Scale Distances are Approximate	Drawn By: RA	Sketch # 1	DATE 06/13/2025
--	-----------------	---------------	--------------------



June 23, 2025

Questions contact Design Rohail Aijaz 857-654-6534 or raijaz@cpteng.com

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Billerica, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 13th day of June, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Salem Road - Billerica, Massachusetts.

No.# 31168685

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Salem Road - National Grid to install 1 JO pole on Salem Road beginning at a point approximately 380 feet East of the centerline of the intersection of Pollard Street and Floyd Street. NGrid proposes to install new pole P14-50 at approximately (42.573373, -71.27483), Billerica, MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the

Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 ____.

City/Town Clerk.

Massachusetts

20 ____.

Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:

City/Town Clerk

I hereby certify that on _____ 20 ____, at _____ o'clock, M
At _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,
and that we mailed at least seven days before said hearing a written notice of the time and place of
said hearing to each of the owners of real estate (as determined by the last preceding assessment
for taxation) along the ways or parts of ways upon which the Company is permitted to erect
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing
with notice adopted by the _____ of the City of _____
Massachusetts, on the _____ day of 20 ____ and recorded with the records of location
orders of the said City, Book _____, and Page _____. This certified copy is made under
the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk



**HEARING NOTICES FOR
NATIONAL GRID, VERIZON and COMCAST
POLE LOCATIONS, CONDUIT, ETC.**

☒ DPW

Location of Pole/Conduit:	Salem Rd (Aka Floyd St 10 Parlmont Park) – Pole #14-50
Reason of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Salem Rd
Plan #:	31168685
Comments on Plan: Installation of new pole 14-50 MUST adhere to the following specific AND general comments: There is a likely conflict with proposed pole location and existing water service into the property. Applicant must have the Water Division mark out water in area and have a site meeting with Water Division and Engineering Division prior to pole work. Must include Steve Robertson (Engineering) 978-436-9178 in field meeting. Pole must be 10' from water line. The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines. <u>DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.</u> Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed. A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required). Contractor Acknowledgement Form is attached for signature.	
Signature:	<i>Stephen Robertson</i> DPW Representative
Date:	8/4/25
Please return to the Select Board Office by: August 4, 2025	



**HEARING NOTICES FOR
NATIONAL GRID, VERIZON and COMCAST
POLE LOCATIONS, CONDUIT, ETC.**

CONTRACTOR ACKNOWLEDGEMENT FORM

Location of Pole/Conduit:	Salem Rd (Aka Floyd St 10 Parlmont Park) – Pole #14-50
Reason of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Salem Rd
Plan #:	31168685
Comments on Plan: Installation of new pole 14-50 MUST adhere to the following specific AND general comments: There is a likely conflict with proposed pole location and existing water service into the property. Applicant must have the Water Division mark out water in area and have a site meeting with Water Division and Engineering Division prior to pole work. Must include Steve Robertson (Engineering) 978-436-9178 in field meeting. Pole must be 10' from water line. The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines. <u>DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.</u> Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed. A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required).	

I hereby certify that I am aware of these DPW comments regarding the work described.

Dave Johnson/lla
Signature – Utility Company Representative

8/6/2005
Date

Davia R Johnson
Print Name – Utility Company Representative

N Grid
Utility Company Name



HEARING NOTICES FOR
NATIONAL GRID, VERIZON AND COMCAST
POLE PETITION LOCATIONS, CONDUIT, ETC.

☐ DPW

☒ Electrical Inspector

☐ Safety Officer, Police

Location of Pole/Conduit:	Floyd Street (Aka 10 Parlmont Park) – Pole #14-50
Purpose of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Floyd Street
Plan #:	31168685
Comments on Plan:	NO
Any Interference with line of sight?	☐ YES ☒ NO
Markings for Fire Hydrant Needed?	☐ YES ☒ NO
Resident's Complaints?	NO
Signature:	
Date:	8-4-25
Please return to the Select Board Office By: August 4, 2025	



HEARING NOTICES FOR
NATIONAL GRID, VERIZON AND COMCAST
POLE PETITION LOCATIONS, CONDUIT, ETC.

☐ DPW

☐ Electrical Inspector

☒ Safety Officer, Police

Location of Pole/Conduit:	Floyd Street (Aka 10 Parlmont Park) – Pole #14-50
Purpose of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Floyd Street
Plan #:	31168685
Comments on Plan:	<i>No Comments</i>
Any Interference with line of sight?	☐ YES ☒ NO
Markings for Fire Hydrant Needed?	☐ YES <i>N/A</i> ☐ NO
Resident's Complaints?	<i>No Known Complaints</i>
Signature:	<i>Sgt. T. F. #98</i>
Date:	<i>4 AUG 2025</i>
Please return to the Select Board Office By: August 4, 2025	



Board of Assessors
Town Hall
365 Boston Road
Billerica, Massachusetts 01821

Received

JUL 24 2025

Board of Assessors
Billerica, MA

JOHN B. SPEIDEL, *Chairman*
RICHARD J. SCANLON, *Associate*
RICK LADD, *Associate*

Tele: (978) 671-0971
assessors@town.billerica.ma.us

ABUTTERS LIST REQUEST

Name National Grid Date July 24, 2025
Address of Property: Floyd St (AKA 10 Parlmont Park) Plate 31-34-1
Telephone Number _____ Parcel _____

I request one copy of the following abutters list and three copies of the labels for the above listed property. The cost of this service shall be \$2.00 per name. The list shall be available five to ten (5-10) working days from the requested date or earlier.

Signature of applicant

John B. Speidel for US

Types of Abutters Lists

There are four types of abutters lists which may be required in the Town of Billerica. The board or commission you are seeking approval from and the particular request you are making determines the type of list. You will need to contact the applicable board or commission to determine which of the following will be required in your case.

(Circle one – If no letter is circled a “D” list will be prepared.)

A. Direct Abutters - Direct Abutters to Parcel and Roadway Being Improved

This list contains direct abutters only. Properties across public right-of-ways or paper streets, which have not been discontinued, are not included. (This list should include direct abutters to the roadway being improved if road construction is involved.)

B. Abutters Within 100 Feet

This list contains all abutters within 100 feet of the parcel, notwithstanding public or private streets or ways, municipal borders or bodies of water.

C. Abutter to Abutter Within 300 Feet

This list contains abutters to direct abutters within 300 feet of the parcel. If there is more than one abutter between the subject parcel and the abutting property within 300 feet the owner will not be notified.

D. All Property Owners Within 300 Feet (Cell Towers – All Property Within 500 Feet)

This list contains all properties within 300 feet of the subject parcel. Abutters to abutter restrictions do not apply.

Assessor's
Signature

John B. Speidel

Date

7/25/25

Amount

\$20.00

*Total = 12
- Suby = 1
11
- Sup = 1
10*

abutters_id_field	abutters_parcel_address	abutters_owner1	abutters_owner2	owner_address	abutters_address2	abutters_town	abutters_state	abutters_zip
31-264-0	202 POLLARD ST	MORRISON IDA MAY		202 POLLARD ST		N BILLERICA	MA	01862
31-293-0	POLLARD ST	TOWN OF BILLERICA	(POLLARD ST CEMETERY)	365 BOSTON RD		BILLERICA	MA	01821
31-34-1	FLOYD ST	J + C MANAGEMENT LP		10 PARLIMONT PARK		N BILLERICA	MA	01862
31-35-0	7 FLOYD ST	ESPINOZA JOSE LUIS TORRES		7 FLOYD ST		BILLERICA	MA	01821-1120
31-36-0	3 FLOYD ST	PERROTTI KRISTINE		3 FLOYD ST		BILLERICA	MA	01821-1120
31-38-0	316 BOSTON RD	MOREIRA VALDECI F		320 SALEM ST APT 33		MEDFORD	MA	02155-2625
31-71-0	38 SALEM RD	EIGHTEEN BELMONT LLC		9 MCKENZIE CIRCLE		TEWKSBURY	MA	01876
32-1-0	9 FLOYD ST	NAKITENDE REHEMAH		9 FLOYD ST		BILLERICA	MA	01821
32-130-0	SALEM RD	TOWN OF BILLERICA		365 BOSTON RD		BILLERICA	MA	01821
32-14-0	18 FLOYD ST	NAPIER NICOLE A	SCOTT CHAD	18 FLOYD ST		BILLERICA	MA	01821-1121
32-15-0	11 FLOYD ST	OGANYAN ROLAND		11 FLOYD STREET		BILLERICA	MA	01821
32-151-0	13 FLOYD ST	BARDALES ELMER O		13 FLOYD ST		BILLERICA	MA	01821

DISCLAIMER: This list is certified based upon records held in this department as of the date on the abutter's list. It was completed to the best of our ability based upon the information we have available. We do not certify the accuracy of this list per se, only the names and addresses listed on it. In most cases, public disclosure of the hearing pertaining to this list is required and published in the local newspaper. Every effort has been taken to insure proper notification.

The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.



John B. Speidel
Chief Assessor
July 25, 2025



Abutters Map for Parcel 31-34-1 Using Direct Abutters

Printed on 07/25/2025 at 10:15 AM

Legend

-  Parcel Boundary Selection
-  Parcel Boundary





SELECT BOARD
TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

Jillian K. Pavidis, *Chair*
John J. Burrows, *Vice Chair*
Daniel R. Darris-O'Connor, *Secretary*
Dina M. Favreau, *Member*
Michael S. Rosa, *Member*

NOTICE OF HEARING

To: NATIONAL GRID, VERIZON AND ALL ABUTTERS

You are hereby notified that a hearing will be held by the Select Board on Monday, August 11, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

<https://us02web.zoom.us/j/83477138002>

phone 1 929 205 6099

webinar id: 834 7713 8002

National Grid #31168685

Parcel: 31-34-1

Floyd Road (Aka 10 Parlmont Park)

National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Floyd Street (Aka 10 Parlmont Park)

AND

National Grid #31162556

Parcel: 31-34-1

Floyd Road (Aka 10 Parlmont Park)

National Grid to install (1) new JO pole (Pole #15-50) on Salem Road beginning at a point ~460' east of the centerline of the intersection of Pollard Street and Floyd Street (Aka 10 Parlmont Park)

If there any questions on this hearing: Please call or email Rohail Aijazat @ (857) 654-6534 or raijaz@cpteng.com or rohail.aijaz2@nationalgrid.com



June 18, 2025

To the Board of Selectmen - Billerica, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Rohail Aijaz (857) 654-6534 or raijaz@cpteng.com or Rohail.aijaz2@nationalgrid.com

Please notify National Grid's Jenn Iannalfo of the **hearing date / time** to Jennifer.Iannalfo@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

Dave Johnson

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact Design – Rohail Aijaz – (857) 654-6534 or raijaz@cpteng.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To The Board of Selectmen
Of Billerica, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Salem Road - National Grid to install 1 JO pole on Salem Road beginning at a point approximately 460 feet East of the centerline of the intersection of Pollard Street and Floyd Street. National Grid proposes to install new pole P15-50 at approximately (42.573364, -71.274522), Billerica, MA.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Salem Road - Billerica, Massachusetts.

No.# 31162556

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *[Signature]* _____
Manager / Right of Way

June 18, 2025

Questions contact Design – Rohail Aijaz – (857) 654-6534 or raijaz@cpteng.com

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Billerica, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 11th day of June, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked Salem Road - Billerica, Massachusetts.

No.# 31162556

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Salem Road - National Grid to install 1 JO pole on Salem Road beginning at a point approximately 460 feet East of the centerline of the intersection of Pollard Street and Floyd Street. National Grid proposes to install new pole P15-50 at approximately (42.573364, -71.274522), Billerica, MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__.

City/Town Clerk.
20 .
Massachusetts
Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
At a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,
and that we mailed at least seven days before said hearing a written notice of the time and place of
said hearing to each of the owners of real estate (as determined by the last preceding assessment
for taxation) along the ways or parts of ways upon which the Company is permitted to erect
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

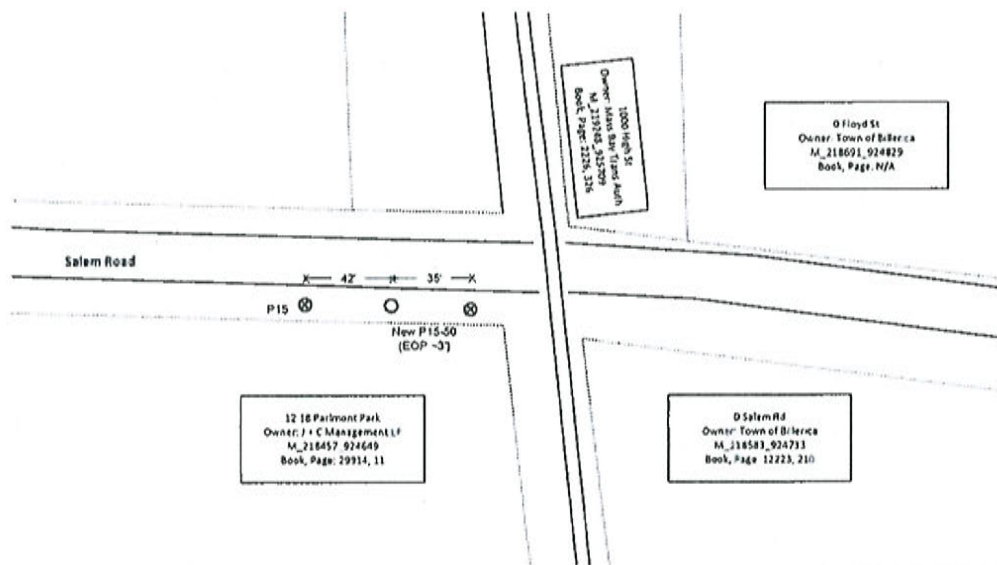
I hereby certify that the foregoing is a true copy of the location order and certificate of hearing
with notice adopted by the of the City of
Massachusetts, on the day of 20 and recorded with the records of location
orders of the said City, Book , and Page . This certified copy is made under
the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

PETITION SKETCH
CITY OF BILLERICA
MIDDLESEX COUNTY

Legend

○	Proposed JO Pole
⊗	Existing JO Pole
---	Property Line
---	Road Line



nationalgrid

Petition Sketch for Pole 15-50 Salem Rd, Billerica, MA
WR# 31162556

SHEET
1 OF 1



Designer: Rohail Agaz
ControlPoint Technologies, Inc
200 Ledgewood Place, Rockland, MA 02370
857-654-6534

Not To Scale
Distances are
Approximate

Drawn By:
RA

Sketch #
1

DATE
06/11/2025

The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.



**HEARING NOTICES FOR
NATIONAL GRID, VERIZON and COMCAST
POLE LOCATIONS, CONDUIT, ETC.**

☒ DPW

Location of Pole/Conduit:	Salem Rd (Aka Floyd St 10 Parlmont Park) – Pole #15-50
Reason of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #15-50) on Salem Road beginning at a point ~460' east of the centerline of the intersection of Pollard Street and Salem Rd.
Plan #:	31162556
Comments on Plan: Installation of new pole 15-50 MUST adhere to the following specific AND general comments: There is a possible conflict with proposed pole location and existing water main. Applicant must have the Water Division mark out water in area and have a site meeting with Water Division and Engineering Division prior to pole work. Must include Steve Robertson (Engineering) 978-436-9178 in field meeting. Pole must be 10' from water line. The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines. <u>DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.</u> Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed. A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required). Contractor Acknowledgement Form is attached for signature.	
Signature:	<i>Stephen Robertson</i> DPW Representative
Date:	8/4/25
Please return to the Select Board Office by: August 4, 2025	



HEARING NOTICES FOR
NATIONAL GRID, VERIZON and COMCAST
POLE LOCATIONS, CONDUIT, ETC.

CONTRACTOR ACKNOWLEDGEMENT FORM

Location of Pole/Conduit:	Salem Rd (Aka Floyd St 10 Parlmont Park) – Pole #15-50
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I hereby certify that I am aware of these DPW comments regarding the work described.

Signature – David R Johnson Utility Company Representative

8/6/2025
Date

David R Johnson
Print Name – Utility Company Representative

NGrid
Utility Company Name



HEARING NOTICES FOR
NATIONAL GRID, VERIZON AND COMCAST
POLE PETITION LOCATIONS, CONDUIT, ETC.

☐ DPW

☒ Electrical Inspector

☐ Safety Officer, Police

Location of Pole/Conduit:	Floyd Street (Aka 10 Parlmont Park) – Pole #15-50
Purpose of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #15-50) on Salem Road beginning at a point ~460' east of the centerline of the intersection of Pollard Street and Floyd Street
Plan #:	31162556
Comments on Plan:	No
Any Interference with line of sight?	☐ YES ☒ NO
Markings for Fire Hydrant Needed?	☐ YES ☒ NO
Resident's Complaints?	No
Signature:	<i>Mr. Bellin</i>
Date:	8-4-25
Please return to the Select Board Office By: August 4, 2025	



HEARING NOTICES FOR
NATIONAL GRID, VERIZON AND COMCAST
POLE PETITION LOCATIONS, CONDUIT, ETC.

☐ DPW

☐ Electrical Inspector

☒ Safety Officer, Police

Location of Pole/Conduit:	Floyd Street (Aka 10 Parlmont Park) – Pole #15-50
Purpose of Pole/Conduit:	National Grid to install (1) new JO pole (Pole #15-50) on Salem Road beginning at a point ~460' east of the centerline of the intersection of Pollard Street and Floyd Street
Plan #:	31162556
Comments on Plan:	No COMMENTS
Any Interference with line of sight?	☐ YES ☒ NO
Markings for Fire Hydrant Needed?	☐ YES <i>N/A</i> ☐ NO
Resident's Complaints?	No Known Complaints
Signature:	Sgt. T-F [Signature] #99
Date:	4 AUG 2025
Please return to the Select Board Office By: August 4, 2025	



Board of Assessors
Town Hall
365 Boston Road
Billerica, Massachusetts 01821

Received

JUL 24 2025

Board of Assessors
Billerica, MA

JOHN B. SPEIDEL, *Chairman*
RICHARD J. SCANLON, *Associate*
RICK LADD, *Associate*

Tele: (978) 671-0971
assessors@town.billerica.ma.us

ABUTTERS LIST REQUEST

Name National Grid Date July 24, 2025
Address of Property: Floyd St (AKA 10 Parlmont Park) Plate 31-34-1
Telephone Number _____ Parcel _____

I request one copy of the following abutters list and three copies of the labels for the above listed property. The cost of this service shall be \$2.00 per name. The list shall be available five to ten (5-10) working days from the requested date or earlier.

Signature of applicant

John B. Speidel for US

Types of Abutters Lists

There are four types of abutters lists which may be required in the Town of Billerica. The board or commission you are seeking approval from and the particular request you are making determines the type of list. You will need to contact the applicable board or commission to determine which of the following will be required in your case.

(Circle one - If no letter is circled a "D" list will be prepared.)

A. Direct Abutters - Direct Abutters to Parcel and Roadway Being Improved

This list contains direct abutters only. Properties across public right-of-ways or paper streets, which have not been discontinued, are not included. (This list should include direct abutters to the roadway being improved if road construction is involved.)

B. Abutters Within 100 Feet

This list contains all abutters within 100 feet of the parcel, notwithstanding public or private streets or ways, municipal borders or bodies of water.

C. Abutter to Abutter Within 300 Feet

This list contains abutters to direct abutters within 300 feet of the parcel. If there is more than one abutter between the subject parcel and the abutting property within 300 feet the owner will not be notified.

D. All Property Owners Within 300 Feet (Cell Towers - All Property Within 500 Feet)

This list contains all properties within 300 feet of the subject parcel. Abutters to abutter restrictions do not apply.

Assessor's
Signature

John B. Speidel

Date

7/25/25

Amount \$20.00

Total = 12
- Suby = 1
11
- Sup = 1
10

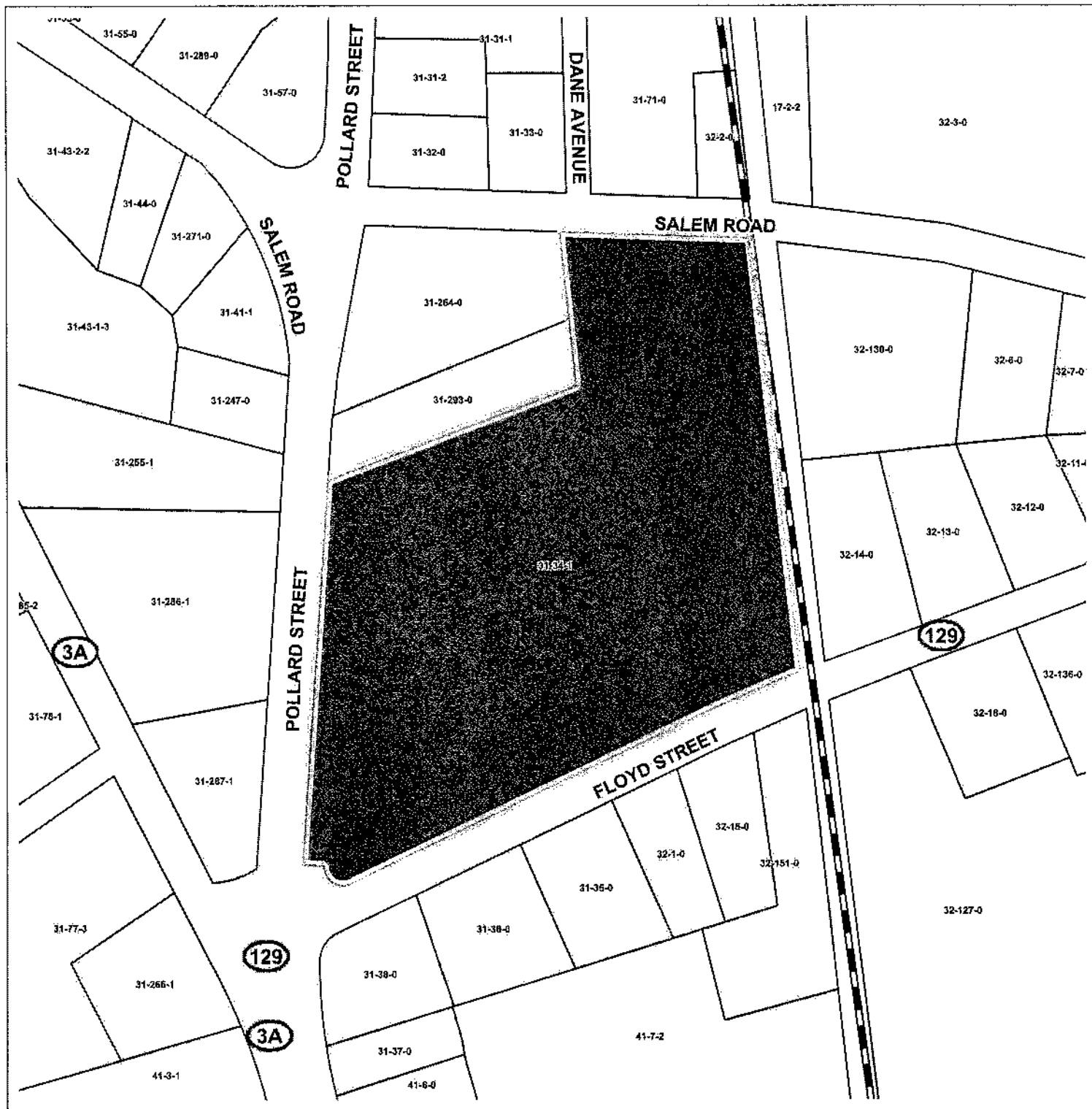
abutters_id_field	abutters_parcel_address	abutters_owner1	abutters_owner2	owner_address	abutters_address2	abutters_town	abutters_state	abutters_zip
31-264-0	202 POLLARD ST	MORRISON IDA MAY		202 POLLARD ST		N BILLERICA	MA	01862
31-293-0	POLLARD ST	TOWN OF BILLERICA	(POLLARD ST CEMETERY)	365 BOSTON RD		BILLERICA	MA	01821
31-34-1	FLOYD ST	J + C MANAGEMENT LP		10 PARLMONT PARK		N BILLERICA	MA	01862
31-35-0	7 FLOYD ST	ESPINOZA JOSE LUIS TORRES		7 FLOYD ST		BILLERICA	MA	01821-1120
31-36-0	3 FLOYD ST	PERROTTI KRISTINE		3 FLOYD ST		BILLERICA	MA	01821-1120
31-38-0	316 BOSTON RD	MOREIRA VALDECI F		320 SALEM ST APT 33		MEDFORD	MA	02155-2625
31-71-0	38 SALEM RD	EIGHTEEN BELMONT LLC		9 MCKENZIE CIRCLE		TEWKSBURY	MA	01876
32-1-0	9 FLOYD ST	NAKITENDE REHEMAH		9 FLOYD ST		BILLERICA	MA	01821
32-130-0	SALEM RD	TOWN OF BILLERICA		365 BOSTON RD		BILLERICA	MA	01821
32-14-0	18 FLOYD ST	NAPIER NICOLE A	SCOTT CHAD	18 FLOYD ST		BILLERICA	MA	01821-1121
32-15-0	11 FLOYD ST	OGANYAN ROLAND		11 FLOYD STREET		BILLERICA	MA	01821
32-151-0	13 FLOYD ST	BARDALES ELMER O		13 FLOYD ST		BILLERICA	MA	01821

DISCLAIMER: This list is certified based upon records held in this department as of the date on the abutter's list. It was completed to the best of our ability based upon the information we have available. We do not certify the accuracy of this list per se, only the names and addresses listed on it. In most cases, public disclosure of the hearing pertaining to this list is required and published in the local newspaper. Every effort has been taken to insure proper notification.

The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.



John B Speidel
Chief Assessor
July 25, 2025



Abutters Map for Parcel 31-34-1 Using Direct Abutters

Printed on 07/25/2025 at 10:15 AM

Legend

-  Parcel Boundary Selection
-  Parcel Boundary





SELECT BOARD
TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

Jillian K. Pavidis, *Chair*
John J. Burrows, *Vice Chair*
Daniel R. Darris-O'Connor, *Secretary*
Dina M. Favreau, *Member*
Michael S. Rosa, *Member*

NOTICE OF HEARING

To: NATIONAL GRID, VERIZON AND ALL ABUTTERS

You are hereby notified that a hearing will be held by the Select Board on Monday, August 11, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

<https://us02web.zoom.us/j/83477138002>
phone 1 929 205 6099
webinar id: 834 7713 8002

National Grid #31168685

Parcel: 31-34-1
Floyd Road (Aka 10 Parlmont Park)

National Grid to install (1) new JO pole (Pole #14-50) on Salem Road beginning at a point ~380' east of the centerline of the intersection of Pollard Street and Floyd Street (Aka 10 Parlmont Park)

AND

National Grid #31162556

Parcel: 31-34-1
Floyd Road (Aka 10 Parlmont Park)

National Grid to install (1) new JO pole (Pole #15-50) on Salem Road beginning at a point ~460' east of the centerline of the intersection of Pollard Street and Floyd Street (Aka 10 Parlmont Park)

If there any questions on this hearing: Please call or email Rohail Aijazat @ (857) 654-6534 or raijaz@cpteng.com or rohail.aijaz2@nationalgrid.com



OFFICE OF THE TOWN CLERK

TOWN HALL, ROOM 101

365 BOSTON ROAD

BILLERICA, MA 01821

Donna J. McCoy, CMC

Town Clerk

Certified Municipal Clerk

August 1, 2025

Jillian Pavidis, Chair
Billerica Select Board
Town Hall
Billerica, MA 01821

RE: Election Workers for FY26

Dear Ms. Pavidis,

I respectfully request that you appoint the attached list of Precinct Officers for the twelve polling locations for Fiscal Year 2026 along with the Town Meeting Checkers for the same period.

Mass General Laws, Chapter 54, Section 12 states that the appointments shall be made by the Select Board "not earlier than July fifteenth (15th) and not later than August fifteenth (15th).

Should you have any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Donna J. McCoy".

Donna J McCoy, CMC
Town Clerk

DJM

Enc.

ELECTION WORKERS – FY 26

PRECINCT ONE – PARKER SCHOOL

R-Thomas Mandile, WARDEN, 380 Boston Road	01821	978-667-2365
D-John Coyne, CLERK, 45 Burnham Road	01862	978-667-4539
U-Beryl Rodewald, DEP. WARDEN, 78 Wyman Road	01821	978-667-3716
U-Virginia Penrose, DEP. CLERK, 11 Cedarwood Road	01821	978-667-7753
U-Carolyn Signoretti, INSPECTOR, 16 River St. Apt 1F	01821	978-408-8503
U-Leonard W. Penrose, INSPECTOR, 11 Cedarwood Road	01821	978-667-7753
U-Roy Schafer, DEP. INSPECTOR, 44 Call Street	01862	978-663-6331
U-Jean Egan, DEP. INSPECTOR, 17 Ravine Road	01821	978-808-8562

ELECTION WORKERS – FY 26

PRECINCT TWO - HAJJAR SCHOOL

U-Tina Ryan, WARDEN, 42 Oakwood Avenue	01821	978-667-6313
U-Oren Hunt Jr., CLERK, 28 Gray Street	01821	978-667-7248
D-Nancy Sullivan, DEP. WARDEN, 117 Nashua Road	01862	978-663-8701
U-Anika Ryan, DEP. CLERK, 42 Oakwood Avenue	01821	978-667-6313
U-James Sullivan, INSPECTOR, 117 Nashua Road	01821	978-944-1632
U-Teresa Viera, INSPECTOR, 11 Roberts Road	01821	978-987-3326
U-Dean Souza, DEP. INSPECTOR, 26 Maverick Circle	01821	978-758-2879
R-Laureen Knowles, DEP. INSPECTOR, 3 Radcliffe Road	01821	978-362-3939

ELECTION WORKERS – FY 26

PRECINCT THREE – DITSON SCHOOL

R-Guillermo I. Perez, WARDEN, 13 Pinehurst Avenue	01821	978-729-0834
U-Carol Leibovitz, CLERK, 476 Boston Road, #204	01821	617-448-8172
U-Teresa Bova, DEP. WARDEN, 31 Sheridan Street	01821	978-667-6623
U-Marie Traverse-DEP CLERK, 476 Boston Rd, Apt. 204	01821	978-667-5864
U-Alan Perez, INSPECTOR, 13 Pinehurst Ave	01821	978-408-6625
R-Donna Ricarte, INSPECTOR, 21 Grove Street	01821	978-663-4043
U-Vince Ann Piasecki, DEP. INSPECTOR, P O Box 154, Pinehurst, MA 01866		339-206-7909
R-Dorothy L. Ventresca, DEP. INSPECTOR, 10 Francesca Way	01821	978-667-3785

ELECTION WORKERS – FY 26

PRECINCT FOUR – MARSHALL MIDDLE SCHOOL

U-Mary K. McBride, WARDEN, 12 Bolton Road, P.O. 518	01865	508-380-9607
D-Carol Williams, CLERK, 10 Aynsley Circle	01821	978-667-8414
U-Linda Cirurso, DEP. WARDEN, 4 Lampson Lane	01821	978-663-9515
U-William Collins, DEP. CLERK, 159 Allen Road, #2	01821	978-667-4019
D-Elizabeth Gottman-Hanrahan, INSPECTOR, 28 Moran Road	01821	508-245-1276
D-Whitney Brougher, INSPECTOR, 10 Moran Road	01821	339-222-9512
U-Kathleen Donati, DEP. INSPECTOR, 159 Allen Road, #9	01821	978-667-4457
U-Patricia Lavertue, DEP. INSPECTOR 46 Bridle Road	01821	617-448-8343

ELECTION WORKERS – FY 26

PRECINCT FIVE – KENNEDY SCHOOL

D-Peter Vines, WARDEN, 14 Primrose Road	01821	978-590-6206
U-Michael Anastasia, CLERK, 15 Eskimo Way	01821	401-252-1414
U-Erin Leong, DEP. WARDEN, 47 Gilman Road	01821	413-695-8844
D-Lawrence Norman, DEP. CLERK, 18 Shelburne Avenue	01821	978-667-3165
U-Susan St. Cyr, INSPECTOR, 5 Skyline Drive	01821	978-663-3610
D-Jane Nolan, INSPECTOR, 58 Tercentennial Drive	01821	508-662-1528
R-Richard E. Newcomb, DEP. INSPECTOR, 46 Liberty Drive	01821	978-828-1455
U-Paul Komulainen, DEP. INSPECTOR, 43A Ossamequin Road		

ELECTION WORKERS – FY 26

PRECINCT SIX – DUTILE SCHOOL

D-Lolitheia Thompson, WARDEN, 6 Woodlawn Avenue	01821	978-667-1459
U-Cynthia Rich, CLERK, 23 Hilltop Road	01821	978-663-3555
R-Bruce Alger, DEP. WARDEN, 57 Rio Vista Street	01862	978-790-9365
U-Susan Kinney, DEP. CLERK, 10 Rio Vista Street	01862	978-663-4619
R-Lillian T. Arsenault, INSPECTOR, 2 Hawks Ridge Road	01862	978-667-9510
U-Elizabeth Coyne, INSPECTOR, 45 Burnham Road	01862	978-667-4539
U-Sandra Silverio, INSPECTOR, 3 Earle Road	01862	978-667-0962
U-Marilyn Yavanian, DEP. INSPECTOR, 39 Pratt Street	01821	508-572-3764
U-Janet Habeshian, DEP. INSPECTOR, 5 Earle Road	01821	978-663-2457

ELECTION WORKERS – FY 26

PRECINCT SEVEN – PARKER SCHOOL

U-Barbara Doherty, WARDEN, 24 Whittier Road	01821	978-667-6207
D-Martin LaCarbonara, CLERK, 159 Allen Road, #56	01821	781-935-7418
U-Sarah Nahrman. DEP. WARDEN, 319 Nashua Road	01862	978-803-6005
U-Barry Andreasen, DEP. CLERK, 8 Silversmith Way	01821	978-886-7588
D-Gloria Collins, INSPECTOR, 159 Allen Road, #2	01821	978-667-4019
U-Maureen O'Donoghue-Sack, INSPECTOR, 42 Pond Ln. Ext.	01821	978-407-9594
U-Charlotte A. Keen, DEP. INSPECTOR, 89 Marshall Street	01821	978-362-1048
U-Carol Rosa, DEP. INSPECTOR, 128 Partridge Road	01821	978-987-8183

ELECTION WORKERS – FY 26

PRECINCT EIGHT – HAJJAR SCHOOL

R-Alec Ingraham, WARDEN, 48 Mt. Pleasant Street	01862	978-663-2928
D-Maureen Conway, CLERK, 18 Hampstead Avenue	01862	978-663-2456
U-Nancy Ingram, DEP. WARDEN, 34 Chatham Road	01821	978-663-2061
D-Lynne Cloutier, DEP. CLERK, 37 Pinedale Avenue	01821	978-667-4233
U-Patricia Battcock, INSPECTOR, 235 Allen Road	01821	987-857-0281
R-Angela Hauser, INSPECTOR, 37 Oak Street	01862	978-667-3747
U-Nancy Cottreau, DEP. INSPECTOR, 81 Salem Road	01821	978-667-1603
U-James Knight, DEP. INSPECTOR, 4 Poe Road	01821	978-476-7932

ELECTION WORKERS – FY 26

PRECINCT NINE – DITSON SCHOOL

U-A. Kathleen Revane, WARDEN, 113A Bridle Road	01821	978-663-6149
U-T. Josephine Leary, CLERK, 6 Winsor Road	01821	978-270-4509
U-Nancy McIntosh, DEP. WARDEN, 20 Fawn Lane	01821	978-987-6901
U-Arlene O'Brien, DEP. CLERK, 18 Weathervane Lane	01821	978-798-2528
R-Dorry Mosher, INSPECTOR, 40 School House Lane	01821	978-479-1457
U-Gina Xavier, INSPECTOR, 29 Handel Road	01821	978-302-5987
D-Jacob McIntosh, INSPECTOR, 20 Fawn Lane	01821	339-234-3050
D-James Verrengia, DEP. INSPECTOR, 7 Crown Street	01821	857-350-0631
U-Patricia Ellegood, DEP. INSPECTOR, 1 Nealley Street	01821	978-663-7079

ELECTION WORKERS – FY 26

PRECINCT TEN – KENNEDY SCHOOL

D-Marie Blanchette, WARDEN, 17 Angela Lane	01821	978-663-6202
U-Linda Little, CLERK, 77 Concord Road	01821	978-604-2272
U-Judith Krochune, DEP. WARDEN, 2 Manning Road	01821	978-987-9579
U-Karen Greeley, DEP. CLERK, 4 Donald Road	01821	978-367-9192
U-Stephanie Norman, INSPECTOR, 2 Gatecliff Street	01821	978-273-0251
U-Edward Martel, INSPECTOR, 234 Allen Road	01821	781-858-3939
R-Dorothy Newcomb, DEP. INSPECTOR, 46 Liberty Drive	01821	978-663-9005
U- Steven Norman, DEP. INSPECTOR, 2 Gatecliff Street	01821	978-857-5095

ELECTION WORKERS – FY 26

PRECINCT ELEVEN – DUTILE SCHOOL

U-Sandra Giroux, WARDEN, 21 Horman Road	01821	978-621-1112
U-Dennis Little, CLERK, 77 Concord Road	01821	978-667-1592
U-Barbara Reidy, DEP. WARDEN, 10 Maplewood Avenue	01821	978-621-8928
U-Sharon Ferris, DEP. CLERK, 128 Bridle Road	01821	978-372-0842
U-Sue Aker, INSPECTOR, 37 Woodlawn Avenue	01821	978-821-7710
U-Carole McKenna, INSPECTOR, 17 Mohawk Drive	01821	978-663-3665
U-Jack McKenna, DEP. INSPECTOR, 17 Mohawk Drive	01821	978-663-3665
U-Joseph Goodwin, DEP. INSPECTOR, 80 Bridle Road	01821	978-987-2784

ELECTION WORKERS – FY 26

PRECINCT TWELVE – MARSHALL MIDDLE SCHOOL

U- Kristen Simonini, WARDEN, 2 Dignon Road	01821	508-423-1999
D-Joanne Gagliardi, CLERK, 2 Whiting Street	01821	978-667-5392
D-David Gagliardi, DEP. WARDEN, 2 Whiting Street	01821	978-667-5392
U-Eileen Walsh, DEP. CLERK, 32 Lowell Street	01862	978-294-8969
U-Ernest Campbell, INSPECTOR, 6 Hayden Road	01862	978-888-1161
U-Donna Walsh, INSPECTOR, 15 Marlyn Road	01821	978-667-0215
U-Joan Mitza, DEP. INSPECTOR, 16 Pages Court	01821	978-667-7655
R-Sean Simonini, DEP. INSPECTOR, 32 Lowell Street	01821	978-729-7516

TOWN MEETING CHECKERS

Trisha Lott – Lori Boucher - Joyce MacMillan - Dawn Scully Green



TOWN OF BILLERICA

OFFICE OF THE TREASURER/COLLECTOR

P. O. Box 596
Billerica, MA 01821
Telephone: 978-671-1309
Fax: 978-436-9139

MEMORANDUM

To: Select Board
From: Elaine Russo, Treasurer/Collector *E Russo*
Date: August 7, 2025
Subject: General Obligation Building Bond
Bond Anticipation Note (BAN)

I request the Select Board vote to approve the issuance of a General Obligation Building Bond not to exceed \$52,500,000 plus interest for the following Municipal purpose:

DPW Facility	05/08/2022	Article 18	\$ 4,500,000
	10/03/2023	Article 16	\$48,000,000
		Total	\$52,500,000

I request the Select Board vote to approve the issuance of a Bond Anticipation Note (BAN) not to exceed \$23,000,000 plus interest for the following Municipal purpose:

Recreation Center	5/14/2024	Article 1	\$16,000,000
N. Billerica Fire Station	10/01/2024	Article 14	\$ 7,000,000
		Total	\$23,000,000

If you have any questions or need additional information, please contact me at 978-671-1308.

Thank you.

cc: Christopher Dillon, Acting Town Manager
Amit Chhayani, Town Accountant

Dawn McDowell

From: Amanuel Regassa <ARegassa@nmcog.org>
Sent: Tuesday, July 29, 2025 9:55 AM
To: [REDACTED]
Cc: Dawn McDowell
Subject: RE: Yard signs request SB 8/14

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Hi Marlies,

Good morning and thank you for your message.

Sure, let's plan to leave the signs up for one week, from August 12 through August 19.

Please let me know if you need anything.

Best regards,

Amanuel Regassa, RSP1 (He/Him)
Transportation Planner II
Northern Middlesex Council of Governments
672 Suffolk Street, Suite 100
Lowell, MA 01854
(978) 454-8021 extension 112
www.nmcog.org

From: Marlies Henderson <[REDACTED]>
Sent: Monday, July 28, 2025 10:25 PM
To: Amanuel Regassa <ARegassa@nmcog.org>
Cc: Dawn McDowell <selectboard@town.billerica.ma.us>
Subject: Re: Yard signs request SB 8/14

Caution: This email originated from outside of the organization. **Do not reply, click links, or open attachments** unless you can confirm the sender and know the content is safe.

Amanuel, it would be good to give the end date asap - the info is required to timely inform the members of the Select Board. How about leaving the signs out for week (8/12-19), and keep the survey open at least that long?

Marlies

Sent from my iPhone

On Jul 28, 2025, at 6:52 PM, Amanuel Regassa <ARegassa@nmcog.org> wrote:

Hi Dawn,

Yes, August 12 should be good for putting the signs up. The survey close date has not yet been finalized, but I will keep you posted once it's confirmed.

Thanks again!

Amanuel!

From: Marlies Henderson [REDACTED]
Sent: Monday, July 28, 2025 2:56:14 PM
To: Amanuel Regassa <ARegassa@nmcog.org>
Cc: Dawn McDowell <selectboard@town.billerica.ma.us>
Subject: Re: Yard signs request SB 8/14

Caution: This email originated from outside of the organization. **Do not reply, click links, or open attachments** unless you can confirm the sender and know the content is safe.

Amanuel, can you answer Dawn's question?
The survey goes till 8/14, but Amanuel was looking into a week extension.
Marlies
Sent from my iPhone

On Jul 28, 2025, at 12:27 PM, Dawn McDowell
<selectboard@town.billerica.ma.us> wrote:

Hi Marlies,

What dates would you like the signs to be up? From August 12th to ??

Thanks!
Dawn

From: Marlies Henderson [REDACTED]
Sent: Friday, July 25, 2025 8:24 AM
To: Dawn McDowell <selectboard@town.billerica.ma.us>
Cc: Amanuel Regassa <ARegassa@nmcog.org>
Subject: Re: Yard signs request SB 8/14

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

August 11! Not 8/14. Even better :-)
Thank you Dawn,
Marlies
Sent from my iPhone

On Jul 25, 2025, at 8:10 AM, Dawn McDowell
<selectboard@town.billerica.ma.us> wrote:

Hi Marlies,

I will put this on the agenda for August 11th.

Thanks,
Dawn

From: Marlies Henderson [REDACTED]
Sent: Friday, July 25, 2025 8:00 AM
To: Dawn McDowell <selectboard@town.billerica.ma.us>
Cc: Amanuel Regassa <AREgassa@nmcog.org>
Subject: Yard signs request SB 8/14

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Hi Dawn,
Attached is an image of the yard sign for which the Greater Lowell Bicycle & Pedestrian Plan (GLBPP) wants to put up: 2 at the Common, 1 at PHR and 1 at VVP and if we have enough, 1 at Akeson Park.
The sign basically asks Billerica residents to take the survey. The objective is to get as much as possible public input. Hopefully, the QR code can also appear on the tv screen so audience at home can scan it.
I can attend the 8/14 meeting to answer questions.
Let me know if you need anything else.
I cc'd Amanuel Regassa from NMCOG. NMCOG hired consultant Toole to create the plan based on survey feedback.
Thank you!
Marlies



Sent from my iPhone

Dawn McDowell

From: Dawn McDowell
Sent: Monday, July 28, 2025 4:33 PM
To: Cameron Fazekas
Subject: RE: Request to Amend Date of Approved 1-Day Special Beer & Wine Permit – High Octane Harley-Davidson

Hi Cameron,

Thank you for your request. I know that we did a similar thing last year, so I will put this request on the August 11th agenda.

I will forward you the agenda when it's set.

Thank you,
Dawn

From: Cameron Fazekas <CameronF@highoctaneharley.com>
Sent: Monday, July 28, 2025 12:57 PM
To: Dawn McDowell <selectboard@town.billerica.ma.us>
Subject: Request to Amend Date of Approved 1-Day Special Beer & Wine Permit – High Octane Harley-Davidson

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Dear Select Board,

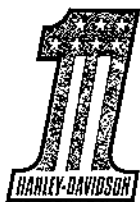
I hope this message finds you well.

I'm writing on behalf of High Octane Harley-Davidson to respectfully request a date change to our currently approved 1-Day Special Beer & Wine Permit. The original permit was approved for **Sunday, August 31st, 2025**, from **5:00 PM to 9:00 PM**. We are requesting to move this to **Saturday, August 30th, 2025**, with the same time frame of **5:00 PM to 9:00 PM**.

The request comes as our corporate team has officially rescheduled the event, recognizing that hosting it on the Sunday before Labor Day—when our dealership will be closed on Monday—would present logistical challenges. Hosting on Saturday will not only better align with our operational schedule but also allow for stronger event attendance and increased opportunity to engage with customers and sell motorcycles. Additionally, this change provides our team a full day to properly wrap up the month before the holiday weekend without extending hours right before the holiday.

Please let me know if there are any additional steps or documentation required to process this date change.

We truly appreciate your consideration and support.



A handwritten signature in black ink, which appears to read 'Cameron Fazekas'. The signature is written in a cursive, flowing style.

Cameron Fazekas
Inventory Manager & Event Coordinator

High Octane Harley-Davidson
1 Chelmsford Rd. | North Billerica, MA 01862
P. 978.663.6298 F. 978.439.0166
www.highthoctaneharley.com

"Fulfilling dreams by providing a premium customer experience!"

Dawn McDowell

From: Sean Coffey <SCoffey@billericapolice.org>
Sent: Wednesday, July 30, 2025 12:32 PM
To: Dawn McDowell
Subject: Re: FW: Request to Amend Date of Approved 1-Day Special Beer & Wine Permit – High Octane Harley-Davidson

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Hello Dawn, I have no issues with that change. As long as the same conditions are in place with a police detail. Is an email sufficient or would you like a memo?
Sent from my iPhone

On Jul 30, 2025, at 10:03 AM, Dawn McDowell (selectboard@town.billerica.ma.us)
<selectboard@town.billerica.ma.us> wrote:

[External Email] - Do not click links or attachments unless you recognize the sender and know the content is safe.

Good Morning,

I have a request to change the date of one of the 1-day beer and wine for KHD.

Could you let me know if you have any issues with the change request?

It's on for August 11th Select Board meeting.

Thank you!
Dawn

From: Cameron Fazekas <CameronF@highoctaneharley.com>
Sent: Monday, July 28, 2025 12:57 PM
To: Dawn McDowell <selectboard@town.billerica.ma.us>
Subject: Request to Amend Date of Approved 1-Day Special Beer & Wine Permit – High Octane Harley-Davidson

[EXTERNAL EMAIL]



SELECT BOARD
TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

John J. Burrows, *Chair*
Dina M. Favreau, *Vice Chair*
Michael S. Rosa, *Secretary*
Kimberly J. Conway, *Member*
Michael A. Riley, *Member*

MEMO

TO: Town Clerk
FROM: Michael S. Rosa, Secretary
SUBJECT: High Octane Harley Davidson – One Day Beer and Wine License & Entertainment Licenses
DATE: March 4, 2025

At the Select Board meeting on March 3, 2025, the Select Board voted to approve individually, each of the following twenty-two (22) One-Day Special Wine & Malt Licenses AND Entertainment Licenses for KHD, Inc. dba High Octane Harley Davidson located at 1 Chelmsford Road for:

- a. Monday, March 31, 2025 from 5:00 PM to 8:00 PM
- b. Wednesday, April 30, 2025 from 5:00 PM to 8:00 PM
- c. Friday, May 16, 2025 from 5:00 PM to 8:30 PM
- d. Saturday, May 24, 2025 from 11:00 AM to 4:00 PM
- e. Saturday, May 31, 2025 from 5:00 PM to 9:00 PM
- f. Saturday, June 14, 2025 from 11:00 AM to 4:00 PM
- g. Friday, June 27, 2025 from 5:00 PM to 8:30 PM
- h. Monday, June 30, 2025 from 5:00 PM to 9:00 PM
- i. Friday, July 18, 2025 from 5:00 PM to 8:30 PM
- j. Saturday, July 26, 2025 from 11:00 AM to 4:00 PM
- k. Thursday, July 31, 2025 from 5:00 PM to 9:00 PM
- l. Saturday, August 9, 2025 from 11:00 AM to 4:00 PM
- m. Friday, August 15, 2025 from 5:00 PM to 8:30 PM
- n. Saturday, August 23, 2025 from 11:00 AM to 4:00 PM
- o. Sunday, August 31, 2025 from 5:00 PM to 9:00 PM**
- p. Friday, September 19, 2025 from 5:00 PM to 8:30 PM
- q. Tuesday, September 30, 2025 from 5:00 PM to 9:00 PM
- r. Saturday, October 11, 2025 from 11:00 AM to 3:00 PM
- s. Thursday, October 30, 2025 from 5:00 PM to 8:00 PM
- t. Sunday, November 30, 2025 from 5:00 PM to 8:00 PM
- u. Thursday, December 11, 2025 from 5:00 PM to 8:00 PM
- v. Thursday, December 18, 2025 from 5:00 PM to 8:00 PM

The Select Board voted to approve individually, each of the following six (6) One-Day Special Wine & Malt Licenses for KHD, Inc. dba High Octane Harley Davidson located at 1 Chelmsford Road for:

- a. Saturday, May 10, 2025 from 11:00 AM to 4:00 PM
- b. Saturday, July 5, 2025 from 11:00 AM to 4:00 PM
- c. Thursday, October 9, 2025 from 5:00 PM to 8:00 PM
- d. Saturday, September 6, 2025 from 11:00 AM to 4:00 PM
- e. Thursday, November 13, 2025 from 5:00 PM to 8:00 PM
- f. Wednesday, December 31, 2025 from 12:00 PM to 3:00 PM

The Select Board voted to approve individually, a One (1) Entertainment License for KHD, Inc. dba High Octane Harley Davidson located at 1 Chelmsford Road for Saturday, May 3, 2025 from 11:00 AM to 4:00 PM

(Brings Total of One-Day Wine and Malt Licenses to 28 of 30 For 2025)

Attached are copies of their applications.

Cc: Billerica Police Department
ABCC
File



LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: \$ _____

Billerica Select Board AM1142
RCVD FEB 12 2025

ACTION: ☒ NEW or ☐ CHANGE

Licensee of Business: KHD INCORPORATED		
Doing Business As: HIGH OCTANE HARLEY-DAVIDSON		
Street Address: ONE CHELMSFORD RD, N. BILLERICA, MA		Assessors Plate/Parcel: PARCEL 237-3
Phone #: 978-663-6298	Zip Code: 01862	Tax ID #: [REDACTED]
Alt. Phone #: 978-663-6298 EXT 7009		Email: MARKETING@HIGHOCTANEHARLEY.COM

DESCRIPTION OF PREMISES:

Include # floors, total SF, # of patron restrooms, entrance/exit locations, etc. Use additional attachments if necessary and attach a plot plan of the premises if there are exterior changes.

ASSESSORS MAP/LOT IS PARCEL 237-3, 7 MEANS OF EGRESS, 2 STORY BLDG, 680
50 FT, 1 MALE (3) OCCUPANCY RESTROOM, 1 FEMALE (3) OCCUPANCY RESTROOM
1ST FLOOR, 1ST FLOOR HANDICAP RAMP, 2ND FLOOR HANDICAP RAMP, UPPER PARKING LOT,
LOWER PARKING LOT FACING 8 CHELMSFORD RD, 1ST AID, EYE WASH STATION

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

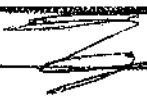
Building Inspector: <i>Marc Fagan</i>	Date: 1-23-25
Comments:	
Board of Health: <i>Marc Fagan</i> *If food is being served/a Temp. Food Service Permit may be needed.	Date: 1-23-25
Comments:	
Police: <i>LT Sam Coz</i>	Date: 1-17-25
Comments: <i>Police detail</i>	
Fire: <i>John Hill</i>	Date: 1/23/25
Comments:	
Treasurer: <i>Maryann Denave</i>	Date: 1/23/25
Comments:	

Manager's Name: MARC COFFMAN, INVENTORY MANAGER		
Street Address: ONE CHELMSFORD RD		
City/Town/State/Zip: NORTH BILLERICA, MA 01862		
Phone #: 978-663-6298	Tax ID #: [REDACTED]	Email: MARKETING@HIGHOCTANEHARLEY.COM

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):
Saturday:
Sunday: 8/31/25 5PM - 9PM

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	On-Premise Retail (S12)	Wine & Malt	All Alcohol
	Off Premise Retail (S15)	Wine & Malt	All Alcohol
Type of Business S12 Only: Club Hotel/Innkeeper Restaurant			
1-Day Special:	Wine & Malt All Alcohol (Non-profit Organizations Only)		
COMMON VICTUALLER (Circle Option):	Restaurant	Innholder	Cafeteria
ZBA/Special Permit?: Provide Copy if Yes	☐ YES ☐ NO		
MOTOR VEHICLE (Circle Option):	Class I	Class II	Class III
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT:			
Weekday: (Per MGL, Ch. 140, Section 183A):			
Sunday: (Per MGL, Ch. 136 -- Form 90 Required):			
Type of Entertainment: DJ or Band			
AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A)			
# of Total Devices:			
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.			
#1:	#5:		
#2:	#6:		
#3:	#7:		
#4:	#8:		
OTHER (Circle Option):			
Taxi Livery Bowling Auctioneer Other: _____			
Licensees Signature: 		Date:	
Title:			
The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.			

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

Dawn McDowell

From: michael rosa [REDACTED]
Sent: Tuesday, August 5, 2025 11:10 AM
To: Dawn McDowell
Subject: item for our agenda

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Hi Dawn

Please add to our upcoming agenda August 11th
permission for 4 18 x 24 signs on the common for the Solomon post VFW 8819 penny sale fund
raised October 9th through November 9th

Thank You
Mike Rosa
Select Board

PRIVILEGED AND CONFIDENTIAL: This e-mail communication (including any attachments) contains information that is confidential. The information is for the sole use of the intended recipient(s). If you are not an intended recipient, please: (i) be aware that any unauthorized interception, review, use, disclosure, or distribution is prohibited; (ii) notify the sender by return e-mail; and (iii) delete this communication from your computer system and destroy any copies. Thank you.



LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: \$

50

OK 1323

ACTION: ☒ NEW or ☐ CHANGE

BillERICA Select Board PM3:11
FND AUG 6 1025

Licensee of Business: Snowdaes Co LLC		
Doing Business As: Snowdaes		
Street Address: 99 chelmsford rd		Assessors Plate/Parcel: 13 / 8-0
Phone #: [REDACTED]	Zip Code: 01821	Tax ID #: [REDACTED]
Alt. Phone #:		Email: snowdaes LLC@gmail.com

DESCRIPTION OF PREMISES:

Include # floors, total SF, # of patron restrooms, entrance/exit locations, etc. Use additional attachments if necessary and attach a plot plan of the premises if there are exterior changes.

1 floor
1515 sqft
2 Restrooms
1 front entrance
1 back exit

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

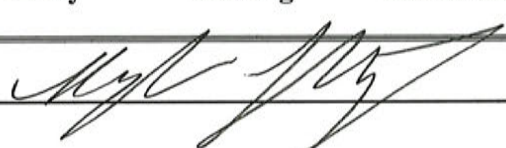
Building Inspector: Mark Fayain	Date: 8.4.25
Comments: SPECIAL Permit Growtop	
Board of Health: Kristin [Signature]	Date: 8/4/25
Comments: Applicant shall complete Food Establishment Plan Review Process prior to obtaining Food Permit	
Police: Lt S - P [Signature]	Date: 8/6/25
Comments:	
Fire: [Signature]	Date: 8/4/25
Comments:	
Treasurer: Mary Ann [Signature]	Date: 8/4/25
Comments:	

Manager's Name: Wyden Heng		
Street Address: [REDACTED]		
City/Town/State/Zip: [REDACTED]		
Phone #: [REDACTED]	Tax ID #: [REDACTED]	Email: snowdaes LLC@gmail.com

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):	11 - 9 pm
Saturday:	11 - 10 pm
Sunday:	11 - 9 pm

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	On-Premise Retail (S12)	Wine & Malt	All Alcohol
	Off Premise Retail (S15)	Wine & Malt	All Alcohol
Type of Business S12 Only: Club Hotel/Innkeeper <u>Restaurant</u>			
1-Day Special:	Wine & Malt	All Alcohol (Non-profit Organizations Only)	
COMMON VICTUALLER (Circle Option):	<u>Restaurant</u>	Innholder	Cafeteria
ZBA/Special Permit?: Provide Copy if Yes	☒ YES ☐ NO		
MOTOR VEHICLE (Circle Option):	Class I	Class II	Class III
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT:			
Weekday: (Per MGL, Ch. 140, Section 183A):			
Sunday: (Per MGL, Ch. 136 – Form 90 Required):			
Type of Entertainment:			
AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A)			
# of Total Devices:			
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.			
#1:	#5:		
#2:	#6:		
#3:	#7:		
#4:	#8:		
OTHER (Circle Option):			
Taxi Livery Bowling Auctioneer Other: _____			
Licensees Signature: 			Date: 08/04/25
Title: owner			
The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.			

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

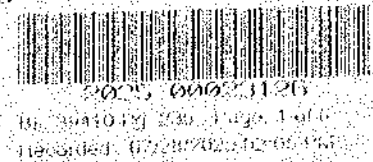
Snowdars Co LLC

THE COMMONWEALTH OF MASSACHUSETTS

BILLERICA

City or Town

BOARD OF APPEALS



Date: June 25, 2025

Certificate of Granting of Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Billerica hereby certifies that a **SPECIAL PERMIT** has been **GRANTED** (Case #25-25):

To: NYDEN HENG (D/B/A SNOWDAES CO., LLC)

Address: 99 CHELMSFORD ROAD

City or Town: BILLERICA, MA 01821

affecting the rights of the owner with respect to land of buildings at 99 CHELMSFORD ROAD, Billerica, MA Plate 13 Parcel 8-0 and recorded in M.N.D.R. of D's Book 13039 Page 159.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision **GRANTING** said **SPECIAL PERMIT** and that copies of said decision, and of all plans referred to in the decision, have been filed with the planning board and the city or town clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town or city clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Chairman

Vice-Chairman

TOWN OF BILLERICA
ZONING BOARD OF APPEALS

CASE # 25-25 SP Granted

DATE: June 25, 2025

Applicant: NYDEN HENG (D/B/A SNOWDAES CO., LLC)
Locus: 99 CHELMSFORD ROAD
Assessor's Map: Plate 13 Parcel(s) 8-0

A public hearing was held on Wednesday, June 25, 2025 in the Town Hall, Room 210 at 6:03 PM, for a Special Permit under Section 5.C.6.c.(2).(m) (Fast Order Food Establishment) of the Zoning By-Law to operate a bubble tea café in a General Business Zone.

Notice of this hearing was advertised in the Lowell Sun on June 11, 2025 and June 18, 2025. Notice of this hearing was also posted at the Town Hall and sent to the applicant and all abutters located within 300 feet of the property.

The following members were present and voting on this petition: Eric Anable, Robert Accomando, Richard Colantuoni, Michael Pendleton, and Anupam Wall.

Jennifer Heng presented her petition to reopen the space formerly occupied by Feel Good Café in the strip mall. She operates a Bubble Tea Café in Lowell and Washington State and is looking to expand her business operation to Billerica. There are no structural changes planned for the site and the interior will remain the same. The hours of operation will be Monday to Sunday, 12:00 pm to 9:00 pm.

The submitted Plot Plan prepared by Noonan & McDowell, Inc., dated December 15, 2008 and the interior design plan prepared by Michienzi Drafting & Design dated May 2025 shall be filed as the Plans of Record for this decision.

The Board of Appeals voted 5-0 to Grant the Special Permit requested.

Billerica Zoning Board of Appeals
365 Boston Road, Billerica, Massachusetts – 01821
Telephone (978) 671-0964

The Board finds (1) the proposed special permit is in harmony with the general purpose and intent of the Zoning By-Law and Chapter 40A; (2) the proposed use is in compliance with all other requirements set forth in this Zoning By-Law for issuance of a special permit; and (3) the proposed use will not prove injurious to the safety or general welfare of the neighborhood into which it proposes to locate nor will the proposed use prove destructive of property values.

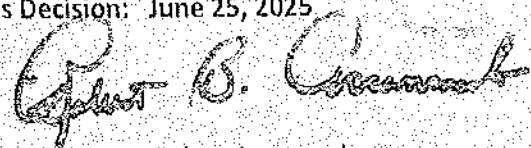
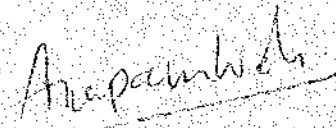
SPECIAL PERMIT CONDITIONS:

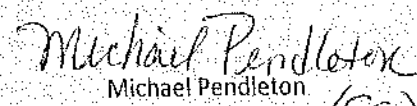
1. This special permit is for the petitioners only and may not be transferred or sold without applying to the Board of Appeal.
2. The hours of operation are: Monday to Sunday, 12:00 pm to 9:00 pm.
3. The owner of the restaurant shall be responsible for the cleaning up of any rubbish, trash or debris on the property caused by the restaurant use, daily.
4. Dumpster pick shall be no earlier than 7:00 AM and no later than 7:00 PM.
5. The relief granted by this Special Permit is confined to: (1) scope of the advertisement of the public hearing, (2) specific exceptions to the Zoning By-Law identified in this decision and only to the extent of the relief requested in the application, no other relief is implied, (3) scope is limited to the testimony given and documents produced
6. The applicant shall, after the (20) twenty-day appeal period has expired, return to the Town Clerk to have this decision stamped, then record notice of same with the North Middlesex Registry of Deeds and file a copy of the Registry Receipt with the Board of Appeals within (90) ninety days of filing of decision with the Town Clerk. Failure to record this decision within (90) ninety days shall render it null and void.
7. Special Permits shall be used within a (2) two-year period or shall be null and void.

Notice of this decision shall be mailed forthwith to the applicant, to the parties in interest designated in M.G.L. Chapter 40A, Section 11, and to every person present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent.

Any Appeal from this decision shall be made pursuant to M.G.L. Chapter 40A, Section 17 and shall be filed within (20) twenty days after the date of the filing of the notice of decision in the office of the Town Clerk.

Date of Board of Appeals Decision: June 25, 2025

  
Eric Anable Robert Accomando Anupam Wali
Chairman Vice-Chairman Secretary

 
Richard Colantuoni Michael Pendleton
Member Member (EE)

ATTEST: I, Donna J. McCoy, Clerk/Assistant Clerk, for the Town of Billerica, MA., hereby certify that the decision from the Board of Appeals has been received and recorded at this office and no appeal was received during the twenty (20) days next after such receipt and recording of said decision.

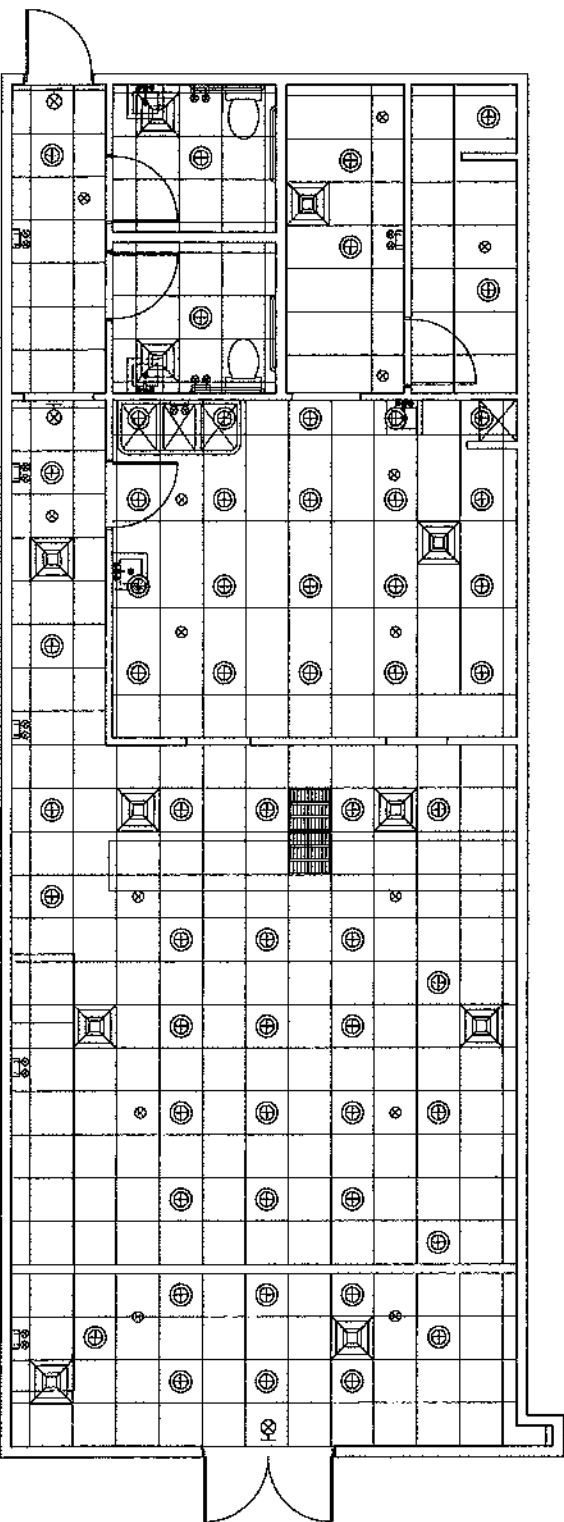
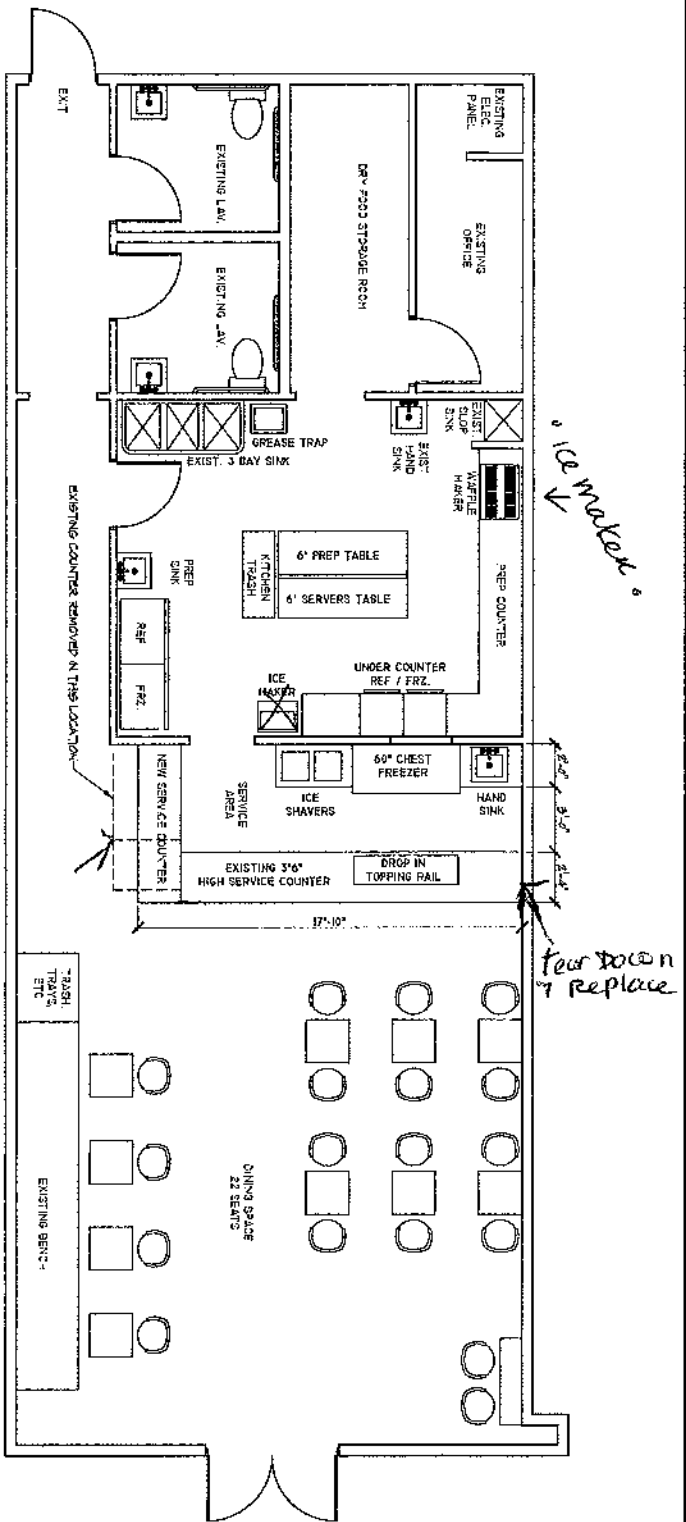

Donna J. McCoy, Town Clerk

July 28, 2025
Date


Elizabeth Berube, Assistant Town Clerk

Date





- EXIT SIGN
- RECESSED LIGHT
- SPRINKLER HEAD
- EMERGENCY LIGHT
- NEW
- EXIST



DATE: MAY 2005
 SCALE: 1/4" = 1'
 DRAWING NO: 206-01
 SHEET: 1 OF 1

TITLE:
 SNOWPADES
 99 CHILMSTON RD
 N BILERICA, MA
 PROPOSED LAYOUT

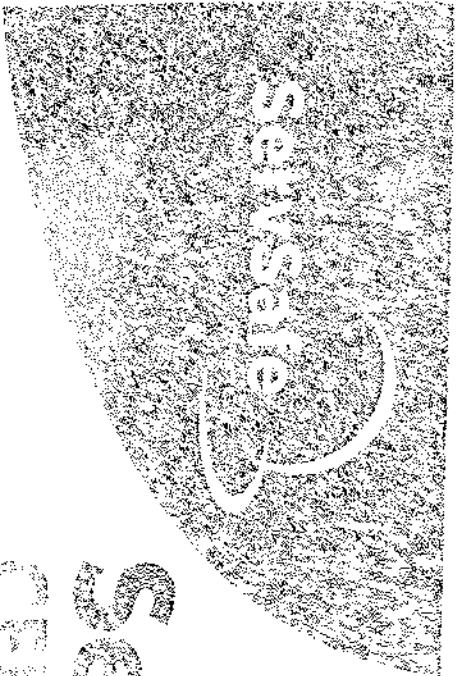
ALL PLANS, SPECIFICATIONS, AND NOTES SHALL BE READ AND UNDERSTOOD BY THE OWNER AND CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.

MICHIEZZI DRAFTING & DESIGN

IF YOU CAN DREAM IT, I CAN DRAW IT!

NEW CONSTRUCTION
 ADDITION
 REMODELING
 EXTERIOR FINISH
 CUSTOM HOMES
 OFFICE SPACE
 CHILD CARE CENTERS
 AUTOBODY / RENEWERS
 GRAPHIC & WEB DESIGN

BRENDA L. MICHIEZZI
 12 BLUEBERRY LANE
 MERRIMAN, MA 01844
 978-775-4285
 WWW.MICHIEZZI.DESIGN.COM
 BIDDING@MICHIEZZI.DESIGN.COM



Sertusafe[®] CERTIFICATION

HENRY FABIAN

For successfully completing the standards set forth for the Sertusafe Food Protection Manager (CFP) Food Service area which is accredited by the ANSI (American National Standards Institute) National Accreditation Board for CFP Conferences for Food Protection (CFP)

1571386

CERTIFICATION NUMBER

5/2/2024

DATE OF EXAMINATION

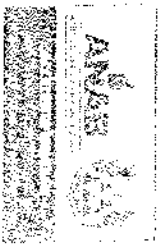
Good Housekeeping Company for Food Protection (CFP)

10817

EXAM FORM NUMBER

5/2/2023

DATE OF EXPIRATION



10817

Signature of Henry Fabian





The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Snowdaes Co LLC

Address: [REDACTED]

City/State/Zip: [REDACTED] Phone #: [REDACTED]

Are you an employer? Check the appropriate box:

1. ☒ I am an employer with 6 employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity.
[No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☒ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Twin City Fire Ins. Co

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # 76WEGAV6LKR Expiration Date: 10/18/25

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 08/09/25

Phone #: [REDACTED]

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (check one):

1. ☐ Board of Health 2. ☐ Building Department 3. ☐ City/Town Clerk 4. ☐ Licensing Board
5. ☐ Selectmen's Office 6. ☐ Other _____

Contact Person: _____ Phone #: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/13/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Automatic Data Processing Insurance Agency, Inc. 1 Adp Boulevard Roseland NJ 07068		CONTACT NAME: Automatic Data Processing Insurance Agency, Inc. PHONE (A/C, No, Ext): 1-800-524-7024 FAX (A/C, No): E-MAIL ADDRESS:	
INSURED Snowdaes LLC Snowdaes DBA: SNOWDAES LLC SNOWDAES 1075 Westford St Lowell MA 01851		INSURER(S) AFFORDING COVERAGE INSURER A: Twin City Fire Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 29459	

COVERAGES**CERTIFICATE NUMBER:** 3846267**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ Y	N/A N	76WEGAU6LKR	10/18/2024	10/18/2025	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insured Locations: 1075 Westford St, Lowell, MA 01851

CERTIFICATE HOLDER**CANCELLATION****INSURED COPY**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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VFW Post 2597



P.O. Box 207
Pinehurst, MA 01866

Town of Billerica Select Board
Town Hall
365 Boston Road
Billerica, Massachusetts 01821

Dear Select Board,

On Sunday, the 7th of September, 2025, the Wm. F. Eggo Post 2597 is promoting our 5th Annual "Freedom" Road Race. This year's race will be dedicated to honor the memory of Vietnam combat veteran **Robert Charles TEDFORD**. A true American hero who served his country with honor, pride, dedication and selflessness until losing his life when his helicopter crashed into the hillside in South Vietnam during a LZ resupply mission.



The Wm. F. Eggo VFW Post has been fortunate to have your unwavering support over the years. We would ask your approval for this fun-filled celebrated community event.

Traffic enforcement will be established, as has been the case in years prior, to ensure a safe route for race contestants throughout the 5K (3.1 mile) course, which starts at the Billerica Moose Club, 104 Boston Road, Billerica, Massachusetts and ends there. This event will culminate with a BBQ, serviced by certified food handlers of the Moose Club, a D.J. playing music and award ceremony in which trophies will be given to winners in respective race categories.

Funds raised from this event will be used to support our mission of fostering camaraderie among United States Veterans of overseas conflicts, to serve our veterans, the military and our community and to further advocate on the behalf of all veterans.

Sincerely,



William G. West

VFW Post 2597 Event Coordinator

Dawn McDowell

From: Timothy F. McKenna <tmckenna@billericapolice.org>
Sent: Wednesday, July 16, 2025 11:25 AM
To: Dawn McDowell
Subject: Re: VFW Freedom Road Race

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

The Police Department sees no issues with the date and the event. As with past races for this organization, the Department will be there to assist on race day.

Please reach out with any other questions or concerns.

TM

Timothy F. McKenna

Patrol Sergeant | CJIS Representative

Billerica Police Department

6 Good St

Billerica, MA 01821

Direct Phone: [REDACTED] Agency Phone: 978-671-0900 Fax: 978-663-2392

Website: <https://police.billericaps.com>

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail, and delete or destroy the message. Thank You.

From: "Dawn McDowell (selectboard@town.billerica.ma.us)" <selectboard@town.billerica.ma.us>
To: "Timothy F. McKenna" <tmckenna@billericapolice.org>
Date: Tue, 15 Jul 2025 15:17:21 +0000
Subject: VFW Freedom Road Race

[External Email] - DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning,

I received this letter from the VFW. They are requesting approval of the 5th Annual Freedom Road Race on September 7th. Could you let me know if there are any issues with this request.

This will be scheduled for the August 11th Select Board meeting.

Thanks and have a great day!

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LEGEND	
	VERTICAL GRANITE CURB
	VERTICAL BITUMINOUS CURB
	SLOPED GRANITE CURB
	VERTICAL CONCRETE CURB
	DOUBLE SOLID LINE YELLOW
	SINGLE SOLID LINE WHITE
	UTILITY POLE WITH LIGHT
	UTILITY POLE
	GAS UTILITY
	OVERHEAD UTILITY
	WATER UTILITY
	METAL GUARDRAIL
	CHAIN LINK FENCE
	STOCKADE FENCE
	CONTOUR ELEVATION
	TREE
	UTILITY POLE
	GUY WIRE
	TREELINE
	SIGN
	SPOT ELEVATION
	DRAIN MANHOLE
	CATCH BASIN
	SEWER MANHOLE
	WATER SHUT OFF
	LIGHT POLE
	BORING
	PROPERTY LINE
	ABUTTER PROPERTY LINE
	LANDSCAPE AREA

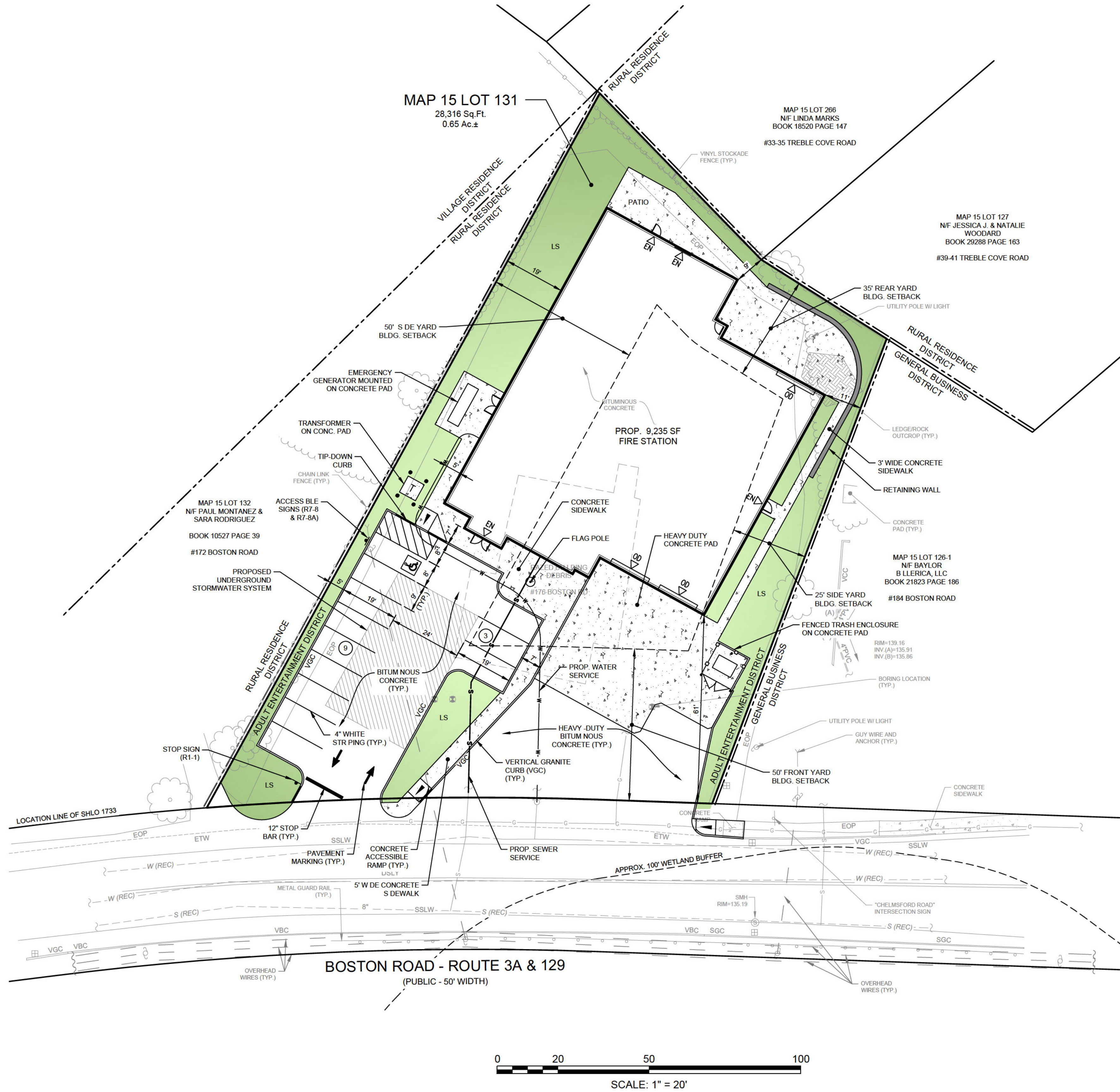
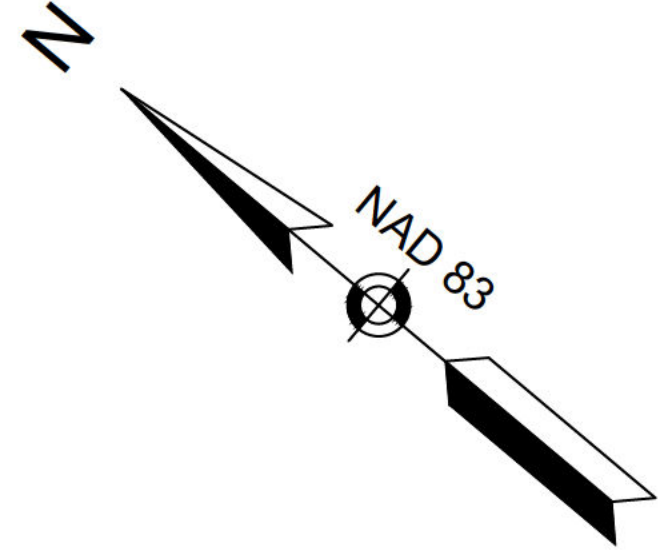


TABLE OF ZONING REGULATIONS - (BILLERICA, MA)		
ZONE: ADULT ENTERTAINMENT DISTRICT (MIXED USE OVERLAY DISTRICT)		
DESCRIPTION	REQUIRED	PROVIDED
MIN MUM LOT AREA Sq. Ft.	40,000 SF	28,316 SF
MIN MUM LOT FRONTAGE	125'	166.6'
MIN MUM FRONT YARD BUILDING SETBACK	50'	61.7'
MIN MUM S DE YARD BLD NG SETBACK	25' (50' WHEN ABUTTING RES DENTIAL)	12.3' (20' WHERE ABUTTING RES.) *
MIN MUM REAR YARD BUILDING SETBACK	35'	10' *
MIN MUM PER METER GREEN STRIP	20'	5' *
PARKING SPACE D MENSIONS	9' X 19'	9' X 19'
MIN MUM NUMBER PARKING SPACES	GOVERNMENTAL USE: 1 SP PER 300 SF GFA + 1 PER 3 EMPL. 31 + 3 = 34 SPACES	12 SPACES *
MIN MUM OPEN SPACE	25%	22.4 % (6,331 SF) *
MAX MUM BUILDING HEIGHT	45' (3 STORIES)	< 45'
MAX MUM BUILDING COVERAGE	25%	32.6% * (10% EXISTING)

* VARIANCE REQUIRED



LOCATION MAP
(NOT TO SCALE)

NOTES:

- 1) THE PURPOSE OF THIS PLAN IS TO SHOW A PRELIM NARY SITE LAYOUT OF A FIRE STATION WITH TWO APPARATUS BAYS. THIS PLAN IS NOT NEEDED FOR CONSTRUCTION.
- 2) EXISTING BOUNDARY AND PLANIMETRIC INFORMATION AS SHOWN IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY PERFORMED BY THIS OFFICE ON MARCH 10, 2025.
- 3) ASSESSORS MAP 15 LOT 131
- 4) ZONING DISTRICT: ADULT ENTERTAINMENT DISTRICT (MIXED USE OVERLAY DISTRICT)
- 5) LOT AREA = 28,316 Sq. Ft. = 0.65 Ac.±
- 6) EXISTING USE: VACANT LOT (FORMER NIGHTCLUB)
PROPOSED USE: 9,235 SF FIRE STATION W/ TWO APPARATUS BAYS
- 7) THE SURVEY TRACT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (100 YEAR FLOOD) PER FLOOD INSURANCE RATE MAP NUMBER 25017C0258F, WITH AN EFFECTIVE DATE OF JULY 7, 2014.

Project Number
2409

Project Title
N. Billerica Fire Station
176 Boston Road,
North Billerica, MA 01862



Drawing Title
PRELIMINARY SITE PLAN



5/14/2025

Date/Issued For

05.14.2025

SD Progress Set

NOT FOR
CONSTRUCTION

Scale

1:20

Drawn By

SJB

Drawing Number

C-200

Town of Billerica



BILLERICA POLICE HEADQUARTERS PROJECT OPTIONS REVIEW MEETING

Select Board Meeting

August 11, 2025

P|R|A

 **LeftField**
THE RIGHT CHOICE IN PROJECT MANAGEMENT

Billerica Police Headquarters – Existing Conditions

Deficiencies / Needs

High Priority

WOMEN'S LOCKER ROOM

Extremely undersized (11 small lockers)

EVIDENCE

Security / logistics issues
Need separate evidence processing
Need outdoor / oversize storage

COMMUNITY ROOM

Non-existent

Publicly-accessible, multi-use function space
Large staff training / briefing
Level 2 Roll-Call space currently used -> security risk

RECORDS

Undersized, overflows
Public interface required

PATROL

Scattered

Roll-Call space oversized / underutilized

SECURITY RELATED ISSUES

Comms & security tech outdated
Sub-standard weapons & narcotics storage
No publicly-accessible meeting room

EMT

Scattered

Sub-standard sleeping areas

EXTERIOR WINDOWS

Past life expectancy

Secondary

ADMINISTRATION / SPACE OPTIMIZATION

Restrooms outdated
Offices don't fit needs
Need multi-use quiet room
Adjacencies of personnel

MEN'S LOCKER ROOM

Outdated, 84 small lockers
Ventilation / accessibility

LOBBY / ENTRY

Visibility / visitor experience

Level 2



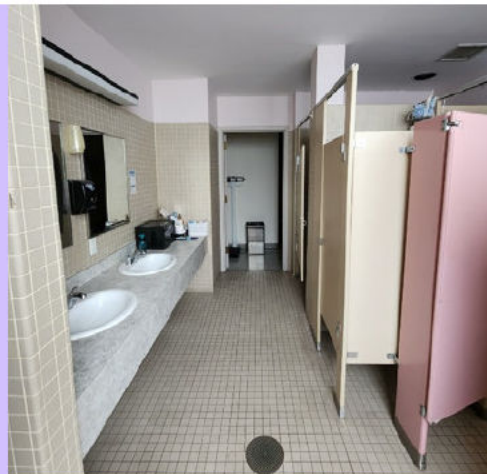
Level 1



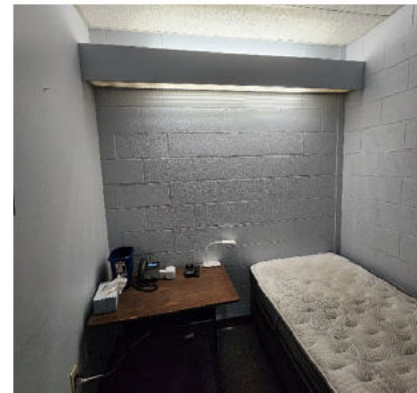
Billerica Police Headquarters – Existing Conditions



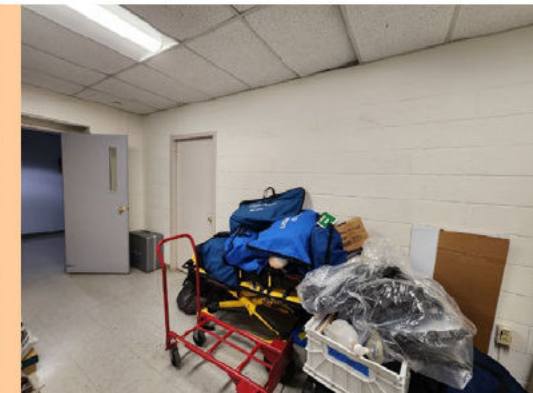
Women's Locker Room



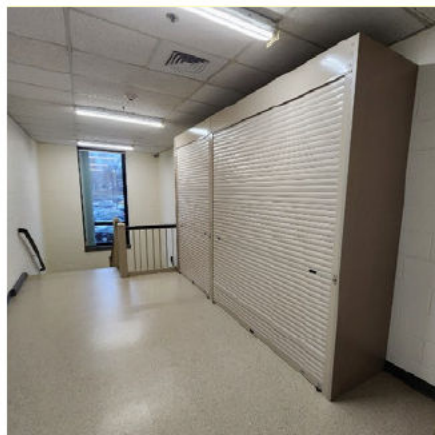
Women's Bathroom



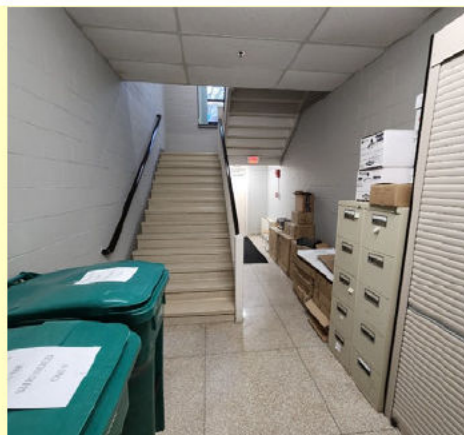
EMT Sleeping Room



EMT Equipment Overflow



Records Overflow Into Stairwells



Windows



Main Entry Visibility

Billerica Police Headquarters – Design Executive Summary – High Priority Renovation

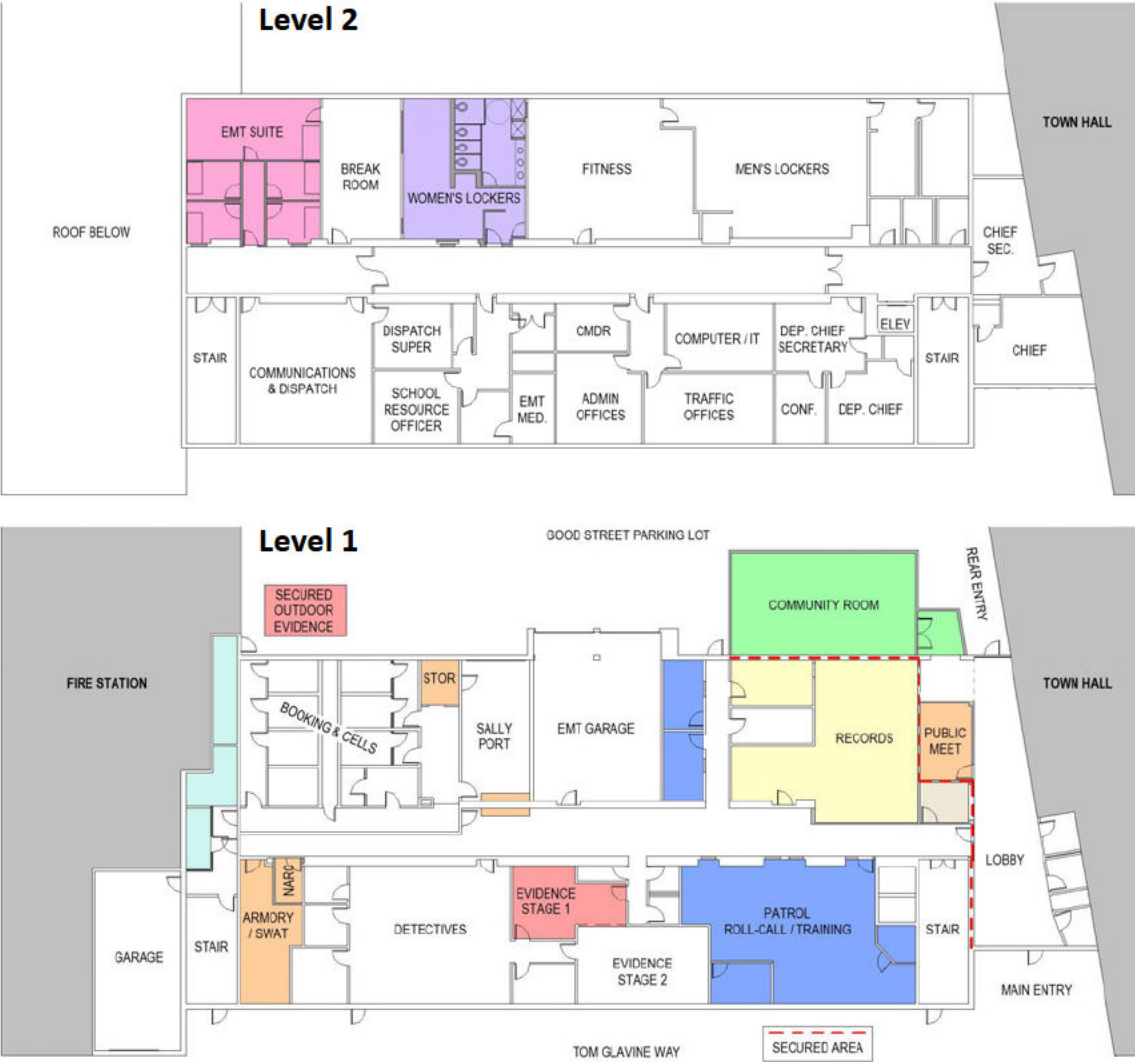
Program Goals

High Priority

WOMEN'S LOCKER ROOM 34 small lockers New accessible bath/shower room	EVIDENCE Reconfigure access Separate evidence processing Outdoor / oversize storage
COMMUNITY ROOM Publicly-accessible, multi-use function space Doesn't fit in existing building -> new addition Ideal access from lobby Accommodate large staff training / briefing	RECORDS New expanded space Public service window
PATROL Consolidate, close to lobby Combine Roll-Call & small briefing space	SECURITY RELATED ISSUES Update comms & security tech Proper weapons & narcotics storage Publicly-accessible meeting room
EMT Consolidate on Level 2 Adequate sleeping rooms	EXTERIOR WINDOWS Complete replacement

Secondary

ADMINISTRATION / SPACE OPTIMIZATION Minor reconfigurations to enable high priority moves
--



Billerica Police Headquarters – Design Executive Summary – Full Renovation

Program Goals

High Priority

WOMEN'S LOCKER ROOM
36 standard size lockers
New accessible bath/shower room

COMMUNITY ROOM
Publicly-accessible, multi-use function space
Doesn't fit in existing building -> new addition
Ideal access from lobby
Accommodate large staff training / briefing

PATROL
Consolidate, close to lobby
Combine Roll-Call & small briefing space

EMT
Consolidate on Level 2
Adequate sleeping rooms

EVIDENCE
Reconfigure access
Separate evidence processing
Outdoor / oversize storage

RECORDS
New expanded space
Public service window

SECURITY RELATED ISSUES
Update comms & security tech
Proper weapons & narcotics storage
Publicly-accessible meeting room

EXTERIOR WINDOWS
Complete replacement

Secondary

ADMINISTRATION / SPACE OPTIMIZATION
Extensive reconfigurations to meet needs
Update single-user restrooms
New multi-use quiet room

MEN'S LOCKER ROOM
Updated, 95 standard size lockers, ventilation
New accessible bath/shower room

LOBBY / ENTRY
Visibility / awareness with Public
Connection to parking area
Visitor experience



Billerica Police Headquarters Feasibility Study Budget Executive Summary – High Priority Renovation

Scope of Work	High Priority Renovation
Construction	\$ 3,984,020
Administration - Owner's Project Manager & Designer	\$ 876,484
Contingencies & Misc. Project Costs	\$ 793,178
Total	\$ 5,653,682

Billerica Police Headquarters Feasibility Study Budget Executive Summary – Full Renovation

Scope of Work	Full Renovation
Construction	\$ 7,483,070
Administration - Owner's Project Manager & Designer	\$ 1,646,275
Contingencies & Misc. Project Costs	\$ 1,493,220
Total	\$ 10,622,565

Town of Billerica



THANK YOU!
Q/A

BILLERICA POLICE HEADQUARTERS PROJECT OPTIONS REVIEW MEETING

Select Board Meeting

August 11, 2025

P|R|A

 **LeftField**
THE RIGHT CHOICE IN PROJECT MANAGEMENT

Town of Billerica



BILLERICA POLICE HEADQUARTERS PROJECT OPTIONS REVIEW MEETING

Select Board Meeting

August 11, 2025

P|R|A

 **LeftField**
THE RIGHT CHOICE IN PROJECT MANAGEMENT

Billerica Police Headquarters Feasibility Study Schedule



Billerica Select Board Policies and Procedures

47.0 Industrial/Commercial Economic Development Policy

47.1 Objective

This Industrial/Commercial Economic Development Policy ("Policy") is for the sole purpose of helping to fill Vacant Commercial and Industrial zoned properties in Billerica, and to help retain existing business, that meet the conditions outlined below. This Policy is aligned with the Town General By-law Article IX, Subsection 3.

47.2 Conditions For Approval

The Select Board will evaluate requests to waive Fees on a case-by-case basis and reserves the right to deny fee waivers if such waivers are not in the best interest of the Town. The owner of a property or properties, the tenant, the Building Commissioner and/or the Planning Director may appear before the Select Board to request a waiver of Fees under the following conditions:

1. The property or properties must be Vacant for a minimum of one year or be occupied by an existing business that intends to leave Billerica or expand in a way that ultimately benefits the community.
2. The owner of the property or properties must be in good standing with the Town regarding payment of real estate taxes, personal property taxes, water and sewer bills, and any other taxes or fees owed to the Town.
3. The owner or their representative may request the Select Board to submit a warrant article to Town Meeting for a Tax Increment Financing (TIF) agreement, provided that the property meets the legal requirement for a TIF as described by M.G.L, c. 40, § 59 and M.G.L. c. 23A.
4. Businesses that receive a waiver of Fees under this Policy are also deemed economic development priorities.

47.3 Definitions

1. **VACANT** : Any property that has not had a tenant occupying the property for a minimum of one year or the owner has not collected rent for the property for a minimum of one year .
2. **FEES**: fees charged for all permits issued by the Town, including without limitation fees charged for all Building Permits issued by the Building Department and fees for inspections conducted by the Town. This Policy only applies to fees charged pursuant to the by-laws, regulations or other legal authority of the Town of Billerica.

Billerica Select Board Policies and Procedures

47.0 Industrial/Commercial Economic Development Policy

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This Industrial/Commercial Economic Development Policy ("Policy") policy is for the sole purpose of helping to fill Vvacant Commercial and Industrial zoned properties in Billerica, and ~~or~~ to help retain existing business, that meets the conditions outlined below. This Policy policy is aligned with the Town General By-law Article Section IX, Subsection 3.

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3. The owner or their representative may request ~~that~~ the Select Board to submit a warrant article to Town Meeting for a Tax Increment Financing (TIF) agreement, provided that the property meets the legal requirement for a TIF as described by M.G.L, c. 40, § 59 and M.G.L. c. 23A.
4. Businesses that receive a waiver of Fees permit fee relief under this Policy policy are also deemed economic development priorities.

47.3 Definitions

1. VACANT VACANCY: Any property that has not had a tenant occupying the property for a minimum of one year or the owner has not collected rent for the property for a minimum of one year ~~one-year minimum~~.
2. FEES: fees charged for all permits ~~Cost of permits~~ issued by the Town, including without limitation fees charged for all Building Permits issued by the Building Department and fees for inspections conducted by the Town. This Policy policy only applies to fees charged pursuant to the by-laws, regulations or other legal authority of ~~eosts controlled by~~ the Town of Billerica.

TOWN OF BILLERICA
PRELIMINARY WARRANT



**ANNUAL FALL
TOWN MEETING**

**Annual Fall Town Meeting
Tuesday, October 7, 2025 at 7:00 PM**

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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Committee Articles

1	To Appoint One Member to the Bowers Fund Committee			Select Board	Reserves Recommendation
2	To Hear Reports of Town Committees & Officers			Town Manager; authorized by Select Board	Reserves Recommendation
3	To Amend the Start Date of Town Meeting			Town Manager; authorized by Select Board	Reserves Recommendation

Financial Articles

4	Fiscal Year 2025 Budget Amendment	\$6,000,000	Raise & Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
5	To Vote a Sum of Money from Free Cash and Retained Earnings to the Debt Stabilization Fund	\$1,800,000	Transfer & Appropriate from General Fund Free Cash & Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
6	To Transfer and Appropriate a Sum of Money from the Town Debt Stabilization Fund to Fund the Debt Service Budget	\$6,000,000	Transfer & Appropriate from Town Debt Stabilization Fund	Town Manager; authorized by Select Board	Reserves Recommendation
7	To Vote from Free Cash to the Land Bank Account	\$6,000,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
8	Community Preservation Committee Appropriation Recommendations		Transfer from Community Preservation Fund	Community Preservation Committee	Reserves Recommendation
9	To Fund Collective Bargaining Agreement – School Teachers		Raise & Appropriate or Transfer from Available Funds	Superintendent; authorized by School Committee	Reserves Recommendation
10	To Fund Collective Bargaining Agreement – School Paraprofessionals		Raise & Appropriate or Transfer from Available Funds	Superintendent; authorized by School Committee	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
11	To Fund Collective Bargaining Agreement – School Administrators		Raise & Appropriate or Transfer from Available Funds		Reserves Recommendation
12	To Fund Collective Bargaining Agreement – School Custodial		Raise & Appropriate or Transfer from Available Funds	Superintendent; authorized by School Committee	Reserves Recommendation
13	To Fund Collective Bargaining Agreement – School Clerical		Raise & Appropriate or Transfer from Available Funds	Superintendent; authorized by School Committee	Reserves Recommendation
14	To Fund Collective Bargaining Agreement – School Cafeteria		Raise & Appropriate or Transfer from Available Funds	Superintendent; authorized by School Committee	Reserves Recommendation
15	To Fund Collective Bargaining Agreement for IAEP Police EMT's and Paramedics		Raise & Appropriate or Transfer from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
16	To Fund Fiscal Year 2025 Town Capital Budget	\$6,000,000	Raise & Appropriate or Transfer from Available Funds or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
17	To Fund Fiscal Year 2025 School Capital Budget	\$6,000,000	Raise & Appropriate or Transfer from Available Funds or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
18	To fund the Construction of the Billerica Police Headquarters Renovation		Borrow	Superintendent; authorized by School Committee	Reserves Recommendation
19	To Fund the Requirements for Street Acceptance	\$50,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
20	To Fund Construction of 2-inch Water Main Replacements and Looping of Dead-End Water Mains	\$3,000,000	Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
21	To Fund Construction of 2-inch Water Main Replacements and Looping of Dead-End Water Mains	3,000,000	Raise & Appropriate or Transfer from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
22	To Provide Additional Funds for the Restoration of the Crosby Hill and Boston Road Water Storage Tanks	\$2,500,000	Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
23	To Fund Roof Replacement for the Administration and Sludge Buildings at the Wastewater Treatment Plant	\$690,000	Transfer & Appropriate from Wastewater Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
24	To Fund the Design of the Darby Street and Waterview Avenue Sewer Pump Station Rehabilitation Projects	\$300,000	Transfer & Appropriate from Wastewater Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation

Land Use and Easements Articles

25	To Grant an Easement to National Grid for Electric Distribution			Town Manager; authorized by Select Board	Reserves Recommendation
26	Conservation Article 97 land article (KAT)			OSRP	Reserves Recommendation

General By-Law Article

27	Zoning Dog Daycare Regulations			Planning Board	Reserves Recommendation
28	Police Age Limit			Town Manager; authorized by Select Board	Reserves Recommendation

Acceptance of State Statutes

29	To Vote to Accept Chapter 60, Section 3F of the Massachusetts General Law			Veterans Director Donnie Jarvis	Reserves Recommendation
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Dawn McDowell

From: michael rosa [REDACTED]
Sent: Thursday, July 31, 2025 2:28 PM
To: Dawn McDowell
Subject: august 11 select board meeting
Attachments: keenan.pdf

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Hi Dawn Please put on the agenda.

1) Discussion and vote on speed limit sign of 30 mph or a speed sign that tells you how fast you are going on Treble Cove Rd. around house # 130.

A resident has requested a speed limit sign to make it safer for her and her neighbors to get out of there drive ways.

2) Discussion and vote on adding two slow deaf child sign before 13 sycamore lane and on the other end. I am attaching a medical report to support the need for these signs. It is for the board only and should be keep confidential as it has medical information.

Thank You
Mike Rosa
Select Board

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BOARD OF SELECTMEN

TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

Andrew N. Deslaurier, *Chairman*
George J. Simolaris, Jr., *Vice Chairman*
John J. Piscatelli, *Secretary*
Daniel L. Burns, *Member*
Kimberly J. Conway, *Member*

TOWN OF BILLERICA COMPLETE STREETS POLICY

Adopted by vote of Billerica Board of Selectmen on March 6, 2017
Effective date of policy: March 6, 2017

Vision and Purpose

Complete Streets are designed and operated to provide safety, comfort, and accessibility for all users of our roadways, trails, and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial vehicles, and emergency vehicles. All users include people of all ages and abilities. The implementation of Complete Streets principles supports the safety, health, economic viability, and general quality of life in a community by promoting a sustainable and cohesive transportation network with accessible and efficient connectivity between home, school, work, recreation and retail destinations.

The purpose of the Town of Billerica's Complete Streets Program is to accommodate all road users by creating a transportation network that meets the needs of individuals using a variety of transportation modes. It is the intent of the Town of Billerica to consider and incorporate, as a matter of course and to the extent reasonably possible, the principles of Complete Streets in the planning and design of transportation related capital projects, so that they are safe for users. This policy will guide our decision-makers to regularly plan, design, and construct capital projects to accommodate all anticipated users, as noted above.

Core Commitment:

The Town recognizes that users of various modes of transportation, including, but not limited to, pedestrians, bicyclists, transit and school bus riders, motorists, users of wheelchairs or other power-driven mobility devices, delivery and service personnel, freight haulers, and emergency responders are legitimate users of streets and deserve safe facilities.

The Town also recognizes that all public transportation capital projects are potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical and with consideration to compatibility between modes and

America's Yankee Doodle Town

community context, plan, design, construct, maintain, and operate streets to provide for a comprehensive and integrated street network of facilities.

Complete Streets design shall be evaluated for all transportation related publicly funded capital projects, as appropriate subject to the availability of funding and right of way. All public transportation projects requiring funding or approval by the Town, as well as projects funded by the state and federal government, such as Chapter 90 funds, the Transportation Improvement Program, the MassWorks Infrastructure Program, Community Development Block Grants and other state and federal funds for transportation projects shall consider the Town's Complete Streets Policy. The priority in applying Complete Streets principles will be on major roadways: arterials and collectors.

Complete streets principles shall be considered for future public streets constructed as part of private developments, where the Town has jurisdictional review and approval authority. In addition, to the extent practical, the Town will collaborate with the jurisdictional agencies of state-owned roadways within Town boundaries to comply with the Complete Streets policy.

Transportation infrastructure may be excluded, upon approval by the Department of Public Works, where documentation and data indicate that:

1. Facilities where specific users are prohibited by law, such as interstate freeways (Route 3) or on private property.
2. Where cost or impacts are excessively disproportionate to the benefit or expected use, such as on lightly travelled roadways where benefits are minimal.
3. Where topography or other circumstance make certain kinds of modes impractical.
4. Where sufficient funding or public right of way are not available for incorporation of all or certain design considerations, yet significant public benefits are still attainable by the project.

Best Practices:

Our Complete Streets policy will focus on developing a connected integrated network that serves all road users. Complete Streets principles will be integrated into policies, planning, and design of all types of public and private projects, including new construction, reconstruction, rehabilitation of transportation facilities on roadways and redevelopment projects.

Implementation of the Complete Streets Policy will be carried out cooperatively between the appropriate departments within in the Town with multi-jurisdictional cooperation, as well as with private developers, and state, regional, and federal agencies, to the greatest extent possible. The Town recognizes that Complete Streets principles may be achieved through single elements incorporated into a particular

project or incrementally through a series of smaller improvements or maintenance activities over time.

The latest available design guidance, standards, and recommendations will be used in the implementation of Complete Streets including:

- The Massachusetts Department of Transportation *Project Design and Development Guidebook*
- The American Association of State Highway Transportation Officials (AASHTO) *A Policy on Geometric Design of Highway and Streets*
- The United States Department of Transportation Federal Highway Administration's *Manual on Uniform Traffic Control Devices (MUTCD)*
- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Documents and plans created for the Town of Billerica, such as the Master Plan.

Implementation:

The Town shall make Complete Streets practices a routine part of everyday operations, shall approach transportation projects as an opportunity to improve streets and the transportation network for all users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.

Our Complete Streets implementation and effectiveness will be evaluated annually for success and opportunities for improvement.

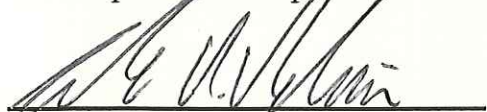
Over time, the Town will review and either revise or develop proposed revisions to appropriate planning documents (master plans, open space and recreation plan, etc.), zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, and templates to integrate Complete Streets principles in street projects.

The Town will develop and maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will prioritize projects to reduce or eliminate gaps in the sidewalk and bikeway network.

The Town will train pertinent town staff and decision-makers on the nature and characteristics of Complete Streets principles and best practices for implementing the policy through workshops and other appropriate means.

The Town will utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.

The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.



Andrew N. Deslaurier, Chairman

FY 2017
Massachusetts
Community
Development Block
Grant Program

Infrastructure and Public Facilities
GUIDE

January 2017



Charles D. Baker, Governor
Karen E. Polito, Lieutenant Governor
Chrystal Kornegay, Undersecretary

INFRASTRUCTURE AND PUBLIC FACILITIES WITH CDBG

Many communities seek Massachusetts Community Development Block Grant (CDBG) funds for public facility and infrastructure projects because they have limited capital budgets and cannot afford all of the public improvements their residents need. The Massachusetts CDBG Program can finance special projects and neighborhood improvements that might otherwise not be funded for many years.

For the purposes of this document, *public facility* and *infrastructure* are considered separately because there are different approaches to documenting national objective and implementation plans for each. For the purposes of this Guide, the term *public facility* means a building or structure (vertical construction) that is publicly or privately owned *and* that is used by persons seeking access to services provided by or available in the facility. *Infrastructure* means public improvements at street level or below grade (horizontal construction), which benefits the residents of a defined service area. The Construction activity packet should be used when applying for CDBG funds to assist either a public facility or infrastructure project. A separate packet should be used for each proposed project. Some examples of public facility projects that can be assisted with CDBG funds include:

- Senior centers
- Social service centers
- Homeless shelters
- Neighborhood playground improvements
- Solid waste transfer and recycling centers
- Renovating closed school buildings for a CDBG-eligible use
- Removing architectural barriers from existing public buildings¹

In contrast, examples of infrastructure projects include:

- Street and sidewalk repairs and related “streetscape” improvements
- Installation or upgrades of water mains, sanitary and storm sewer systems
- Construction of or improvements to parking lots.

Eligibility

Infrastructure and Public Facilities are eligible for CDBG assistance under the Title I of the Housing and Community Development Act of 1974, the statutory umbrella of HUD’s Community Development Block Grant Program. At Section 105(a) of Title I, there is a list of all CDBG-eligible activities. They are also enumerated in [Appendix A](#) of the 2017 Massachusetts CDBG Program Application Guidance. Public facility and infrastructure projects may be

¹ Refer to Massachusetts [CDBG Architectural Barrier Removal Guide](#) if undertaking Barrier Removal projects.

eligible, or may be supported by eligible activities, under several subsections of Section 105(a). Examples for each are provided below:

Section 105(a)(2): Acquisition, construction, reconstruction or installation of public works and facilities, except for buildings for the general conduct of government, and site or other improvements.

Examples:

- Installation of storm sewers to reduce the burden on an existing public wastewater disposal system
- Reconstruction of deteriorated streets and sidewalks and installation of street lights
- Rehabilitation of a public building for use as a senior center
- Acquisition and rehabilitation by a non-profit organization of a building to be used as a multi-service center for low and moderate-income persons
- CDBG assistance to install new utilities (electrical, water, sewer, on-site septic system) for a building that will be used as a neighborhood service center

Section 105(a)(5): Special projects directed to the removal of material and architectural barriers, which restrict the mobility and accessibility of elderly and handicapped persons.

Examples:

- Accessibility enhancements integral to the construction of a new community center that has documented that more than 51% of its users will be low and moderate-income (The project enhancements also eligible under Section 105(a)(2)).
- Removal of architectural barriers integral to the reconstruction of a senior center (barrier removals also eligible under Section 105(a)(2)).
- Installation of accessible bathrooms and ramp at municipal offices to enable accessibility compliance. (Improvements to buildings of general conduct of government are otherwise ineligible for CDBG funds.)
- Elimination of architectural barriers in a public facility that otherwise cannot be documented as serving 51% or more low and moderate-income users.

Section 105(a)(7): Disposition (through sale, lease, donation or otherwise) of any real property acquired pursuant to this title, or its retention for public purposes.

Examples:

- Sale of a CDBG-acquired and rehabilitated building to a non-profit organization that provides public services to low and moderate-income persons (where proceeds from the sale are CDBG program income)

- Sale of a CDBG-acquired vacant site to a non-profit development corporation or a housing authority that is building new affordable housing (where proceeds from the sale and transfer are CDBG program income)
- Execution of a long-term lease with an organization that will use a CDBG-financed public building to provide job training and other support services for low and moderate-income persons (where lease payments are also CDBG program income)

Section 105(a)(14): Provision of assistance including loans and grants for activities, which are carried out by public and private non-profit entities, including (in part) acquisition, construction, reconstruction, rehabilitation or installation of public facilities, site improvements, and utilities.

Examples:

- Construction by a subrecipient of a training center to assist microenterprises with business planning and development.

Section 105(a)(15): Assistance to (qualified) non-profit development group to carry out (public facility or infrastructure) activities, which are part of a (qualified) neighborhood revitalization project, community economic development project or energy conservation project. ***Note: This provision is used on a very limited basis. Prior review with Massachusetts CDBG program staff is highly recommended.***

National Objectives

The National Objective for infrastructure and public facility projects is most often “benefit to low and moderate-income persons.” It is instructive to consider how national objectives apply to different projects. When providing a benefit to low and moderate-income persons, characteristics of the individual users and potential users are evaluated.

Public facility projects

The most common method of demonstrating low and moderate-income benefit for a public facility project usually involves one of the limited clientele benefit methods available in the CDBG regulations, as in the following illustrations:

1. The facility assists persons generally presumed by HUD to be principally low and moderate-income. HUD has designated six categories of people presumed to be low and moderate-income: severely disabled adults, elderly, battered spouses, abused children, illiterate persons, and migrant workers. The rehabilitation or construction of a social service center or senior center often provides services to this limited clientele.
2. The assisted facility *activity* serves a population that has income eligibility requirements, which limit the activity exclusively to low and moderate-income persons (e.g., improvements to a playground located in a subsidized housing

development for the exclusive use of its residents). No verification of income is required.

3. The assisted facility *activity* is of such a nature and in such a location that it can be concluded that the activity's clientele will be primarily low and moderate-income persons (e.g., a soup kitchen or homeless shelter). No verification of income is required.
4. The beneficiaries of the assisted facility are at least 51% low and moderate-income. Low and moderate-income status is determined by income documentation or as dictated by local program design.

Infrastructure Projects

When *infrastructure* provides a low and moderate-income benefit, it is most often on an area-wide basis. The area benefit strategy requires grant applicants to prove, with census or survey data, that a majority of the beneficiaries of the project will be low and moderate-income persons. The project's benefit extends to all residents of the area, provided at least 51% of its residents are documented as low or moderate-income.

Other Methods of Demonstrating National Objective

The following illustrations are available options for national objective compliance, though they are less commonly used for public facility and/or infrastructure projects, as indicated:

1. **Low and Moderate-Income – Area Benefit (LMI/Area)** – Although frequently used for infrastructure projects, it is also possible to show that a public facility project benefits an area with 51% or more low and moderate-income residents. However, the applicant must demonstrate that the low-income area is in fact the project's *geographic service area*. The mere fact that a building is located in a predominantly low-income neighborhood does not mean that the benefits of improving it are principally confined to that area. Communities planning to use an area-wide benefit approach need to establish who uses the public facility in order to make a case that the surrounding area will benefit (e.g., the users must be residents of the target area and the target area must have 51% or more low and moderate-income residents).
2. **Low and Moderate-Income – Job creation or retention (LMI/Jobs)** – A public facility or infrastructure project may also meet the low and moderate-income benefit test as a **job creation or retention** activity if the assistance primarily serves businesses. Communities considering this option should consult CDBG program staff for assistance.
3. **Prevention or Elimination of Slum and Blighting Conditions** – This national objective may be used for public facility or infrastructure improvements under certain circumstances. The national objective of preventing or eliminating slums and blight may be chosen for public facility and infrastructure projects on an *area* basis, and public facility projects involving buildings could also meet this national objective on a *spot* basis, as described below:

Prevention or elimination of slums and blight on an area-wide basis

To eliminate slum and blighting conditions to a public facility or infrastructure on an area wide basis it is suggested that the property meet one or more of the conditions that HUD has identified (see application guidance) that can contribute to Slum and Blight. Deterioration is the condition most commonly identified. The facility would be listed on the approved Slums & Blight inventory as being in fair or poor condition. The project will be more competitive in the application if it can be shown that it will directly eliminate blight.

All of the following points must be documented and submitted to DHCD at least 30 calendar days prior to the grant application deadline:

- The Community must determine that the area meets the state's definition of deteriorated, substandard, blighted or decadent areas as stated in MGL ch.121A and ch.121B.
- The community must document that at least 25% of properties throughout the area experience one or more of the following conditions: Physical deterioration of buildings or improvements, abandonment of properties, chronic high occupancy turnover rates in commercial or industrial buildings, significant declines in property values or abnormally low property values relative to other areas in the community, known or suspected environmental contamination, or public improvements throughout the area are in a general state of deterioration.

Refer to [Application Guidance Information](#), pages 11-15 for instructions on completing the Slums and Blight area inventory and documentation requirements.

Note: A community will receive a ten year designation of the slum/blight area if DHCD accepts the supporting documentation.

Prevention or elimination of slums or blight on a spot basis

Eliminating blight on a spot basis can be used only if the project area is not blighted and if the scope of work is limited to "the extent necessary to eliminate specific conditions detrimental to public health and safety." Eligible projects for eliminating blight on a spot basis are limited to acquisition, clearance, demolition, relocation, historic preservation and building rehabilitation.

4. Urgent Needs – This is the third, and seldom used national objective. It is extremely difficult to document compliance with the urgent needs national objective because of stringent regulatory requirements. Communities planning to show that a public facility or infrastructure project will address an urgent or critical local need must receive prior Massachusetts CDBG approval to cite this as the national objective for any project.

Other Important Considerations

Space allocation plans

Projects involving publicly owned, multi-use buildings should include a space allocation plan that details CDBG-eligible and ineligible (e.g., general government) functions and spaces. The CDBG eligible space must be used primarily for the eligible activity that meets a national objective. Only incidental use of the space (e.g., an occasional meeting) is allowed. It must be clear that the portion of the building developed for ineligible uses will be financed with non-CDBG funds. For example, a proposal to expand a municipal center by 1,500 square feet, with 1,000 square feet allocated for social service activities and 500 square feet allocated for municipal office use may use CDBG funds only on the eligible 1,000 square foot area. Furthermore, there must be evidence that upon completion, the expansion will be occupied and exclusively used by organizations that serve low and moderate-income persons.

Common systems such as HVAC or kitchen facilities must also be pro-rated allowing payment with CDBG funds for only eligible project space. To determine the share that can be financed by CDBG, the allocation plan must be based on the proportionate number of users who are CDBG beneficiaries to those who are not. For example, if a community is adding a wing to Town Hall for the sole purpose of providing a senior center, and the project includes a kitchen to serve the entire building, the applicant must determine how many senior citizens will benefit from the kitchen and how many non-senior residents and/or staff will benefit from it as well. If over the course of a year, 500 seniors will use the new center and have access to the kitchen for meal preparation, and 500 community-wide residents will also use the kitchen for community purposes, then CDBG can pay up to one-half the cost of installing and equipping the kitchen.

Special Public Facilities Rule for State CDBG Program Recipients

HUD requires recipients of State CDBG Program grants to retain the use for which CDBG funds were expended on behalf of a public facility project for a minimum of five years after the closeout of the grant. The purpose of this rule [24 CFR Part 570.489(j)] is to ensure a long-term low and moderate-income benefit from the use of federal funds. This means a community cannot receive CDBG funds to rehabilitate a former school building for use as a senior center, and then convert the facility to a town hall three years later.

If retaining the approved use for five years becomes impractical, a community can request permission to change the use. However, the new use must also benefit low and moderate-income persons and a plan for complying with the national objective is an integral part of any use conversion. A change of use that no longer achieves a national objective can result in the need to repay grant funds to the Massachusetts CDBG Program. Communities planning to apply for public facility projects need to consider the feasibility of meeting this requirement.

Accessibility Requirements for Public Facilities and Infrastructure

Construction and renovation of buildings and facilities assisted with CDBG funds are subject to the some or all (and potentially other) federal and state accessibility requirements. Although not discussed here, some accessibility requirements also apply to the activities and program operations assisted with CDBG funds.

Section 504 of the Rehabilitation Act of 1973

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment, and in the employment practices of federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in title I of the Americans with Disabilities Act. HUD regulations in 24 CFR Part 8.21(a) require recipients of federal financial assistance to design and construct public facilities that are readily accessible to and usable by persons with disabilities. For purposes of Part 8, “recipients” includes States and localities that are grantees and subgrantees under the CDBG program, their subrecipients, community-based development organizations, businesses and any other entity that receives CDBG assistance. New facilities and alterations to existing facilities must be designed and constructed to be readily accessible to and usable by individuals with handicaps.

Americans with Disabilities Act (ADA) of 1990

Title II of the ADA requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings). State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. The Department of Justice’s revised regulations for Titles II and III of the ADA were published in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design, "2010 Standards." On March 15, 2012, compliance with the 2010 Standards was required for new construction and alterations under Titles II and III. Link: <https://www.ada.gov/regs2010/2010ADASTandards/Guidance2010ADASTandards.htm>

The Architectural Barriers Act (ABA) of 1968

The ABA requires that certain buildings financed with Federal funds must be designed, constructed, or altered in accordance with standards that ensure accessibility for persons with physical disabilities. ABA covers any building or facility financed in whole or in part with Federal funds, except privately owned residential structures. The United States Access Board develops and maintains accessibility guidelines under this law. These guidelines serve as the basis for the standards used to enforce the law, the Uniform Federal Accessibility Standards (UFAS). Four Federal agencies are responsible for the standards, including HUD. Usually, if a facility or building is built to meet the requirements Section 504 and ADA it will conform to the requirements of the ABA.

Massachusetts Architectural Access Board (AAB)

All new construction of public buildings and facilities, and all additions to, reconstruction, remodeling, and alterations or repairs of existing public buildings or facilities, which require a building permit or which are so defined by a state or local inspector are subject to Massachusetts AAB. AAB regulations are in 521 CMR.

Note: It is DHCD's policy that all newly designed and constructed multi-story public facility buildings financed in whole or in part with CDBG funds must provide interior access by an elevator.

For further guidance on alterations to existing public facilities please refer to the Architectural Barrier Removal Technical Assistance Guide.

Final considerations for planning, design and implementation of a public facility or infrastructure program

Initial Program Planning

1. Evaluate the construction or rehabilitation needs in your target area. Determine what problems and severity of the problems need to be addressed or evaluated and why they are important. The application needs to explain why the proposed infrastructure or public facility project was chosen, given the range of needs in the community.
2. Set funding priorities and identify all possible funding resources. Bonding, tax overrides or tax debt exclusion should be considered for infrastructure projects. In cities and towns with a high tax levy per capita, Proposition 2-1/2 overrides may be impractical if not inappropriate. Consider and weigh the full range of funding sources available and discuss them in the grant application. Show that CDBG funds are necessary to complete the proposed projects and that all project funds are committed at the time of application submittal.
3. Establish a process to solicit input and involve the community, target area, and potential beneficiaries in the selection and development of the project. This will help an application in the areas regarding citizen participation and how your community selected a project for CDBG's consideration. Many towns have a Town Buildings Committee instead of individual building committees for public facility projects. Massachusetts CDBG encourages you to avoid duplicating existing volunteer efforts, but you might ask your Town Buildings Committee to add a small group of additional members who would work as a subcommittee on a CDBG-assisted project. This would help ensure that citizen beneficiaries have a voice in the project planning process.
4. As a rule, the more pre-application design work that has been completed, the more competitive your application will be. A building project that has design development drawings or is "bid-ready" will have a more realistic, line item budget than one that is based on schematic plans or master plan-level studies. A project with completed, detailed construction plans and specifications will go out for construction bids more quickly, and is more likely to be finished within the grant term.

Note: Bid-ready plans and specifications are required for all public facilities and architectural barrier removal projects with construction costs of \$100,000 or more. Design development drawings are required for public facilities and architectural barrier removal projects or equivalent site and landscaping plans for Playground/Park projects with a total construction cost of more than \$25,000 but less than \$100,000. Although there is no specific design readiness threshold for infrastructure projects, more advanced design will be considered more competitive. Refer to [Application Guidance Information](#) for details.

Program Design

The design of an infrastructure or public facility project should provide all information requested in the Application, and at a minimum, address the following set of issues:

1. Communities must explicitly state how their projects will be funded and cite and document availability of all other required funds and identification of potential significant delays. Proposed projects may be eliminated from consideration if they lack documentation of other funds, are not determined to be feasible, or do not receive competitive scores.
2. The Massachusetts CDBG Program does not require cash or in-kind matches for any public facility or infrastructure projects. Thus, a match is not an eligibility threshold. However, applications will be more competitive where communities can document that they have matching funds. Provide specific information about the improvements for which you are seeking CDBG funds, including linear, square, or cubic feet of construction: (e.g., 2,000 linear feet of waterline to be installed; construct a public facility center with 2,500 square feet for elderly services; 7,000 cubic yards of loam and 25 aspen trees installed in a neighborhood park; construct a recycling plant to handle 8,000 tons of the participating communities' paper, glass and cans; pave 10,000 linear feet of deteriorated roads with 50,000 cubic yards of black top; install 1,000 linear feet of new 21-inch PVC sewer line).

Note: The FY 2017 CDBG Program will award application activities an additional 1 point for leverage up to 10% of project costs; 2 points for leverage over 10%.

Program Implementation

1. Who will oversee the project, including procurement, design, bidding and construction?
2. Who will be responsible for labor standards compliance (in particular, wage rate monitoring)?
3. Who will prepare design plans: the municipality or a consultant? Who is responsible for procuring consultant services?
4. Who provides labor: the municipality, through its public works department (force account labor), or a general contractor selected through a competitive bid process?
5. If project labor is contracted from private sources, federal Davis-Bacon wage rates and labor standards compliance, and possibly state prevailing wages must be built into project and reflected in the budget. If the project is being carried out by a non-profit entity and the town is not executing construction contracts as a public awarding authority, then

federal Davis-Bacon wage rates will apply to the project. However, in most cases construction work on these projects is procured and contracted by the municipality. In these instances, you must obtain both the federal Davis-Bacon and state prevailing wage schedules for the labor classifications that will be deployed on the project, and the contractor must pay the higher of the two for each job classification.

6. Federal Davis-Bacon wages are triggered for construction contracts that exceed \$2,000, regardless of the total amount of CDBG assistance. Certain categories are exempt, such as legal, clerk of works, self-employed contractors, foremen, and apprentices. Davis-Bacon wages can increase labor costs by as much as 25%, so you must account for potential project cost impacts when calculating your construction budget.
7. Work on public buildings is also subject to state regulations, governing procurement, and state prevailing wages. Consult with your Town Counsel or City Solicitor, your Town Buildings Committee, Town Manager, designated Procurement Officer or other available officials to determine which of the state procurement rules apply to the type of project you plan to propose in your application. All procurement, regardless of dollar amount, must be conducted in a manner that provides for maximum free and open competition.
8. Site control may be important in certain projects (a threshold requirement for any senior center project). In the grant application, communities should state who owns or has an interest in the property to be improved with CDBG funds. There must also be a long-term maintenance plan for the project so that funds are not used for public facility improvements that cannot be properly maintained in the long run. Provide a budget and describe the plan in the context of your community's existing public facility or infrastructure maintenance programs.
9. Implementation schedules must be realistic; consider start-up date, seasonal weather, design time, and permits to obtain. The schedule must account for all design, permitting, and construction activities required to complete a project. Weather and seasons should be considered. Communities must complete projects within the grant cycle (18 months for FY 2017).
10. The construction process generally includes these primary steps:
 - Procurement and award to the designer/other service
 - Design or engineering phase(s)
 - Preparation of plans, specifications and bid documents
 - Construction bidding
 - Contract award
 - Pre-construction conference
 - Construction phase - labor standards/wage and payroll monitoring
 - Inspections to pay invoices
 - Final inspections and contract monitoring
 - Retainage held - final retainage released
 - Close-out.



Department of Public Works

Town Hall, 365 Boston Road, Billerica, Massachusetts 01821
PH: (978) 671-1313 FAX: (978) 671-0906

Abdul Alkhatib, Director

To: John Curran, Town Manager

From: Abdul Alkhatib, Director

Date: August 1, 2018

Re: Howe Building, Library, Town Hall, Police and fire Roof

- The Roof at the Town Hall is Complete
- The roof at the Police and Fire Building are 95% complete. The only remaining items are the facial wood around the edge of the buildings; in addition, we are considering replacing the roof units on top of the buildings and requested that the contractor work with an AC sub to provide pricing for the work.
- Library & Howe Buildings, new slates were 6 weeks late arriving from NY State Quarry early this week; contractor is mobilizing to continue the work next week and expected 2-3 weeks to complete the work. Contractor's email response today stated the following "The new slate has finally arrived - it was dropped off at the two sites by our supplier. I hope to re-mobilize next week to begin the new slate install. I have also contacted our mason and asked him to mobilize at Howe to complete the chimney reconstruction"





- Crosswalks and traffic lines

The department has completed many locations and continues to schedule other locations to be done before the school opening in September. The department had spent \$54,000 in FY18 in combination of Thermo and Epoxy lines. Faded crosswalks locations with thermos due to high traffic have received paint over in many locations to highlight the crosswalk and make it more visible. Here is the list of crosswalks completed 2018.

New Foster Ave.@ Bridge St.
 Mt Pleasant St. @ High St.
 Mt Pleasant St. @ Billerica Ave.
 Billerica Ave @ Mt Pleasant St.
 Mt Pleasant St. @ Ruggles St.
 Mt Pleasant St.@ Rogers St.
 Salem Rd @ Stonehedge Circle
 Pollard @ Call St.
 Simmons @ Boston Rd.
 Pershing @ Boston Rd.
 Phiney @ Boston Rd.
 Pollard @ Floyd St. (3)
 Entire intersection with lane lines
 Arrows and onlys.
 Pollard @ Boston Rd. (2)
 Nashua @ Treble Cove Rd. (2)
 Middlesex Turnpike @ Marshall St.(2)
 Pages Ct @ Concord Rd.
 Richardson St. @ Concord Rd.(2)
 Charnstaff @ Concord Rd.
 Kenmar Drive @ Concord Rd.
 Whiting Rd @ Concord Rd.(2)
 Caitlin @ Concord Rd.
 Campbell @ Concord Rd.
 French @ Concord.Rd.
 South Cemetery @ Concord Rd. (2)
 Concord Rd.@ Cabot Corp.
 Middlesex Turnpike @ Concord Rd.
 Skyline @ Mulberry Rd.
 Pond St @ Andover Rd.
 Andover Rd. @ Pond St.
 Andover Rd @ O'Conner Hardware (2)
 Boston Rd @ Tom Glavine Way.
 Boston Rd @ Good St.

Town of Billerica - FY26 Paving Plan

Road / Portions of Road	Length (ft)	Repair Method	FY26 Road	FY26 Sidewalk	FY26 Supplemental
Alpine Street	2,366.21	Fog Seal w/Crack Seal	\$ 15,117.48		
Andover Road	6,950.40	Double Micro Crack Seal & Mill and Overlay	\$ 196,148.45		
Bridge Street	2,583.40	Fog Seal w/Crack Seal & Mill and Overlay	\$ 75,403.63		
Canterbury Street	1,745.12	Reclamation	\$ 166,622.13		
Floyd Street	914.63	Mill and Overlay 1.5"	\$ 41,259.87		
George Brown	2,636.54	Mill and Overlay & Double Micro Crack Seal	\$ 72,286.52		
High Street	2,976.87	Fog Seal w/Crack Seal	\$ 24,606.43		
Lexington Road	8,406.69	Mill and Overlay 1.5"	\$ 332,820.30		
Lowell Street	2,099.62	Mill and Overlay 1.5"	\$ 97,882.26		
Manning Road	337.00	Mill and Overlay 1.5"	\$ 10,858.89	\$ 52,235.00	
Middlesex Turnpike	6,624.03	Mill and Overlay 1.5"	\$ 328,132.53	\$ 1,026,724.92	\$ 513,656.54
Mount Pleasant	2,623.58	Fog Seal w/Crack Seal	\$ 17,490.50		
Oak	4,387.13	Fog Seal w/Crack Seal	\$ 29,478.26		
Orchard	601.14	Fog Seal w/Crack Seal	\$ 4,007.62		
Rogers	4,277.73	Fog Seal w/Crack Seal	\$ 27,329.92		
School House Lane	2,174.81	Fog Seal w/Crack Seal	\$ 15,086.68		
Sheldon	3,152.16	Fog Seal w/Crack Seal	\$ 21,014.40		
Treble Cove Road	1,203.63	Fog Seal	\$ 6,303.99		
Water Street	359.34	Reclamation	\$ 37,730.61		
Yale	308.28	Reclamation	\$ 30,827.78		
Police Details			\$ 314,302.00		
Contingency			\$ 471,454.00		
Total Paving Cost			\$ 2,336,164.24	\$ 1,078,959.92	\$ 513,656.54
Combined Total	56,728.32				\$ 3,928,780.70

Funding Source	Amount
Estimated Chapter 90	\$ 1,000,000.00
Town Funds	\$ 2,000,000.00
Billerica Venture Sidewalk	\$ 450,000.00
Complete Streets Grant	\$ 500,000.00
Total Paving Funds	\$ 3,950,000.00

Paving & Pavement Preservation 2025

Below please find our 2025 Paving & Pavement Preservation Road Work List that shows the repair method scheduled on each road. This list is provided for informational purposes only, is not all inclusive, and is subject to change. The actual work to be performed may deviate based on a number of factors, such as funding, environmental permitting, scheduling, etc. All abutters will be contacted in advance of the work and will be provided additional details regarding the specific work on their street. Please contact the DPW Engineering Division for any questions.

ROAD	FROM	TO	REPAIR METHOD
ALPINE ST	BOSTON RD	CHELMSFORD TL	FOG SEAL W/ CRACK SEAL
ANDOVER RD	BOSTON RD	ALLEN RD	DOUBLE MICRO W/ CRACK SEAL
ANDOVER RD	NEWPORT DR	WHIPPLE RD	MILL AND OVERLAY - 1.75"
BRIDGE ST	TREBLE COVE RD	NEW FOSTER AVE	FOG SEAL W/ CRACK SEAL
BRIDGE ST	NEW FOSTER AVE	BRIDLE RD	MILL AND OVERLAY - 1.75"
BRIDGE ST	BRIDLE RD	BOSTON RD	FOG SEAL W/ CRACK SEAL
CANTERBURY ST	MIDDLESEX TPK	YALE ST	RECLAMATION
FLOYD ST	BOSTON RD	SCHOOL ENTRANCE	MILL AND OVERLAY - 1.75"
GEORGE BROWN ST	SALEM RD	PUMP STA ACCESS RD	DOUBLE MICRO W/ CRACK SEAL
GEORGE BROWN ST	PUMP STA ACCESS RD	WHIPPLE RD	MILL AND OVERLAY - 1.5"
HIGH ST	BRIDGE ST	MOUNT PLEASANT	FOG SEAL W/ CRACK SEAL
LEXINGTON RD	BOSTON RD	BEDFORD TL	MILL AND OVERLAY - 1.5"
LOWELL ST	COLSON ST	BOSTON RD	MILL AND OVERLAY - 1.75"
MANNING RD	LEXINGTON RD	PAVEMENT CHANGE	MILL AND OVERLAY - 1.5"
MIDDLESEX TPKE	NEAR CONCORD RD	PEARL RD	MILL AND OVERLAY - 1.75" + REPLACE SW AND CURB
MOUNT PLEASANT ST	HIGH ST	ROGERS ST	FOG SEAL W/ CRACK SEAL
OAK ST	POND ST	SHELDON ST	FOG SEAL W/ CRACK SEAL
ORCHARD RD	MIDDLESEX CC ENT	BEDFORD TL	FOG SEAL W/ CRACK SEAL
ROGERS ST	FRANKLIN ST	HIGH ST	FOG SEAL W/ CRACK SEAL
SCHOOL HOUSE LN	WYMAN RD	LEXINGTON RD	FOG SEAL W/ CRACK SEAL
SHELDON ST	HIGH ST	TEWSBURY TL	FOG SEAL W/ CRACK SEAL

ROAD	FROM	TO	REPAIR METHOD
TREBLE COVE RD	CHARLES ANNA LN	OLD TREBLE COVE RD	FOG SEAL
WATER ST	MICOZZI WAY	MIDDLESEX TPKE	RECLAMATION
YALE ST	CANTERBURY ST	MICOZZI WAY	RECLAMATION

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Public Works

Posted on: March 21, 2025

Roadway Management

Update - 6/23/25 - Monday, June 23rd and Tuesday, June 24th at 8pm, our contractor, PJ Albert, will be line striping Lexington Road, Manning Road, Floyd Street, George Brown Street, Andover Road and Water Street. The roads will be open to through traffic with minor delays. Residents will have access to driveways at all times. Please refrain from using your sprinkler system.

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Update - 5/27/25 - Wednesday, May 28th, our contractor, PJ Albert, will be paving Lexington Road from Boston Road to Schoolhouse Lane. The road will be closed to through traffic during the time of the paving. Detours will be in place and detail officers will be on site to redirect traffic as needed. Residents will have access to driveways at all times with the exception of minor delays. Please refrain from using your sprinkler system

Update - 4/23/25 - Thursday, April 24th and Friday, April 25th, our contractor will be Milling George Brown Street from Harjean Road to Whipple Road, Andover Road from Newport Drive to Whipple Road, and Floyd Street from Boston Road to the Marshall Middle School Entrance. Work hours will be from 7am to 5pm. The residents can access the road at any time, with the exception of minor delays. Police details will be on hand to assist with traffic direction.

Update - 4/23/25 - Wednesday, April 23rd and Thursday, April 24th, 2025, our contractor will be *Milling* Lexington Road from Boston Road to Schoolhouse Lane, and from Middlesex Turnpike to the Burlington Town Line. Work hours will be from 7am to 5pm. The residents can access the road at any time, with the exception of minor delays. Police details will be on hand to assist with traffic direction.

Update - 4/23/25 - Wednesday, April 23rd to Friday, April 25th, 2025, our contractor will be *Reclaiming* Manning Road, Canterbury Street, Water Street, and Yale Street. Work hours will be from 7am to 5pm. The residents can access the road at any time, with the exception of minor delays. Police details will be on hand to assist with traffic direction.

Update - 3/21/25 - Saturday, March 22, 2025, the Town's Highway Department will be replacing a drainpipe across Middlesex Turnpike at the intersection of Middlesex Turnpike, Water Street, and Lake Street. The intersection will be closed throughout the duration of the work. Detours will be in place to redirect traffic and police details will be on site to assist as needed. Access to homes in the area will remain available throughout the duration of the work.

← [Previous](#)

[Zero Waste Day August 16, 2025](#)

[Next](#) →

[MassDOT Milling in Pinehurst](#)

Other News in Public Works

[Boston Road Reconstruction](#)

Posted on: October 18, 2022

Zero Waste Day August 16, 2025

Posted on: July 21, 2025

MassDOT Milling in Pinehurst

Posted on: April 25, 2025

Water Main Installation Project

Posted on: June 6, 2025

Rangeway Road Sewer Betterment

Posted on: June 2, 2025

2025 Paving & Pavement Preservation

Posted on: January 22, 2025

Yankee Doodle Bike Path

Posted on: March 6, 2024

2025 Flow Monitoring Program

Posted on: March 17, 2025

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Annual Paving Program

Updates

Please visit this website regularly for updates. We will do our best to keep this information current, including surfacing dates that can be the most impactful as an abutter.

Click here for: [2025 Annual Paving Map](#)

8/1/2025: Indus Inc will return on Monday to complete micropaving work. To avoid impacts to curbside trash and recycling collection, residents should place carts at the curbside no later than 6AM.

7/31/2025: Due to wet weather, micropave for today has been postponed. The contractor was able to complete **Rodney, Foster and Maple Street**. The contractor will plan to return on the next dry day, to complete Elm Street before moving to **Riverside Ave, Bonair Ave, El-Will Farm Road, and Cot Hill Road and Balsam Drive**. DPW will provide firm details when available. Reclaim is expected to move to **Richard Road and Winchester Drive** on Friday 8/1. Notices will be hand delivered by the contractor later today.

7/30/2025: Micropaving planned for Old Billerica Road (S-bend, from Temple Terrace to Autumn Drive) has been postponed to 2026.

7/28/2025: Indus Inc will begin micropaving in the area of Elm, Maple, Rodney and Foster Roads on Wednesday 7/30 and continuing into Thursday 7/31. Please note that access to Mudge Way and the Town Center Building will be via Mudge Way only during construction which is expected to take two days.

7/25/2025: Grading and removal will continue the area of **Sweetwater Ave** for the next several days. We expect that work crews will then move to **Richard Road/Winchester Drive** mid- to late next week. Micropaving is tentatively scheduled to begin next Wednesday and continue into Thursday on the following roads: **Elm Street, Maple Street, Riverside Ave, Bonair Ave, El-Will Farm Road, ~~Old Billerica Road (S-bend, from Temple Terrace to Autumn Drive)~~ and Cot Hill Road** as well as a small warranty repair on **Shawsheen Road**.

7/22/2025: **Crosby Drive** paving is complete. Line stripping will take place sometime in the next few weeks. Reclaim will continue on **Sweetwater Ave** into next week. The contractor will then move to **Sherman Lane, Hayden Lane and Richard/Winchester Roads**. Timing of this work is largely dependent on pace of work day-to-day and exact timing is not known. Additional updates will be provided when available. Crack seal crews will be back in Town on Friday 7/25. Micropaving is tentatively scheduled for 7/30-7/31.

7/17/2025: Finish Paving on **Crosby Drive** is scheduled to begin tomorrow, Friday 7/18, and conclude on Monday 7/21. Reclaiming/grading and gravel removal will continue tomorrow in the area of **Sweetwater Ave**.

7/10/2025: DPW staff will be working on restoring road edges in the **Clark/Gleason and Fletcher/Fitchdale** areas on Friday 7/11 and Monday 7/14. **Crosby Drive** milling is now complete. The finish coat of pavement is expected to be applied on Thursday and Friday of next week. Structure work in the **Sweetwater** area has been cancelled for tomorrow and is now rescheduled to Monday 7/14. Reclaim work on **Sweetwater** is still tentatively scheduled to begin next Wednesday 7/16. Crack seal crews expect to finish work by Monday 7/14.

7/7/2025: UPDATE for CROSBY DRIVE Milling work on Crosby Drive will begin on Wednesday 7/9 through Thursday 7/10. One-way traffic detours are expected to help expedite this work. Police details and DPW staff will be on site to assist travelers. Residents should expect delays and avoid the work area, if possible.

7/3/2025: Crack Seal work will continue next Wednesday 7/9 and is expected to be completed by Thursday 7/10. Milling work on **Crosby Drive** is also scheduled to begin on Wednesday 7/9 through Thursday 7/10. Structure crews will begin dropping and plating road structures on **Hayden/Sweetwater**,

Winchester/Richard areas beginning Friday 7/11. Castings will be adjusted on **Crosby Drive** once milling work is complete. Finish coat pavement for **Crosby Drive** is still tentatively scheduled for 7/17 and 7/18.

6/26/2025: Finish paving was completed Wednesday. Road edge restoration is tentatively scheduled for next week and continue through the following few weeks. Crack sealing is mostly complete but will be back in town for a few days later in the summer.

6/24/2025: Finish paving continued today in the **Clark/ Gleason** neighborhood. The contractor will be back in that area Wednesday to finish, and then head to **Wayte** and **Maxwell**. All finish paving should be completed by Wednesday afternoon. Crack sealing will also continue Wednesday.

6/23/2025: Due to today's extreme heat, paving is now complete, but some finish work still remains incomplete in the **Fletcher/Fitchdale** area. The contractor will begin work tomorrow in the **Clark/Gleason** area and then finish **Waite** and **Maxwell**, if time allows. If they are unable to complete all areas DPW will provide additional scheduling details as soon as they are available.

6/18/2025: Finish paving is cancelled today due to weather. Crack sealing is also cancelled for today, but will be back in Town tomorrow, Thursday 6/19. Finish paving on **Fletcher/Fitchdale** has been rescheduled to Monday 6/23 and **Clark/Gleason** has been rescheduled for Tuesday 6/24.

6/13/2025: Finish paving is still tentatively scheduled for the **Fletcher/Fitchdale** on Wednesday 6/18 and **Clark/Gleason** area has been rescheduled to Monday 6/23.

6/12/2025: Finish paving is tentatively scheduled for the **Fletcher/Fitchdale** area on Wednesday 6/18 and for **Clark/Gleason** on Friday 6/20. A structure crew will begin work on Monday 6/16 to adjust structures ahead of Summer micropaving. Crack sealing is tentatively scheduled to begin on Tuesday 6/17 and continue until Thursday 6/19.

6/10/2025: Tentative paving dates for upcoming work are as follows:

- **Crosby Drive** milling: July 10-11;

- Structure work on **Crosby, Sweetwater/Hayden** and **Winchester/Richard**: July 14-18
- **Crosby Drive** paving: July 18-19
- **Sweetwater/Hayden** and **Winchester/Richard** reclaim and grading: July 16-29
- **Sweetwater/Hayden** and **Winchester/Richard** base asphalt: August 4-8

All above dates are tentative and highly weather dependent and subject to change. Impacted residents will receive hand delivered notices at least 1 day before work is expected to begin for milling, reclaim/grading and paving.

6/3/2025: A final layer of payment is expected to be applied to **Clark/Gleason** and **Fletcher/Fitchdale** beginning on 6/16 and 6/17. Crack seal is tentatively scheduled to begin on Friday 6/13 and continue the following week, through 6/19. A structure crew will tentatively begin raising structures in anticipation of microsurfacing (see map above for work area) on Friday 6/20; This work is expected to last 2-3 days. Additional details will be provided once DPW confirms work schedules.

5/23/2025: Paving is cancelled for today. The contractor will return on Tuesday to finish pave Heritage Drive. Due to scheduling constraints and weather-related delays, the contractor will then return in mid-June to finish pave Fletcher/Fitchdale and Clark/Gleason area. Due to the recent rains, all schedules have been negatively impacted and delaying application of topcoat will allow the ground water to drop before finish coat pavement is applied. Driveway trimming and milling joints will continue today. This work is minimally disruptive. Crews will also be forming handicapped ramps for the remainder to the day.

5/22/2025: The Contractor will be hand delivering notices later today describing potential paving work to occur tomorrow on Heritage Drive. This is highly weather dependent. In the event the weather is not conducive to paving, new notices will be delivered ahead of work to occur on another day.

5/15/2025: No paving work today due to weather.

5/14/2025: Base paving is complete on all streets in the current project area. Structure crews will be raising castings to finish grade in the **Clark/Gleason** area for a few more days before moving to

Fletcher/Fitchdale and finally **Heritage Drive**. Driveway trimming as well as milling joints and around castings will begin tentatively sometime next week. DPW will provide updated information as soon as it's available. We anticipate finish paving will occur later next week, however, this schedule is high weather dependent.

5/13/2025: Base paving is complete in the **Clark/Gleason** neighborhood as well as on Fletcher/Fitchdale. The contractor will be working on **Heritage Drive** tomorrow and should be done by mid-day. Work to raise structures will continue in the **Clark/Gleason** neighborhood for the next few days.

5/12/2025: Sunshine Paving will continue with base paving in the **Clark/Gleason** area tomorrow. We anticipate about a day and a half work of work before moving to **Fletcher/Fitchdale** and **Heritage Drive** on Wednesday morning. The structure crew will begin raising structures tomorrow in the **Clark/Gleason** area tomorrow in preparation for final paving.

5/10/2025: All paving work is cancelled for today due to weather. The contractor will be working on Monday morning to do some touch up grading and begin base paving in the **Rand/Clark/Gleason** area. The contractor hopes to work a day and a half in that area before moving to **Fletcher/Fitchdale** on Tuesday (tentative) and finishing on **Heritage Drive** on Wednesday afternoon (tentative).

5/8/2025: Blending, grading and capping off the reclaimed streets is now complete. If weather conditions allow, the contractor may begin applying the binder pavement coat as early as tomorrow. Binder and Final paving work is highly weather dependent and DPW will be working with the contractor to scheduling the paving work as soon as dry weather is expected, which could include Saturday work.

5/6/2025: Reclaiming is complete, grading and compacting will continue. Weather permitting, calcium blending may begin tomorrow with final grading to follow. This part of the project is highly weather dependent.

5/2/2025: Reclaiming work continued today on **Fletcher/Fitchdale**. Due to equipment issues the contractor was not able to complete the reclaim. They will return Monday to finish. Grading will also continue Monday in the **Clark/Gleason** area.

4/30/2025: Reclaim work is now planning to move to **Heritage Drive** later today or tomorrow morning before heading to **Fletcher/Fitchdale** on Thursday afternoon. Grading is expected to continue in the **Clark/Gleason** neighborhood for the remainder of the day and then moving to **Heritage Drive** either tomorrow or Friday.

4/29/2025: Reclaim work will continue tomorrow morning in the **Clark/Gleason** neighborhood. The contractor expects to move the reclaiming equipment to **Fletcher/Fitchdale** tomorrow and possibly begin reclaiming, if time allows. Grading and removing material will occur in the **Clark/Gleason** neighborhood for the next day or two.

4/24/2025: Crews are on **Fletcher and Fitchdale** working on structures. Depending on pace of work, structure crews may move to Heritage Drive later today at the earlier or possibly tomorrow. Reclaim is tentatively starting on Monday on **Clark, Gleason, Putnam, Rand**. DPW does not have an exact location of where work will begin in this neighborhood.

4/22/2025: Structure work will continue into tomorrow on **Clark, Gleason, Putnam and Rand**. Crews will then move to **Fletcher and Fitchdale** on Thursday, depending on pace of earlier work. Reclaim is now tentatively scheduled on **Clark, Gleason, Rand and Putnam** for Monday 4/28.

4/18/2025: Structure crews will be lowering plating beginning on Tuesday April 22nd in the area of **Clark, Gleason, Putnam and Rand**. Reclamation is expected to begin on Wednesday April 23rd.

4/14/2025: DPW Annual Paving Program mailer was sent to abutters that will be directly impacted by road work in advance of this season's projects. Paving projects are often dynamic and exact scheduling dates are not yet known. We will do our best to keep the public informed as the season progresses. If you have additional questions, please contact the Public Works Department at (781)275-7605.

Please be advised that with the exception of Fog Sealing and Shim Course, newly paved roads are subject to Bedford Code Art. 46 "No person shall break or dig up any sidewalk, street or public way... without obtaining proper insurance coverage and a Street Opening Permit." There will be a period of five years after paving that no Street Opening Permits will be issued for those streets. If you plan to install or repair a gas service, underground electric service,

underground telephone, underground cable service water service, sewer service or any other work that would require excavating in the street, the work **must be done before the street is repaved**. Please review the Street Opening Moratorium information for more details. [Street Opening Permit Specification document](#) and application process can be found on the [DPW Online Permitting & Permit Standards page](#).

Related Documents & Mailers

- [Street Opening Moratorium \(PDF\)](#)
- [Paving Specifications \(PDF\)](#)
- [Driveway Standards \(PDF\)](#)

FAQs

- [Will I have access to my driveway during paving?](#)
- [Will paving impact trash and recycling collection?](#)
- [How will this impact utility work or driveway repair after paving?](#)
- [Can I park on the street during paving?](#)
- [Who can I contact with additional questions about paving?](#)

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What to expect: Description of road treatments

Crack Sealing - Crack sealing is the placement of a sealant material into cracks of an existing pavement surface to prevent excess water and moisture from penetrating the asphalt. This is a preventative measure to keep the road from deteriorating further. Crack Sealing can be done as a stand-alone treatment or in conjunction with other treatments listed below.

Fog Seal - A fog seal is a thin liquid layer applied to the surface of a paved road in relatively good condition. The intent of this treatment is to seal the pavement, rejuvenate, restore the wearing surface and provide resistance to deterioration due to the weather and sun.

Subsequent to a Fog Seal the cracks are sealed with a liquid asphalt sealer. This treatment will extend the life of the pavement. This is classified as preventive maintenance.

Microsurfacing - A Microsurface is a thin layer (3/8") preventative maintenance treatment applied to an existing paved surface in either one or two layers. This treatment adds a tough wearing coat that will seal and protect the existing pavement and give it a new friction course. Crack sealing is applied to the pavement prior to Microsurfacing. For the work some of the cast iron structures in the street will be adjusted to final grade prior to application if deemed necessary. Minor pothole patching and other pavement repairs are done prior to installation of this treatment. This treatment is done in two applications. The second application will usually occur the day after the first application.

Mill and Overlay - The existing pavement has 0.5 to 2 inches of the surface ground off. This treatment removes the existing deteriorated wearing surface and leaves the substructure intact. Then the installation of new pavement follows the Overlay description above. It is not uncommon for two layers to be installed after milling of the pavement.

Shim Course - A shim course is a temporary measure used in locations where the roadway is in a state of failure but additional utility work is required before a permanent roadway surface is completed. This utility work is currently scheduled and prioritized for these locations, so the shim course is stop gap measure used to provide adequate service to drivers until the utility work is complete. As a temporary measure this treatment will not trigger a moratorium as the other treatments do and roadway cuts will be allowed through a Street Opening Permit. If you have utility work on a shim course street please consider completing before the permanent roadway surface is applied.

Cold-In-Place Recycling - Cold-in-place recycling is a preservation technique for reusing the existing road material to create a new roadway surface. The old road is ground up, mixed with some additives, and immediately placed back down on the road. Additives are based off a specific mix design created in a lab, and typically no new asphalt mix is required for this treatment. After one week a wearing surface will be put on top of the new road,

typically a microsurface treatment and it will look very similar to a typical paved surface. All structures (catch basins, manholes, and water and gas gates) will have to be reset for this treatment.

Reclamation - This treatment is intended for a roadway that has outlived its useful life. It is considered to be the most aggressive resurfacing treatment. The entire pavement structure is completely pulverized to depth of 14" to 20". Most of the pulverized material is reused as a subbase for the asphalt paving. Additional material may be required to be blended in the subbase to meet specifications. After the subbase is installed a minimum of 4" of asphalt is installed in multiple layers.

Contact Us

Town of Bedford
10 Mudge Way
Bedford, MA 01730

Town Main Directory: 781-918-4000

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FAQs

- 1. [How do I volunteer for a board or committee?](#)
- 2. [How do I sign up for emergency alerts?](#)
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Traffic Items from Board of Selectmen

Description	Date / (Anticipated Date)	Notes	Cost	By
Bicknell Road	9/29/2015	Traffic Management Committee meeting		
	10/28/2015	NGRID contacted re: street light out		DPW
	11/2/2015	Selectmen meeting - TMC recommendations approved		TMC
	11/2015	Signs installed, tree clearing done	\$ 750	DPW
	11/1/2015	contacted owner of hedges (left business card 11/2015 - no response)		DPW
	fall	to restripe XW, SL	\$ 800	DPW
	fall 2015	to gather speed data for targeted enforcement		PD
	4/19/2016	TMC reviewed how these measures are working out		TMC
	5/16/2016	TMC reported back to Selectmen		TMC
Alpine Street	9/29/2015	Traffic Management Committee meeting		
	11/2/2015	Selectmen meeting - TMC recommendations approved		
	fall 2015	to adjust truck signs, add two signs	\$ 350	DPW
	3/2/2016	to coordinate with UPS/USPS re: cut throughs		TM
	2/29/2016	TMC meeting with Developer		TMC
	3/7/2016	TMC presented recommendations to BOS		TMC
	summer 2016	Developer to install speed humps		DPW
	spring 2017	Developer to re-assess speeds		DPW
Marshall Street &	11/2/2015	Selectmen meeting - speeding, truck traffic, sidewalk need		
Elliot Street	11/2015	Request price for survey	\$ 5,285	DPW
	12/2/2015	Traffic Management Committee meeting		
	12/7/2015	TMC at Selectmen meeting - TMC recommendations approved		TMC
	3/3/2016	determine appropriate speed limits in the neighborhood	\$ 7,000	DPW
	3/3/2016	evaluate installation of 4 way stops		DPW
	3/3/2016	assess a request for a formal truck exclusion		DPW

Traffic Items from Board of Selectmen

Description	Date / (Anticipated Date)	Notes	Cost	By
	3/3/2016	Review the location of existing bus stops		DPW/PD/SCH
	3/3/2016	Review bus routes with School Department to go into neighborhood		PD/SCH
	3/3/2016	Assess feasibility of sidewalk or recommend alternative		DPW
	1/28/2016	Install guide sign at intersection of Marshall/Elliot	\$ 600	DPW
	spring 2016	Continue maintenance of roadway edge clearing/brush		DPW
	2/22/2016	Selectmen meeting - Present draft traffic study		DPW
	3/7/2016	Selectmen meeting - Present final traffic study		DPW
	spring 2016	Gather data and submit request for Speed Regulation and Truck Exclusion		DPW
	5/16/2016	Installed recommended signage		DPW
	summer 2016	Complete Ground Survey & Review Sidewalk Impacts/Cost		DPW
Concord Road	4/19/2016	Traffic Management Committee meeting - guardrail request		
(Kenmar Curve)	5/17/2016	Selectmen meeting - TMC recommendations approved		
	5/17/2016	Signs Installed		DPW
Pinehurst and	5/16/2016	Selectmen meeting		
Glenside request	6/19/2016	Traffic Management Committee meeting		TMC
for 4 way stop				

x	task in progress/to do
x	task completed
	TMC ongoing work

EMPLOYMENT CONTRACT
BY AND BETWEEN
THE TOWN OF BILLERICA
SELECT BOARD
AND
CHRISTOPHER DILLON, ACTING TOWN MANAGER

This Agreement is effective this 6th day of May 2025 by and between the Town of Billerica ("Town"), acting by and through its Select Board ("Select Board"), and Christopher Dillon [REDACTED] [REDACTED] ("Acting Town Manager").

In consideration of the mutual promises and covenants set forth herein, the Town, by and through the Select Board, and the Acting Town Manager agree as follows:

1. Duties:

The duties of the Acting Town Manager shall be as defined in the Billerica Home Rule Charter ("Charter"), Section 3-3, a copy of which is attached hereto as Exhibit "A", the Billerica General Bylaws, and any other applicable provisions of General and/or Special Law. As set forth in Section 3-3 (18)(a)(3), such powers shall be limited to matters not admitting of delay and shall only include authorization to make temporary, emergency appointments to any town office or employment.

2. Term:

The term of employment of the Acting Town Manager shall be for the period commencing on May 15, 2025, and expiring on August 15, 2025 (the "Termination Date"). The Select Board per the Charter, Section 3-3 (18)(a) 2, may vote to renew the appointment for one additional three-month contract.

3. Paid Leave:

a. Holiday Benefit:

The Acting Town Manager shall be allowed holiday benefit time on those days which are recognized as holidays under the Town's Personnel By-Law, as said Bylaw may be amended from time to time. The parties hereto acknowledge that, except as specifically stated herein, the provisions of said Personnel Bylaw shall not be applicable to the Acting Town Manager, as noted in Article XII, Section 1.2 of the Town's General Bylaws.

b. Vacation Benefit:

The Acting Town Manager has indicated that he has a pre-planned vacation for the week of July 21 – 25, 2025. The Acting Town Manager will take compensation time for only this week. There will be no other compensation time accrued or paid in any form.

c. Retire

The Acting Town Manager shall contribute to the OBRA, 457(b) deferred compensation plan provided by the Town.

4. Salary:

The Acting Town Manager shall receive annual compensation, paid in weekly installments, in the amounts shown below:

For the period commencing on May 15, 2025, and ending on August 15, 2025, the Acting Town Manager shall be paid, in weekly installments, a pro-rated salary based upon an annual salary of One Hundred Sixty-Five Thousand Dollars, (\$165,000), subject to the Town's normal payroll deduction practices.

5. Benefits

The Acting Town Manager will not receive medical or other benefits.

6. Indemnification:

Subject to and in accordance with applicable provisions of M.G.L. c. 258, as said statute may from time to time be amended, the Town shall defend, save harmless and indemnify the Acting Town Manager against any tort, professional liability, claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged negligent act or omission occurring in the performance of his duties as Acting Town Manager. Subject to the limits under M.G.L. c. 258, the Town or its insurance carrier shall pay the amount of any settlement or judgment rendered with respect to any such claim, demand or action. The Town or its insurance carrier may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon without recourse to the Acting Town Manager.

Subject to the provisions of M.G.L. c. 258, the Town shall reimburse the Acting Town Manager for any attorney's fees and costs incurred by the Acting Town Manager in connection with any such claims, demands or actions involving the Acting Town Manager in his professional capacity.

7. Legal Counsel Representation:

Subject to the provisions of M.G.L. c. 258, the Town or its insurer shall provide the Acting Town Manager with legal counsel for any claim or action against the Acting Town Manager arising out of his duties and within the scope of his employment as Acting Town Manager, provided, however, such legal counsel will not be provided to defend the Acting Town Manager with respect to any criminal complaint, complaint against the Select Board, intentional tort or claim of willful civil rights violations. This section shall survive the termination and/or expiration of this Contract for a period of one year.

8. Entire Agreement:

This Agreement embodies the entire agreement between the Acting Town Manager and the Select Board. There are no inducements, promises, terms, conditions, guarantees or obligations made or entered into by either party other than those contained herein. This Agreement may not be changed, modified or amended except by a written amendment signed by both parties.

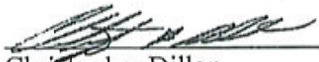
9. Invalidity/Severability:

If any terms or portions of this Agreement are determined to be invalid or unenforceable, such determination shall not affect the validity or enforceability of the remainder of said Agreement, and said remainder shall be binding and effective against all parties as provided herein.

[Signatures on following page]

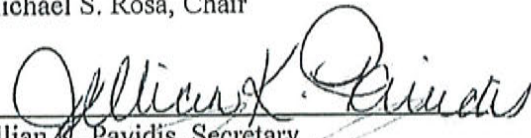
IN WITNESS WHEREFORE, the parties hereto have executed this contract as of the date printed above.

ACTING TOWN MANAGER


Christopher Dillon

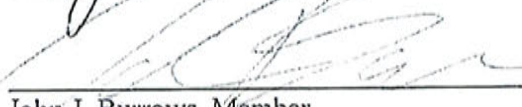
TOWN OF BILLERICA by its SELECT BOARD:

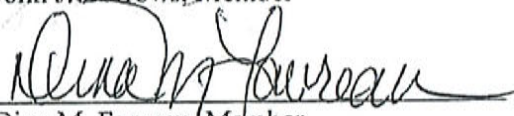

Michael S. Rosa, Chair

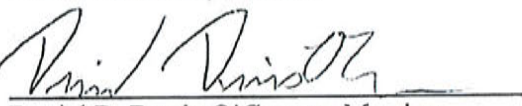

Jillian A. Pavidis, Secretary

Certificate of Available Appropriation:

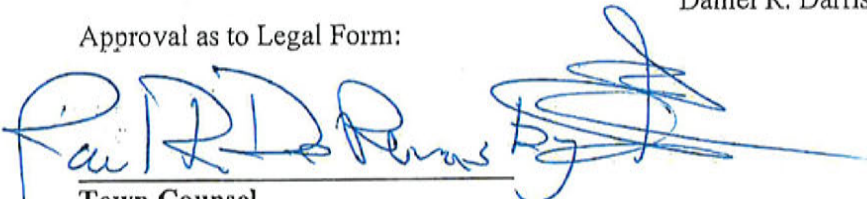

Town Accountant


John J. Burrows, Member


Dina M. Favreau, Member


Daniel R. Darris-O'Connor, Member

Approval as to Legal Form:


Town Counsel

IN WITNESS WHEREFORE, the parties hereto have executed this contract as of the date printed above.

ACTING TOWN MANAGER



Christopher Dillon

Certificate of Available Appropriation:



Town Accountant

Approval as to Legal Form:

Town Counsel

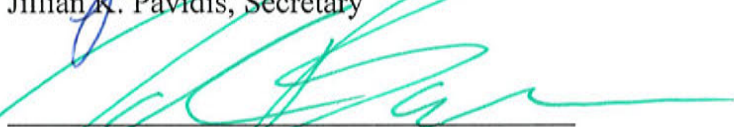
TOWN OF BILLERICA by its SELECT BOARD:



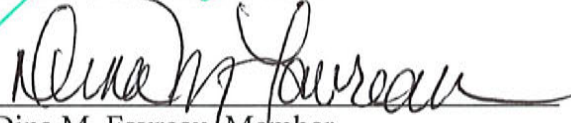
Michael S. Rosa, Chair



Jillian K. Pavidis, Secretary



John J. Burrows, Member



Dina M. Favreau, Member



Daniel R. Darris-O'Connor, Member

ARTICLE-III

EXECUTIVE BRANCH

SECTION 3-1 IN GENERAL

(a) Elective Offices – The offices to be filled by the voters shall be a board of selectmen, a school committee, a planning board, a town clerk and a town moderator. In addition a housing authority and such other members of regional authorities or districts as may be established by law or interlocal agreement may also be filled by the voters.

(b) Eligibility – Any voter shall be eligible to hold any elective town office provided, however, no person shall simultaneously hold more than one elected town office as defined in this section.

(c)-Town Election – The annual election of town officers and for the determination of all other questions to be made by the voters, shall be held on such date as may be fixed by by-law.

(d) Nomination – The number of signatures of voters required to place the name of a candidate for any town office on the official ballots for use at any town election shall be not less than fifty.

(e) Compensation – Elected town officials may receive such compensation for their services as may annually be appropriated for that purpose.

(f) Coordination – Notwithstanding their election by the voters, the town officers named in this section shall be subject to the call of the board of selectmen, at all reasonable times, for consultation, conference and discussion on any matter relating to their respective offices.

(g) Filling of Vacancies – If a vacancy shall occur in any elective town office more than ninety days preceding a regular town election such vacancy shall be filled by the candidate who, at the most recent town election was a candidate for a full term to such office who failed to be elected, but did receive more than twenty-five percent of the votes calculated as follows: by dividing the number of votes received by the candidate by the total number of voters who cast a ballot in the election and further provided such candidate remains eligible and willing to serve in the office. If more than one candidate shall meet the requirements said candidates shall be considered in descending order of votes received. The town clerk shall within ten days following notification of any such vacancy certify the said candidate to the office to serve until the next regular town election. In the absence of any such candidate the vacancy shall be filled in the manner provided by general laws. If less than ninety days shall elapse before the next regular town election the vacancy shall remain until such regular election. Provided, however, that if said vacancy occurs after the time for filing of nomination papers for town office in the current year has expired and as a result thereof the vacancy will not be filled at such ensuing election the provisions of this section shall apply and the candidate at the preceding election who otherwise qualifies, shall fill such vacancy until the vacancy can be filled by the voters at the annual town election.

SECTION 3-2 BOARD OF SELECTMEN

(a) Composition, Term of Office – There shall be a board of selectmen consisting of five members elected for three year terms, so arranged that as nearly an equal number of terms as possible shall expire each year.

(b) Powers and Duties – The executive powers of the town shall be vested in the board of selectmen. The board of selectmen shall have all of the executive powers given to boards of selectmen by general law or otherwise. The board of selectmen shall serve as the chief policy making agency of the town, responsible for the issuance of policy directives and guidelines to be followed by all town agencies serving under it, provided, however, that no individual member of the board of selectmen, nor a majority of them, shall at any time, attempt to become involved in the day-to-day administration of the affairs of the town. It is the intention of this provision that the board of selectmen shall act only through the adoption of policy directives and guidelines which are to be implemented by officers and employees appointed by or under its authority.

The board of selectmen shall cause all of the laws and orders for the government of the town to be enforced and shall cause a record of all its official acts to be kept. To aid it in the performance of its duties the board of selectmen shall appoint a town manager, as provided in section 3-3, and shall establish written goals and objectives for said office annually.

(c) Appointing Powers – The board of selectmen shall appoint the town manager, the town accountant, the town counsel, the registrars of voters (but not the town clerk) and other election officers, the board of appeals, the conservation commission and constables and such other town officers as may be provided by charter or by by-law.

(d) Licensing Authority – The board of selectmen shall be a licensing board for the town and shall have a power to grant licenses, to make all necessary rules and regulations regarding the granting of such licenses and to attach conditions and to impose restrictions on any such license it may grant as it deems to be in the public interest, and to enforce all laws relating to all such businesses for which it grants licenses.

SECTION 3-3 TOWN MANAGER

(a) Appointment, Qualifications, Term of Office – The board of selectmen shall appoint town manager to serve for terms not to exceed five (5) years and shall fix his compensation within the amount appropriated for that purpose. The board of selectmen shall make such appointment from a list of nominees submitted to it by a screening committee established by by-law. The office of town manager shall not be subject to the consolidated personnel by-law, if any, of the town. The town manager shall be appointed solely on the basis of his executive and administrative qualifications. He shall be a person of proven professional ability, especially fitted by education, training and previous experience in municipal administration to perform the duties of the office. The town manager shall devote his full time to the office and shall not hold any other public office, elective or appointive, nor shall he engage in any other business, occupation or profession during his term, unless such action is approved in advance, in writing, by the board of selectmen. The town may, by by-law, from time to time, establish such additional qualifications as seem necessary and appropriate.

(b) The board of selectmen shall provide for an annual review of the job performance of the town manager. Any written evaluations shall, to the extent allowed by M.G.L. c.4, §7(26), be made a public record.

(c) Powers and Duties – The town manager shall be the chief administrative officer of the town and shall be responsible to the board of selectmen for the proper discharge of all duties of the office and for the proper administration of all town affairs placed under his charge by or under the charter. The powers and duties shall include, but need not be limited to the following:

(1) GENERAL STATEMENT OF POWERS.

He shall supervise, direct and be responsible for the efficient administration of all functions under his control, as may be authorized by the charter, by by-law, by other town meeting vote or by vote of the board of selectmen, including all officers appointed by him and their respective departments.

(2) APPOINTMENT POWERS

He shall appoint, and may remove, subject to the civil service law where applicable, all department heads, all officers and subordinates and employees for whom no other method of selection is provided by the charter or by by-law except persons serving under other elected officers or elected multiple member bodies. Appointments made by the town manager and certified by the personnel board for regulatory compliance shall become effective on the fifteenth day following the day on which notice of the proposed appointment is filed with the board of selectmen, unless the board of selectmen shall, within said period by majority vote of the full board vote to reject with just cause any such appointment. Copies of all notices of appointments made by the town manager shall forthwith be posted on the town bulletin boards.

**(3) SERVES AS PERSONNEL DIRECTOR IN CONJUNCTION WITH
PERSONNEL BOARD**

He shall, in conjunction with a personnel board established by by-law, be entrusted with the administration of a town personnel system, including but not limited to personnel policies and practices, rules and regulations, personnel by-law and all collective bargaining agreements entered into on behalf of the town. He shall, in conjunction with the personnel board, prepare, maintain and keep current a plan establishing the personnel staffing requirements for each town agency, except those under the jurisdiction of the school committee.

(4) FIXES SALARIES FOR PERSONS SERVING UNDER HIM

He shall fix the compensation of all town officers and employees appointed by the town manager within the limits established by appropriation.

(5) TO ATTEND ALL MEETINGS OF THE BOARD OF SELECTMEN

He shall attend all regular and special meetings of the board of selectmen, unless excused at his own request, and shall have a voice, but no vote, in all of its discussions.

(6) TO ATTEND ALL SESSIONS OF THE TOWN MEETING

He shall attend all sessions of the representative town meeting and shall answer all questions concerning warrant articles which are directed to him and which relate to matters under his general supervision.

(7) TO ASSURE THAT ALL LAWS, BY-LAWS, ETC., ARE ENFORCED

He shall see that all provisions of general laws, the charter, the by-laws and other votes of the town meeting and votes of the board of selectmen which require enforcement by him, or officers and employees subject to his direction and supervision, are faithfully carried out, performed and enforced.

(8) TO SUBMIT A PROPOSED BUDGET TO THE FINANCE COMMITTEE

He shall prepare and submit in the manner provided in article 5, a proposed annual operating budget and a proposed capital outlay program.

(9) TO KEEP THE SELECTMEN FULLY INFORMED ON TOWN FINANCES

He shall keep the board of selectmen fully informed as to the financial condition and needs of the town, and shall make such recommendations to the board of selectmen at the end of each fiscal year and at such other times as it may reasonably require.

(10) TO ASSURE THAT COMPLETE RECORDS ARE KEPT

He shall assure that full and complete records of the financial and administrative activities of the town are kept and shall render full reports to the board of selectmen at the end of each fiscal year and at such other times as it may reasonably require.

**(11) TO HAVE JURISDICTION OVER ALL TOWN PROPERTY EXCEPT
SCHOOL BUILDINGS AND GROUNDS**

He shall have jurisdiction over the rental and use of all town facilities, except those under the jurisdiction of the school committee. He shall be responsible for the maintenance and repair of all town facilities, including, if authorized by a town meeting vote, school buildings and grounds.

**(12) TO HAVE AUTHORITY TO MAKE INQUIRIES CONCERNING THE
OPERATION OF ANY TOWN AGENCY**

He may at any time inquire into the conduct of office of any town officer, employee or agency under his supervision.

**(13) TO ASSURE THAT A FULL INVENTORY OF ALL PROPERTY
BELONGING TO THE TOWN IS KEPT**

He shall assure that a full and complete inventory of all property of the town, both real and personal, is kept, including all property under the jurisdiction of the school committee and other elected town officers and multiple member bodies.

**(14) TO BE RESPONSIBLE FOR NEGOTIATIONS WITH TOWN
EMPLOYEES WITHA PROVISION THAT THE BOARD OF SELECTMEN
MAY 'VETO' ANY PROPOSED COLLECTIVE BARGAINING CONTRACT
HE SUBMITS**

He shall be responsible for the negotiations of all contracts with town employees over wages, hours, and other terms and conditions of employment; provided, however, that any such contract as he may propose may be rejected by a majority vote of the full board of selectmen within fifteen days following the date it is submitted to such board.

(15) TO BE RESPONSIBLE FOR A CENTRAL PURCHASING FUNCTION

The town manager or his or her designee shall be the chief procurement officer for the town. He shall be responsible for the purchase of all supplies, materials, equipment and services, and shall award all contracts for supplies, materials, equipment and services for all departments and activities of the town, excluding the school department, except in case of emergency. He shall examine and inspect or cause to be examined and inspected, the quality and condition of all supplies, materials, equipment and services delivered to or received by any town agency, excluding the school department.

**(16) TO HAVE A POWER TO REORGANIZE THE TOWN ADMINSTRATIVE
STRUCTURE TO MAKE IT MORE EFFICIENT AND MORE EFFECTIVE**

He may, in the manner provided in article 4 re-organize, consolidate or abolish town agencies in whole or in part, provide for new town agencies and, when incident to any such re-organization, with the approval of the finance committee, transfer all or a portion of the appropriation made for one town agency to another.

**(17) TO HAVE AN AUTHORITY TO DELEGATE CERTAIN
RESPONSIBILITIES TO SUBORDINATES**

He may authorize any subordinate officer or employee to exercise any power or function he is authorized to exercise, provided, however, that all acts performed under such delegation shall be deemed to be his acts.

**(18) TO PERFORM OTHER DUTIES AS MAY BE REQUIRED OF HIM
BY THE SELCTMEN OR TOWN MEETING**

He shall perform such other duties as may be required of him by the charter, by by-law or other town meeting vote or by vote of the board of selectmen.

(a) Acting Town Manager

1) Temporary Absence – The town manager shall, subject to the approval of the board of selectmen, and by letter filed with the board of selectmen and the town clerk, designate a qualified town officer or employee to exercise the powers and perform the duties of his office during his temporary absence. During the temporary absence of the town manager the board of selectmen may not revoke such temporary designation until at least ten working days have elapsed whereupon it may appoint another qualified town officer or employee to serve as acting town manager until the town manager shall return.

2) Vacancy – Any vacancy in the office of town manager shall be filled as soon as possible by the board of selectmen, but pending such full time appointment they shall designate a qualified person to perform the duties of the town manager on a temporary basis. Such temporary appointment shall not exceed three months, but one additional renewal may be voted not to exceed a second three months.

3) Powers and Duties – The powers of an acting town manager, under (1) and (2) above, shall be limited to matters not admitting of delay and shall only include authority to make temporary, emergency appointments to any town office or employment.

(b) Removal and Suspension – The board of selectmen may, by majority vote of the full board, terminate or suspend the town manager from his office in accordance with the following procedure:

Before the town manager may be removed, if he so demands, he shall be given a written statement of the reasons alleged for his removal and shall have a right to be heard publicly thereon at a meeting of the board of selectmen prior to the final vote on the question of his removal, but pending and during such hearing the board of selectmen may suspend him from office. The town moderator shall preside at any hearing held by the board of selectmen on the removal of a town manager under this section. The action of the board of selectmen in suspending or removing the town manager shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal in the board of selectmen.



SELECT BOARD
TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

Jillian K. Pavidis, *Chair*
John J. Burrows, *Vice Chair*
Daniel R. Darris-O'Connor, *Secretary*
Michael S. Rosa, *Member*
Dina M. Favreau, *Member*

MEMO

TO: Select Board
FROM: Dawn McDowell, Executive Confidential Assistant to the Select Board
SUBJECT: June 2 and June 11, 2025 Select Board Meeting Minutes – Versions for Review and Approval
DATE: August 7, 2025

Please be advised that there are **two sets of minutes** provided for both the **June 2, 2025** and **June 11, 2025** Select Board meetings:

1. **Original Draft Minutes** – These are the initial versions sent to Members Rosa and Favreau for review.
2. **Edited Minutes** – These include suggested changes and comments submitted by Member Favreau (*comments in red*).

As a reminder, the **Open Meeting Law (OML)** requires that meeting minutes include a **summary** of discussions and actions, not a verbatim transcript or excessive detail. Below is the relevant excerpt from the **OML Guide**:

“Meeting minutes must include:

- The date, time, and place of the meeting;
- The members present or absent;
- A summary of the discussions on each subject;
- A list of documents and other exhibits used at the meeting;
- The decisions made and actions taken, including a record of all votes.”

— *Open Meeting Law Guide, Massachusetts Attorney General's Office*

Also attached is the **OML Minutes Checklist**, a tool provided by the AG's Office to assist public bodies in preparing minutes that comply with the law.

I am requesting that the Board vote to approve one version of the minutes for each meeting date. I would also like to request that the Board make a policy decision going forward regarding the appropriate level of detail for the minutes. This will help ensure consistency and compliance with OML standards while aligning with the Board's expectations.

Thank you.

Public Body Checklist for Creating and Approving Meeting Minutes

Issued by the Attorney General's Division of Open Government – September 25, 2017

- ☐ Minutes must accurately set forth the date, time, place of the meeting, and a list of the members present or absent. G.L. c. 30A, § 22(a).
- ☐ Minutes must include an accurate summary of the discussion of each subject. See G.L. c. 30A, § 22(a). The summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.
- ☐ The minutes must include a record of all the decisions made and the actions taken at each meeting, including a record of all votes. G.L. c. 30A, § 22(a).
- ☐ The minutes must include a list of all of the documents and other exhibits used by the public body during the meeting. G.L. c. 30A, § 22(a). Documents and exhibits used at the meeting are part of the official record of the session, but do not need to be physically attached to the minutes. See G.L. c. 30A, §§ 22(d), (e).
- ☐ If one or more public body members participated remotely in the meeting, the minutes must include the name(s) of the individual(s) participating remotely. 940 CMR 29.10(7)(b).
- ☐ If one or more public body members participated remotely in the meeting, the minutes must record all votes as roll call votes. 940 CMR 29.10(7)(c).
- ☐ Executive session minutes must record all votes as roll call votes. G.L. c. 30A, § 22(b).
- ☐ The minutes must be approved in a timely manner. G.L. c. 30A, § 22(c). A “timely manner” will generally be considered to be within the next **three** public body meetings or within **30 days**, whichever is later, unless the public body can show good cause for further delay. 940 CMR 29.11(2).

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@state.ma.us. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.



**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
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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.



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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



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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 is 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



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- 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



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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 are 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



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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



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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



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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 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 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.



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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. Not interfering with day to day, we are exercising are role in the grant process.

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 the vote for the negative was not called for. After the following discussion, the motion was rescinded.

Member Favreau asked what right does Secretary Darris-O'Connor have 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 who is going to respond. Secretary Darris-O'Connor stated that he would. One of these is not an actual OML violation, a Board member filed it.

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

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

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.

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



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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**



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- 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



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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: _____



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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.



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Diana Saunders of 20 Oxford Road – Ms. Saunders 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.



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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.



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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.



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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



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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 is 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



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- 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



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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 are 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



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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



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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



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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 Rosa asked that this comes back at the next meeting to discuss membership. **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 replied to just put it back on the next agenda.**

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 **to meet the June 4th deadline.**

Member Favreau formally expressed concern regarding the handling of her original agenda item request. She stated that her submission, which included both discussion and a vote, was critical to advancing proposed initiatives. Following the prior Thursday's meeting, which, according to town counsel, was improperly held, her agenda item was removed, altered, and reintroduced without the vote component. Member Favreau emphasized that this change undermined the purpose and urgency of her request. She further noted that recent concerns have been raised by both Board members and the public regarding procedural fairness, specifically about agenda items being excluded or



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modified without transparency. She requested clarification on the authority used to remove and alter her agenda submission and questioned why one of the Chair's first actions was to diminish a fully compliant and time-sensitive agenda item.

Chair Pavidis stated that the employees approached her and advised that they felt that this interfered in the day-to-day and that they did not have the bandwidth to apply and even if we were to vote on it there wasn't time to submit them. Member Favreau responded, thanking the Chair for the explanation but also citing the policies and procedures governing agenda items were not followed and that she should have been contacted prior to the changes taking place.

Member Favreau explained that the grants referenced in her agenda item had been publicly discussed for nearly a year and aligned with the town's approved goals. Her submission served as a placeholder following a meeting with Chris Dillon, during which it was acknowledged that several grant deadlines, unrelated to the One Stop program, had already been missed, with remaining opportunities due by June 4th. She was informed that a grant update would be included in the Town Manager's report but reminded the Board that according to the established procedures, votes cannot occur on items unless listed independently. She stated that requesting a vote to authorize grant submissions constitutes adherence to proper procedure and Board responsibility, not interference. Characterizing her request as overreach, in her view, misrepresented the facts. Her intention was to uphold the town's stated commitment to aggressively pursue grant funding. She noted that delaying a vote until June 16th would be too late to meet grant deadlines.

Member Favreau cited the following procedural rules to support her position:

- **Section 2.2:** Requires the Chair to allow the Town Manager or sponsor of the agenda item to present and recommend the requested action.
- **Section 2.5:** Mandates that all agenda requests received by 12:00 p.m. on the third business day before a meeting shall be included in the agenda in the order received.
- **Section 2.6:** Allows for Chair discretion only in the order of agenda items—not in the removal of action items such as votes.

She emphasized that the agenda item was time-sensitive due to the June 4, 2025, deadline for several major grant programs, which could have provided funding for infrastructure, economic development, and town center revitalization and safety improvements. The total potential grant funding available was approximately \$13 million. She expressed concern that the removal of the vote had delayed essential infrastructure improvements, such as road and water system repairs, and jeopardized efforts to address the town's pressing needs.

Member Favreau concluded by noting that despite ongoing efforts since January, the delay caused by altering her agenda item could result in the town missing key funding opportunities until FY27. Given the \$300 million in projected water infrastructure needs, she warned that this inaction would increase the financial burden on residents. She characterized the situation as ironic, pointing out that the very dysfunction cited as justification for the Board's reorganization had now led to further delays and costly setbacks for taxpayers.

Chair Pavidis stated that the employees approached her because they did not have the bandwidth and even if we were to vote on it there wasn't time to submit them.

Vice Chair Burrows stated that this happened to him last week with Member Rosa as chair. Member Favreau responded and stated that was the point she was making because the justification used for the chaos on the board over the last few weeks related to the reorg was said to be due to the exact same action the Chairwoman took in her first act as the Chair to set the record straight. Chair Pavidis apologized if she had not followed the policies correctly and Member Favreau thanked her for her apology but pointed out that is why she raised the concern with her that interference with day-to-day operations is used inappropriately at times. Chair Pavidis agreed and confirmed that they had discussed the need to define day-to-day operations, so we can collaborate with each other effectively.

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



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submit for these grants so we could not apply. When projects come up, staff looks for all grants that may apply. We only became eligible a few weeks ago and for a lot of these do we have projects already in the queue to complete the grants. 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 received the MBTA compliance letter on May 8th, however, were in interim compliance since last year and every one of the applications has a check box for interim compliance to be considered. The only grant that required a project was the Housing Works Grant, which was a 5-million-dollar grant, but there were other grants available for technical assistance and infrastructure repair or upgrades.

Secretary Darris-O'Connor stated that all grants are important, but we have limited human resources, and we need to be strategic applying for grants. We just got approval for the MBTA and it's ridiculous to waste time writing grants on standby, it would be a waste of money and a waste of resources. Secretary Darris-O'Connor stated that he thinks it is inappropriate for the board to take votes to order town departments or officials to apply for grants in 3 days, that's not how it's supposed to work, that is not our authority and I don't agree with that but as a town we should promote and support taking advantage of as many grant opportunities as we can. But it has to be done in the right way, and we can't get involved 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 to that point the grant we discussed with the Planning Department on Tuesday, and the reason is that it's not interfering with day-to-day operation because it is a requirement of the Select Board to vote to do it. Some of these grants require Select Board approval. We have a specific seat at the table within the grant that requires us to do it. Member Rosa stated that he heard at least 3 times that it's interfering with day-to-day, but that is not what is happening here. We are exercising our role as a Select Board, which is a requirement within the in the grant application, 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

Member Favreau called a point of order for Secretary Darris-O'Connor embellishing verbiage that he read into the record that was not contained within the agenda item. Member Favreau asked Darris-O'Connor why he read the agenda item the way he did. Secretary Darris-O'Connor stated that he chose to read it the way that he did. Member Favreau stated that it should be read the way the item is listed on the agenda.

MOTION - Secretary Darris-O'Connor made a motion to take no action. The motion was seconded by Vice Chair Burrows. After the following discussion, the motion was withdrawn.

Member Favreau stated that she was unsure what we were voting on. 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 - Member Favreau asked what law degree does Secretary Darris-O'Connor have that leads him to believe that these complaints are frivolous and asked him to explain the legal reasoning on why it is frivolous not to use an expert to make that determination. Secretary Darris-O'Connor stated that there is an appeals process and it's our decision to do that and he doesn't think it's worth wasting tax dollars on Town Counsel so you can rack up hundreds of thousands on legal bills by just every meeting doing an open meeting law complaint. Member Favreau responded and stated that the racking up of legal bills is not resultant on someone filing an OML Complaint, it's resultant upon members of the board violating the OML.

Secretary Darris-O'Connor stated that the complaint is that the meeting wasn't called to order. Member Favreau stated that is right, it wasn't called to order by the presiding officer, which is prescribed under the OML. Secretary Darris-O'Connor stated that he thinks it is ridiculous.



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Member Rosa called a Point of Order and asked if the motion was to take “no action.” Secretary Darris-O’Connor replied yes. Member Rosa stated that you want to take no action on an OML complaint where we have a limited amount of time. If you say you don’t want to send it to Town Counsel, I’m good with that, however, you can’t take no action. Secretary Darris-O’Connor apologized for his error and rescinded the motion.

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

MOTION - Secretary Darris-O’Connor made motion to respond to the OML complaints that we found no OML violation. 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 that practice because other committees receive OML Complaints that don’t have access to Town Counsel, and they deal with it in different ways. Member Burrows stated that any committee that receives an OML complaint, it gets sent to Town Counsel.

Member Rosa asked if the Secretary was suggesting he respond to the OML Complaints to save legal fees. Secretary Darris-O’Connor stated that if there is a legitimate OML Complaint he could respond to them. He sees the problem is if members are just filing OML Complaints as political. Member Favreau stated that she finds that members violating the OML is the originating problem. Secretary Darris-O’Connor stated that he could file a hundred of them and you just can’t use it as a way to rack up a bill. Member Favreau stated it is not about racking up a bill, it is about accountability and following the law.

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 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



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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*



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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**



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- 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: _____



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 11, 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, Building Commissioner Mark LaLumiere, Planning Director Katherine Malgieri, Chair of the Planning Board Michael Parker (Remote) and Recording Secretary Dawn McDowell

Call to Order 6:15 PM

Chair Pavidis called the meeting to order at 6:15 PM.

The Pledge of Allegiance was recited.

1. Open Microphone

There was no one for open microphone.

New Business

2. Discussion and Possible Votes – Economic Development – Specifically What Can be Done to Facilitate Filling our Vacant Commercial and Industrial Properties

Chair Pavidis stated that Economic Development means a lot of things. This working session is being used to bring ideas from all the attendees and make these ideas come to fruition.

Member Rosa stated that he has six points on Economic Development. The first deals with the Use Table and the similar uses within Commercial and Industrial. After looking at the zoning map, there are only 2 fragments of commercial zoning. He would like to submit an article to change the uses to be allowed in both Commercial and Industrial. Member Rosa had many changes to the Appendix A including clarification of similar uses in Commercial and Industrial, changing by right uses, adding adult day care etc. The proposed changes are attached to the minutes. He will work with Ms. Malgieri and come back with a finalized document to hopefully submit a warrant article for the Fall Town Meeting.

Ms. Malgieri stated that Industrial was originally thought to be “dirty” uses. The majority of industrial uses are not like that anymore.

Chair Pavidis asked if the consultant we have would make recommendations. Ms. Malgieri stated that removing these two Commercial zones and making these proposed changes would loosen up the uses and the consultant would only look at the rezoning Tech Park.

Member Rosa stated that the second item is to generate a list of vacancies that may be eligible for TIFs. He spoke with a commercial realtor and they don't know about properties that are vacant. We should generate a list of vacancy and put them on the website and have it in the Planning Office. Member Rosa stated that third ties into the second point is to partner with commercial real estate brokers to push Billerica. Member Rosa stated that the fourth point is to finalize the commercial brochure. The draft is presented, if there are any comments, you should send them to Mr. Maynard. He would suggest adding that Billerica is close to New Hampshire, has a train station and the LRTA bus route. Billerica has Rte. 495 & Rte. 3 in the town and the Town is open to TIFs. Member Rosa stated that the fifth point is to create a policy to waive building fees for filling open space. There will be criteria based on property and personal property taxes. Member Rosa stated that the last point is to create a fast track for permitting with Commercial and Industrial building permits.

Chair Pavidis stated that we should update the website to let businesses know once we make a policy decision that the Town is open to TIFs, waiving building fees, fast track permitting, etc.. Member Rosa agreed, we need to let them know the options available to them and what the criteria is for each. Town Meeting has to approve all TIFs.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 11, 2025**

Member Favreau asked if any of these proposed changes impact the recodification. Ms. Malgieri replied no, the recodification has been done, so now we can make changes to the actual zoning.

Vice Chair Burrows stated that the zoning bylaw is supposed to be looked at with years ending in 0 and 5.

Member Favreau asked if these proposed changes would be a Select Board warrant article. Member Rosa replied it could be a joint Select Board and Planning Board and the public hearing would be handled through the Planning Board.

Mr. Dillon stated that this is a great conversation to have. With the waiving of fees, should this be expanded to include expansions or renovations of existing tenants? Member Rosa stated that makes sense.

Member Favreau does not necessarily agree to waiving permitting fees.

MOTION - Member Rosa made a motion that the Select Board continue to pursue changing to Appendix A (Use Table) of the Zoning Bylaw to make Commercial and Industrial Uses more accessible. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Favreau stated that she submitted her ideas with 3 bullet items. The first is to offer incentive programs like the Massachusetts Vacant Storefront Program (MVSP) grant and the Underutilized Properties Program by MassDevelopment as described in the document provided. The second is to create a supportive environment for developers and the third is to market and promote Billerica.

MOTION - Member Favreau made a motion to authorize staff to apply for the Massachusetts Vacant Storefront Program (MVSP) grant and the Underutilized Properties Program by MassDevelopment. The motion was seconded by Member Rosa and unanimously voted 3-2-0. Secretary Darris-O'Connor and Vice Chair Burrows voted no.

Secretary Darris-O'Connor asked if these programs need Select Board approval.

Mr. LaLumiere stated that the permit fees set Billerica apart from everyone else. This can be a negotiation tool. The grants are available to everyone.

Member Favreau stated that she is not totally opposed. This is a revenue source for the Towns and you just asked us to increase the permit fees last year and we discussed how to streamline the process.

Member Rosa stated that this would be for vacant buildings, not across the board.

Member Favreau asked if this required a zoning change. Mr. LaLumiere replied no, it's a Select Board policy.

Mr. Parker stated that this would be great if it happens and we can look at waiving Planning Board fees also.

Chair Pavidis stated that the brochure is a great start and added that the target may change so we should make sure the website is updated.

MOTION - Member Rosa made a motion to support the creation of a commercial vacancy list to include square footage, zoning location, eligibility for a TIF and any contact information that can be put into a database. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Rosa stated that once the list is done, we need to disseminate the information to Commercial Realtors.

Ms. Malgieri stated that we did have a 3-year contract with a marketing firm, but we are not getting enough for the money that was paid. Chair Pavidis stated that we can look into partnering with a commercial real estate agent to help with marketing.

Mr. Maynard reminded the Board, that Factorial came to the Town for a TIF and was told no, because it was an existing business. The Board needs to clarify what businesses would be allowed to apply for a TIF.

Mr. Dillon stated that TIFs need to have criteria associated with them including; number of jobs, square footage of space, etc.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 11, 2025**

Mr. Dillon stated that he is concerned about creating a list of vacant properties and who and how this will be maintained and how will the Town be notified. Member Rosa stated that it would take assistance from the Assessor's Office, Planning Office and it would be maintained on the website. Member Favreau asked if a database can be maintained on the website. Mr. Maynard stated that they would have to look at it and with the new website coming online, he hopes something could be done.

Vice Chair Burrows stated that we can use CoStar or Sales Force which lists all vacant commercial properties which all commercial realtors have access to. We are just making work for staff. This may be as easy as providing a point of contact.

Mr. LaLumiere stated that in the General Bylaw there is a vacant property registration bylaw but that has not been the focus of his office in a long time.

Chair Pavidis asked if we are looking at a full blow change Tech Park and Federal Street. Ms. Malgieri stated that it is tough with big properties like Tech Park and Federal Street are not owned by one entity. Any changes should include neighborhood meetings or an HOA.

Mr. Dillon stated that the biggest complaint he's heard at the ribbon cutting ceremony he's attended is that there isn't enough amenities like restaurants for the employees.

Secretary Darris-O'Connor stated that he agrees with some of the points but not others. We need to talk about overlays and mixed use for Tech Park and Federal Street. Was the grant we just applied for included mixed use. Ms. Malgieri stated that if we put mixed use in any of the grants, the State focuses in on the housing. Federal Street already has mixed use.

Secretary Darris-O'Connor stated that the State changed the voting requirements at Town Meeting for zoning changes that used to require a super majority now only requires a simple majority at Town Meeting.

Mr. LaLumiere stated that we tried to change the zoning at Tech Park in 2015 and got a lot of push back from residents but there were accessory uses added.

Member Rosa stated that mixed use is on the books, so that can go on any property with Town Meeting approval. Industrial zoning pays more taxes than residential zoning.

Chair Pavidis if a developer comes in for a big property with a housing component, how do we handle that. Vice Chair Burrows stated that we need to have the proper zoning in place now and not have the developer waiting for Town Meeting to approve.

Chair Pavidis stated that we need to go after the low hanging fruit and fill the vacant space we have.

Ms. Malgieri stated that we could look at rezoning the two commercial zones and change them to industrial and make sure the uses are consistent. Member Rosa agreed and we should also look at the uses in General Business zoning. Middlesex 3 Coalition is working on marketing the region to out-of-state companies. NMCOG has also developed a strategy for regional prosperity which has been included in the package.

MOTION - Member Rosa made a motion to finalize the business brochure. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Rosa stated that we need to work on the policy to waive all fees. He can write it and send it out for a first reading. Mr. LaLumiere stated that there is already a general bylaw that allows the Town Manager to waive the fees.

Ms. Malgieri stated that the fast track of permitting has already started with Permit Alley. We could look at having one meeting with the Select Board, Planning Board and Zoning Board of Appeals but logistically that may be hard to do. We could also look at removing the Special Permit requirement for some of the uses and coordinating all their public hearing notices that are sent out.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 11, 2025**

Mr. LaLumiere stated we also should look at only having the applicant have to go before the Planning Board only instead of having them go before the ZBA and Planning Board. Mr. Parker stated that we also talked about administrative review instead of a full Planning Board review. Ms. Malgieri stated that she loves the idea of having the applicants go to one Board. The Planning Board are looking at Site Plan as a whole. Depending on the scope of the project, have tiered review; i.e. Administration Review, Minor Site Plan and Site Plan.

Mr. Maynard stated that we had UMass Lowell worked on a Capstone project last year and some of the issues brought up by our local businesses was lack of amenities but also the bouncing around to the multiple boards which delays the permits. In Acton and Burlington, they have a permit coordinator that walks a project through all the statutory boards and a point of contact for the developers. We could look at funding this position next year and take a lot of the work load off of Mark and Kat.

Member Rosa asked if this would be full or part-time. Mr. Maynard stated that we could fill the time with other jobs just as helping with enforcement. Member Rosa stated that we have to be careful of the budget constraints.

Meeting Schedule

June 16, 2025, June 26, 2026 (Special) and July 14, 2025

MOTION - Member Rosa made a motion to adjourn the special meeting of June 11, 2025 at 7:54 PM. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*

Exhibits for the Select Board Meeting – June 11, 2025

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

New Business

2. **Discussion and Possible Votes – Economic Development – Specifically What Can be Done to Facilitate Filling our Vacant Commercial and Industrial Properties** – Table of Use Regulations (Section 6.3) dated 04/23/25, Billerica Business Brochure undated, Massachusetts Vacant Storefront Program Guidelines dated 02/13/25, SB Member Favreau’s Economic Development Strategy Recommendations dated 06/11/25, Underutilized Properties Program FY2025, Zoning Map dated 05/05/25, NMCOG Comprehensive EcDev Strategy 05/28/25

Meeting Schedule

June 16, 2025, June 26, 2026 (Special) and July 14, 2025 – No Exhibits

Approved On: _____

(Proposed) Billerica Zoning Bylaw

APPENDIX A

Table of Use Regulations (Section 6.3)

	VR	NR	RR	MF	NB	GB	C	I	Ref.
CONSERVATION, RECREATION, AGRICULTURE									
Conservation and Agriculture									
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	
Conservation	Y	Y	Y	Y	Y	Y	Y	Y	
Facility for Sale of Produce, Wine, and Dairy Products	Y	Y	Y	Y	Y	Y	Y	Y	
Public or Non-Profit Recreation									
Driving Range	Y	Y	Y	Y	Y	Y	Y	Y	
Fairs and Bazaars	Y	Y	Y	Y	Y	Y	Y	Y	
~~Non-Municipal~~ Athletics	Y	Y	Y	Y	Y	Y	Y	Y	
Other Recreational Events	Y	Y	Y	Y	Y	Y	Y	Y	
~~Outdoor~~ Recreation (Remove?)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.1(A)
PUBLIC, INSTITUTIONAL									
Municipal	Y	Y	Y	Y	Y	Y	Y	Y	
Non-Profit Educational Use	Y	Y	Y	Y	Y	Y	Y	Y	
Cemetery	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.2(A)
Nursing Home (allow? Add footnote if abuts residential)	SZ	SZ	SZ	SZ	SZ	SZ	~~SZ~~ Y	~~SZ~~ Y	7.2(B)
Add Adult Day Care	~~SZ~~	~~SZ~~	~~SZ~~	~~SZ~~	~~SZ~~	Y		Y	
NON-PROFIT PHILANTHROPIC USES									
Club (Yes but buffer)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	~~N~~ Y	7.3(A)
Lodge (Yes but buffer)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	~~N~~ Y	7.3(A)
Other Philanthropic (Yes but buffer)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	~~N~~ Y	7.3(A)
RESIDENTIAL USES									
Affordable Housing on an Undersized Lot	SZ	SZ	SZ	SZ	Y	N	N	N	7.4(A)
Assisted Living Residence	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.4(B)
Dwelling, Multifamily	N	N	N	SA	N	N	N	N	6.4

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Dwelling, Single-Family	Y	Y	Y	Y	Y	Y	N	N	
Dwelling, Two-Family	N	N	N	SZ	N	N	N	N	7.4(B)
BUSINESS & COMMERCIAL USES									
Retail Sales									
Antique Shows	N	N	N	N	Y	Y	Y	Y	
Christmas Tree Sales	N	N	N	N	N	Y	~~N~~ Y	~~N~~ Y	
Garden Shop	N	N	N	N	N	SZ	~~N~~ Y	~~N~~ Y	7.5(A)
Greenhouse (Non-Agricultural)	SZ	SZ	SZ	N	N	N	Y	Y	7.5(B)
Open Air Sales (not more than 4 times per year?)	N	N	N	N	N	SZ	Y	~~N~~ Y	7.5(C)
Pet Shop	N	N	N	N	N	Y	Y	~~N~~ Y	
Retail Store	N	N	N	N	Y	Y	~~N~~ Y	~~N~~ Y	7.5(D)
Supermarket	N	N	N	N	N	SA	~~N~~ Y	~~N~~ Y	7.5(E)
Services									
Dog Kennel	N	N	N	N	N	SZ	~~N~~ SZ	SZ	7.6(A)
Dog Daycare	N	N	N	N	N	SZ	~~N~~ SZ	SZ	7.6(B)
Dog Training	N	N	N	N	N	SZ	~~N~~ SZ	SZ	7.6(B)
For-Profit Educational Use	Y	Y	Y	Y	Y	Y	Y	Y	
Funeral Home	N	N	N	N	SZ	SZ	N	N	7.6(C)
Personal Services	N	N	N	N	Y	Y	Y	Y	
Repair Shop	N	N	N	N	Y	Y	~~N~~ SZ	SZ	7.6(D)
Veterinarian	N	N	N	N	N	Y	~~N~~ Y	~~N~~ Y	
Accommodations and Food Services									
Drive-Up/Through Restaurant	N	N	N	N	N	SZ	SZ	~~N~~ SZ	7.7(A)
Fast-Order Food Establishment	N	N	N	N	SZ	SZ	SZ	SZ	7.7(B)
Motel or Hotel	N	N	N	N	SZ	SZ	~~N~~ SZ	SZ	7.7(C)
Restaurant	N	N	N	N	SZ	SZ	~~N~~ SZ	Y	7.7(D)
Financial, Offices									
Bank (drivethru clarified in definition?)	N	N	N	N	Y	Y	~~N~~ Y	~~N~~ Y	7.8(A)
Loan Agency	N	N	N	N	Y	Y	Y	Y	
Offices	N	N	N	N	Y	Y	Y	Y	

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Amusement, Recreation Businesses									
Bowling Alley	N	N	N	N	Y	Y	Y	Y	
Golf Course	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.9(A)
Indoor Amusement	N	N	N	N	Y	Y	Y	~~N~~ Y	
Riding Stable	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.9(B)
Swimming Pool, Non-Accessory	SZ	SZ	SZ	SZ	Y	Y	Y	Y	7.9(C)
Unclassified; Other Business & Commercial									
Fully Automated Business	N	N	N	N	N	SZ	~~SZ~~ Y	~~SZ~~ Y	7.10(A)
Research Facility	N	N	N	N	SA	SA	SA	Y	7.10(B)
Tradesman's Shop	N	N	N	N	Y	Y	Y	Y	
Vehicle-Related Uses									
Auto sales	N	N	N	N	N	SZ	SZ	SZ	7.11(B)
~~Auto services (remove)~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~SZ~~	~~7.11(A)~~
Auto repair	N	N	N	N	N	SZ	SZ	~~N~~ SZ	7.11(A)
Auto service	N	N	N	N	N	SZ	SZ	~~N~~ SZ	7.11(A)
Auto washing	N	N	N	N	N	SZ	SZ	SZ	7.11(A)
Truck body shop	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck leasing	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck repair	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck sales	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck service	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck washing	N	N	N	N	N	N	Y	Y	7.11(C)
INDUSTRIAL USES									
Manufacturing, Distribution									
Light Manufacturing	N	N	N	N	N	SZ	~~SZ~~ Y	Y	7.12(A)
Wholesale	N	N	N	N	N	SZ	~~N~~ Y	~~SZ~~ Y	7.12(B)
Utility Uses									
Above-ground utilities, non- municipal	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.13(A)
Above-ground utilities, Municipal	Y	Y	Y	Y	Y	Y	Y	Y	

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Earth migration of less than 500 cubic yards for:	Y	Y	Y	Y	Y	Y	Y	Y	
Earth migration over 500 cubic yards	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.13(B)
(SECS) Non-freestanding (=mounted to building)	Y	Y	Y	Y	Y	Y	Y	Y	
(SECS) Freestanding	SP	SP	SP	SP	SP	SP	SP	SP	6.5
Underground utilities	Y	Y	Y	Y	Y	Y	Y	Y	
Wireless communications facility	SP	SP	SP	SP	SP	SP	SP	SP	6.6
Waste Disposal									
Recyclable Materials Transfer Center	N	N	N	N	N	N	N	SA	
Temporary Construction Trailer	N	N	N	Y	Y	Y	Y	Y	
Other Industrial									
Contractor's Yard	N	N	N	N	N	N	SP	SP	7.14(A)
ACCESSORY USES									
Residential Accessory Uses									
Accessory Residential Uses	Y	Y	Y	Y	Y	Y	N	N	
Home Occupation ¹	Y	Y	Y	Y	N	N	N	N	7.15(A)
Accessory Dwelling Unit	Y	Y	Y	Y	Y	Y	N	N	
In-Law Apartment	SZ	SZ	SZ	SZ	SZ	SZ	N	N	7.15(B)
Keeping of Horses: ²	Y	Y	Y	N	N	N	N	N	
Keeping of Hens	Y	Y	Y	N	N	N	N	N	
Room Rental (5 Or Less)	Y	Y	Y	Y	Y	Y	N	N	
Room Rental (More Than 5)	SZ	SZ	SZ	SZ	SZ	SZ	N	N	7.15(C)
Storage of One Vehicle or Trailer	Y	Y	Y	Y	Y	Y	N	N	
Storage of More than One Vehicle or Trailer	SZ	SZ	SZ	SZ	SZ	SZ	N	N	7.15(D)
Nonresidential Accessory Uses									
Accessory Retail and Automotive Services	N	N	N	N	N	N	~~N~~ SZ	SZ	7.16(A)
Accessory uses to scientific research or development	N	N	N	N	SZ	SZ	Y	Y	7.16(B)

¹ Except a special permit shall be required for a Home Occupation employing one or more nonresidents of the premises.

² Minimum land requirement per horse: <10,000 S.F., no horses; 10,000 – 19,999 S.F., 1 horse; 20,000 – 29,999 S.F., 2 horses; and 30,000 or more S.F., 3 horses.

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Accessory service and repair	N	N	N	N	N	N	N	SZ	7.16(C)
For professional office or R&D Buildings over 50,000 net SF, uses that are wholly within the same building as the principal permitted use and occupy not less than 20% of the net square footage can be allowed by right. These can include retail, restaurant, personal services, and other amenity uses.	N	N	N	N	N	Y	Y	Y	
Miscellaneous Accessory Uses									
Auto parking	N	N	N	N	N	SZ	SZ	N	7.17(A)
Garaging or parking of one heavy commercial vehicle	SZ	SZ	SZ	SZ	SZ	Y	Y	Y	7.17(B)
Garaging or parking of one light commercial vehicle	Y	Y	Y	Y	Y	Y	Y	Y	7.17(B)
Garaging or parking of two light commercial vehicles	SZ	SZ	SZ	SZ	Y	Y	Y	Y	7.17(B)
Garaging or parking of two or more heavy commercial vehicles	N	N	N	N	N	SZ	Y	Y	7.17(B)
Truck parking	N	N	N	N	N	~~N~~ SZ	~~SZ~~ Y	~~N~~ Y	7.17(B)



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JUNE 11, 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, Building Commissioner Mark LaLumiere, Planning Director Katherine Malgieri, Chair of the Planning Board Michael Parker (Remote) and Recording Secretary Dawn McDowell

Call to Order 6:15 PM

Chair Pavidis called the meeting to order at 6:15 PM.

The Pledge of Allegiance was recited.

1. Open Microphone

There was no one for open microphone.

New Business

2. Discussion and Possible Votes – Economic Development – Specifically What Can be Done to Facilitate Filling our Vacant Commercial and Industrial Properties

Technical problems video for Zoom participant at 6:16:30 p.m. – meeting resumed at 6:19 p.m.

Chair Pavidis stated that Economic Development means a lot of things. **We all agree in one of the last Select Board meetings to get together and get the right people here and treat this as a working session.** This working session is being used to bring ideas from all the attendees and make these ideas come to fruition.

Member Rosa stated that he has six points on Economic Development. The first deals with the Use Table and the similar uses within Commercial and Industrial. After looking at the zoning map, there are only 2 fragments of commercial zoning. He would like to submit an article to change the uses to be allowed in both Commercial and Industrial. Member Rosa had many changes to the Appendix A including clarification of similar uses in Commercial and Industrial, changing by right uses, adding adult day care etc. The proposed changes are attached to the minutes. He will work with Ms. Malgieri and come back with a finalized document to hopefully submit a warrant article for the Fall Town Meeting.

Ms. Malgieri stated that Industrial was originally thought to be “dirty” uses. The majority of industrial uses are not like that anymore.

Chair Pavidis asked if the consultant we have would make recommendations. Ms. Malgieri stated that removing these two Commercial zones and making these proposed changes would loosen up the uses and the consultant would only look at the rezoning Tech Park.

Member Rosa stated that the second item is to generate a list of vacancies that may be eligible for TIFs. He spoke with a commercial realtor and they don't know about properties that are vacant. We should generate a list of vacancy and put them on the website and have it in the Planning Office. Member Rosa stated that third **point** ties into the second point is to partner with commercial real estate brokers to push Billerica. Member Rosa stated that the fourth point is to finalize the commercial brochure. The draft is presented, if there are any comments, you should send them to Mr. Maynard. He would suggest adding that Billerica is close to New Hampshire, has a train station and the LRTA bus route. Billerica has Rte. 495 & Rte. 3 in the town and the Town is open to TIFs. Member Rosa stated that the fifth point is to create a policy to waive building fees for filling open space. There will be criteria based on property and personal property taxes. Member Rosa stated that the last point is to create a fast track for permitting with Commercial and Industrial building permits.



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Chair Pavidis stated that we should update the website to let businesses know once we make a policy decision that the Town is open to TIFs, waiving building fees, fast track permitting, etc.. Member Rosa agreed, we need to let them know the options available to them and what the criteria is for each. Town Meeting has to approve all TIFs.

Member Favreau asked if any of these proposed changes impact the recodification. Ms. Malgieri replied no, the recodification has been done, so now we can make changes to the actual zoning.

Vice Chair Burrows stated that the zoning bylaw is supposed to be looked at with years ending in 0 and 5.

Member Favreau asked if these proposed changes would be a Select Board warrant article. Member Rosa replied it could be a joint Select Board and Planning Board and the public hearing would be handled through the Planning Board.

Mr. Dillon stated that this is a great conversation to have. With the waiving of fees, should this be expanded to include expansions or renovations of existing tenants? Member Rosa stated that makes sense.

Member Favreau asked a housekeeping question in terms of having the roundtable discussion and taking the votes at the end or if we would be voting on each item individually. Member Favreau also stated that she had a number of recommendations to make. Chair Pavidis stated that we would vote on the items individually.

MOTION - Member Rosa made a motion that the Select Board continue to pursue changing to Appendix A (Use Table) of the Zoning Bylaw to make Commercial and Industrial Uses more accessible. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Favreau asked that Member Rosa hold on a couple of his because she believes a number of her recommendations would be in tandem with his, but she doesn't exactly agree to waiving the permitting fees. Member Rosa agreed to the hold. Member Favreau stated that she submitted her recommendations in the online packet. Two of the incentive programs that she has been looking at for a couple of years now are the MSVP and the UPP by MassDevelopment. The first is to offer incentive programs like the Massachusetts Vacant Storefront Program (MVSP) grant and the Underutilized Properties Program by MassDevelopment to address blighted and abandoned properties along the 3A corridor as described in the document provided. Member Favreau stated that there may be a caveat that some of that funding could be used toward permitting fees for businesses. Member Favreau stated that there is also a pre-development portion of this incentive program that allows for assistance to include activities for building conditions studies, structural engineering reports, code compliance studies, development feasibility studies, indoor surveys and architectural design.

The second is to create a supportive environment that addresses zoning, research environmental conditions to understand the status of sites to address cleanup and mitigation efforts, streamline the permitting process to make it easier to obtain necessary approvals, promote infill development that encourages the development of projects that utilize existing infrastructure and building relationships with local business, community orgs and other government agencies to help support and spur EcDev across town.

The third is for targeted marketing and targeted campaigns that increase visibility of available spaces and highlight the benefits of certain locations within town and networking with real estate brokers to connect potential tenants with suitable properties and online promotions through the town website and social media platforms to showcase available spaces across Billerica.

MOTION - Member Favreau made a motion to authorize staff to apply for the Massachusetts Vacant Storefront Program (MVSP) grant and the Underutilized Properties Program by MassDevelopment. The motion was seconded by Member Rosa and unanimously voted 5-0-0. *At 43.12 of the meeting, the motion was made and there were 3 votes in affirmative but Darris-O'Connor and Burrows did not vote yes.

Secretary Darris-O'Connor asked if these programs need Select Board approval. Chris Dillon stated that most of the grants that we apply for they do require the Select Board approval.



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Mr. LaLumiere stated that he agrees with everything that Selectwoman Favreau brought up. Waiving the permitting fees would be something specific to Billerica and would set us out differently. This can be a negotiation tool. The grants are available to everyone in the Commonwealth. We do bring in a substantial amount of money in permit fees but waiving them could outweigh the costs to bring in more tax revenue in the future.

Member Favreau stated that she is not totally opposed but the reason why she hesitates with waiving the fees is because it contradicts past meetings where you came before us and asked us to increase permitting fees and streamline the permitting process and it is a revenue source for the Towns that offsets the impact on the residents. I understand that we need to spur economic growth, but it contradicts what we already voted on and what we were going to do last year.

Member Rosa stated that this would be for vacant buildings, not across the board.

Member Favreau asked if this would be a policy with specific language that provided a timeframe that a property has been vacant would then be eligible to the waiving of fees incentive. Member Rosa stated examples of how the policy would work. Member Favreau asked if it would be a Bylaw change or if it would be a Building Dept. policy change. Mr. LaLumiere replied no, it's a Select Board policy.

Mr. Parker stated that this would be great if it happens and we can look at waiving Planning Board application fees also.

Chair Pavidis stated that the brochure is a great start and added that the target may change so we should make sure the website is updated.

MOTION - Member Rosa made a motion to support the creation of a commercial vacancy list to include square footage, zoning location, eligibility for a TIF and any contact information that can be put into a database. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Rosa stated that once the list is done, we need to disseminate the information to Commercial Realtors.

Ms. Malgieri stated that we did have a 3-year contract with a marketing firm, but we are not getting enough for the money that was paid. Chair Pavidis stated that we can look into partnering with a commercial real estate agent to help with marketing.

Mr. Maynard reminded the Board, that Factorial came to the Town for a TIF and was told no, because it was an existing business. The Board needs to clarify what businesses would be allowed to apply for a TIF.

Mr. Dillon stated that TIFs need to have criteria associated with them including; number of jobs, square footage of space, etc.

Mr. Dillon stated that he is concerned about creating a list of vacant properties and who and how this will be maintained and how will the Town be notified. Member Rosa stated that it would take assistance from the Assessor's Office, Planning Office and it would be maintained on the website. Member Favreau stated that she believes the original question asked was whether or not it would be a list vs a database. I think a database would be most efficient and with the roll out of the new website there should be a backend option where we could add something like that, and that would help with the promotion of these properties where we could do a carousel type of thing at the top of the page that highlights the available properties. Mr. Maynard stated that they would have to look at it and with the new website coming online, he hopes something could be done.

Vice Chair Burrows stated that we can use CoStar or Sales Force which lists all vacant commercial properties which all commercial realtors have access to. We are just making work for staff. This may be as easy as providing a point of contact.

Mr. LaLumiere stated that in the General Bylaw there is a vacant property registration bylaw but that has not been the focus of his office in a long time.



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Chair Pavidis asked if we are looking at a full blow change Tech Park and Federal Street. Ms. Malgieri stated that it is tough with big properties like Tech Park and Federal Street are not owned by one entity. Any changes should include neighborhood meetings or an HOA. **After watching the video of the meeting, this section does not accurately capture the discussion and should be corrected.**

Mr. Dillon stated that the biggest complaint he's heard at the ribbon cutting ceremony he's attended is that there isn't enough amenities like restaurants for the employees. **Recommendation is not captured here, should be added.**

Secretary Darris-O'Connor stated that he agrees with some of the points but not others. We need to talk about overlays and mixed use for Tech Park and Federal Street. Was the grant we just applied for included mixed use. Ms. Malgieri stated that if we put mixed use in any of the grants, the State focuses in on the housing. Federal Street already has mixed use. **Underlying industrial zoning discussion is not captured here. Should be added.**

Secretary Darris-O'Connor stated that the State changed the voting requirements at Town Meeting for zoning changes that used to require a super majority now only requires a simple majority at Town Meeting.

Mr. LaLumiere stated that we tried to change the zoning at Tech Park in 2015 and got a lot of push back from residents but there were accessory uses added. **Exemptions provided are not captured here, should be added. He also noted that it has not spurred any business, that should also be captured.**

Member Rosa stated that mixed use is on the books, so that can go on any property with Town Meeting approval. Industrial zoning pays more taxes than residential zoning.

Chair Pavidis if a developer comes in for a big property with a housing component, how do we handle that. **Kat Malgieri's statement is missing, should be captured.** Vice Chair Burrows stated that we need to have the proper zoning in place now and not have the developer waiting for Town Meeting to approve.

Chair Pavidis stated that we need to go after the low hanging fruit and fill the vacant space we have and **then look at creating a highway overlay district. This was not discussed, unclear where this came from and why it is in our minutes.** *The underlined was removed.

Ms. Malgieri stated that we could look at rezoning the two commercial zones and change them to industrial and make sure the uses are consistent. Member Rosa agreed and we should also look at the uses in General Business zoning. Middlesex 3 Coalition is working on marketing the region to out-of-state companies. NMCOG has also developed a strategy for regional **development plan** which has been included in the package.

MOTION - Member Rosa made a motion to finalize the business brochure. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Rosa stated that we need to work on the policy to waive all fees. He can write it and send it out for a first reading. Mr. LaLumiere stated that there is already a general bylaw that allows the Town Manager to waive the fees.

Ms. Malgieri stated that the fast track of permitting has already started with Permit Alley. We could look at having one meeting with the Select Board, Planning Board and Zoning Board of Appeals but logistically that may be hard to do. We could also look at removing the Special Permit requirement for some of the uses and coordinating all their public hearing notices that are sent out.

Mr. LaLumiere stated we also should look at only having the applicant have to go before the Planning Board only instead of having them go before the ZBA and Planning Board. Mr. Parker stated that we also talked about administrative review instead of a full Planning Board review. Ms. Malgieri stated that she loves the idea of having the applicants go to one Board. The Planning Board are looking at Site Plan as a whole. Depending on the scope of the project, have tiered review; i.e. Administration Review, Minor Site Plan and Site Plan.

Mr. Maynard stated that we had UMass Lowell worked on a Capstone project last year and some of the issues brought up by our local businesses was lack of amenities but also the bouncing around to the multiple boards which delays the permits. In Acton and Burlington, they have a permit coordinator that walks a project through all the statutory boards



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and a point of contact for the developers. We could look at funding this position next year and take a lot of the work load off of Mark and Kat.

Member Rosa asked if this would be full or part-time. Mr. Maynard stated that we could fill the time with other jobs just as helping with enforcement. Member Rosa stated that we have to be careful of the budget constraints.

Meeting Schedule

June 16, 2025, June 26, 2026 **5** (Special) and July 14, 2025

MOTION - Member Rosa made a motion to adjourn the special meeting of June 11, 2025 at 7:54 PM. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*

Exhibits for the Select Board Meeting – June 11, 2025

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

New Business

2. **Discussion and Possible Votes – Economic Development – Specifically What Can be Done to Facilitate Filling our Vacant Commercial and Industrial Properties** – Table of Use Regulations (Section 6.3) dated 04/23/25, Billerica Business Brochure undated, Massachusetts Vacant Storefront Program Guidelines dated 02/13/25, SB Member Favreau’s Economic Development Strategy Recommendations dated 06/11/25, Underutilized Properties Program FY2025, Zoning Map dated 05/05/25, NMCOG Comprehensive EcDev Strategy 05/28/25

Meeting Schedule

June 16, 2025, June 26, 2026 (Special) and July 14, 2025 – No Exhibits

Approved On: _____

(Proposed) Billerica Zoning Bylaw

APPENDIX A

Table of Use Regulations (Section 6.3)

	VR	NR	RR	MF	NB	GB	C	I	Ref.
CONSERVATION, RECREATION, AGRICULTURE									
Conservation and Agriculture									
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	
Conservation	Y	Y	Y	Y	Y	Y	Y	Y	
Facility for Sale of Produce, Wine, and Dairy Products	Y	Y	Y	Y	Y	Y	Y	Y	
Public or Non-Profit Recreation									
Driving Range	Y	Y	Y	Y	Y	Y	Y	Y	
Fairs and Bazaars	Y	Y	Y	Y	Y	Y	Y	Y	
~~Non-Municipal~~ Athletics	Y	Y	Y	Y	Y	Y	Y	Y	
Other Recreational Events	Y	Y	Y	Y	Y	Y	Y	Y	
~~Outdoor~~ Recreation (Remove?)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.1(A)
PUBLIC, INSTITUTIONAL									
Municipal	Y	Y	Y	Y	Y	Y	Y	Y	
Non-Profit Educational Use	Y	Y	Y	Y	Y	Y	Y	Y	
Cemetery	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.2(A)
Nursing Home (allow? Add footnote if abuts residential)	SZ	SZ	SZ	SZ	SZ	SZ	~~SZ~~ Y	~~SZ~~ Y	7.2(B)
Add Adult Day Care	~~SZ~~	~~SZ~~	~~SZ~~	~~SZ~~	~~SZ~~	Y		Y	
NON-PROFIT PHILANTHROPIC USES									
Club (Yes but buffer)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	~~N~~ Y	7.3(A)
Lodge (Yes but buffer)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	~~N~~ Y	7.3(A)
Other Philanthropic (Yes but buffer)	SZ	SZ	SZ	SZ	SZ	SZ	SZ	~~N~~ Y	7.3(A)
RESIDENTIAL USES									
Affordable Housing on an Undersized Lot	SZ	SZ	SZ	SZ	Y	N	N	N	7.4(A)
Assisted Living Residence	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.4(B)
Dwelling, Multifamily	N	N	N	SA	N	N	N	N	6.4

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Dwelling, Single-Family	Y	Y	Y	Y	Y	Y	N	N	
Dwelling, Two-Family	N	N	N	SZ	N	N	N	N	7.4(B)
BUSINESS & COMMERCIAL USES									
Retail Sales									
Antique Shows	N	N	N	N	Y	Y	Y	Y	
Christmas Tree Sales	N	N	N	N	N	Y	~~N~~ Y	~~N~~ Y	
Garden Shop	N	N	N	N	N	SZ	~~N~~ Y	~~N~~ Y	7.5(A)
Greenhouse (Non-Agricultural)	SZ	SZ	SZ	N	N	N	Y	Y	7.5(B)
Open Air Sales (not more than 4 times per year?)	N	N	N	N	N	SZ	Y	~~N~~ Y	7.5(C)
Pet Shop	N	N	N	N	N	Y	Y	~~N~~ Y	
Retail Store	N	N	N	N	Y	Y	~~N~~ Y	~~N~~ Y	7.5(D)
Supermarket	N	N	N	N	N	SA	~~N~~ Y	~~N~~ Y	7.5(E)
Services									
Dog Kennel	N	N	N	N	N	SZ	~~N~~ SZ	SZ	7.6(A)
Dog Daycare	N	N	N	N	N	SZ	~~N~~ SZ	SZ	7.6(B)
Dog Training	N	N	N	N	N	SZ	~~N~~ SZ	SZ	7.6(B)
For-Profit Educational Use	Y	Y	Y	Y	Y	Y	Y	Y	
Funeral Home	N	N	N	N	SZ	SZ	N	N	7.6(C)
Personal Services	N	N	N	N	Y	Y	Y	Y	
Repair Shop	N	N	N	N	Y	Y	~~N~~ SZ	SZ	7.6(D)
Veterinarian	N	N	N	N	N	Y	~~N~~ Y	~~N~~ Y	
Accommodations and Food Services									
Drive-Up/Through Restaurant	N	N	N	N	N	SZ	SZ	~~N~~ SZ	7.7(A)
Fast-Order Food Establishment	N	N	N	N	SZ	SZ	SZ	SZ	7.7(B)
Motel or Hotel	N	N	N	N	SZ	SZ	~~N~~ SZ	SZ	7.7(C)
Restaurant	N	N	N	N	SZ	SZ	~~N~~ SZ	Y	7.7(D)
Financial, Offices									
Bank (drivethru clarified in definition?)	N	N	N	N	Y	Y	~~N~~ Y	~~N~~ Y	7.8(A)
Loan Agency	N	N	N	N	Y	Y	Y	Y	
Offices	N	N	N	N	Y	Y	Y	Y	

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Amusement, Recreation Businesses									
Bowling Alley	N	N	N	N	Y	Y	Y	Y	
Golf Course	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.9(A)
Indoor Amusement	N	N	N	N	Y	Y	Y	~~N~~ Y	
Riding Stable	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.9(B)
Swimming Pool, Non-Accessory	SZ	SZ	SZ	SZ	Y	Y	Y	Y	7.9(C)
Unclassified; Other Business & Commercial									
Fully Automated Business	N	N	N	N	N	SZ	~~SZ~~ Y	~~SZ~~ Y	7.10(A)
Research Facility	N	N	N	N	SA	SA	SA	Y	7.10(B)
Tradesman's Shop	N	N	N	N	Y	Y	Y	Y	
Vehicle-Related Uses									
Auto sales	N	N	N	N	N	SZ	SZ	SZ	7.11(B)
~~Auto services (remove)~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~SZ~~	~~7.11(A)~~
Auto repair	N	N	N	N	N	SZ	SZ	~~N~~ SZ	7.11(A)
Auto service	N	N	N	N	N	SZ	SZ	~~N~~ SZ	7.11(A)
Auto washing	N	N	N	N	N	SZ	SZ	SZ	7.11(A)
Truck body shop	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck leasing	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck repair	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck sales	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck service	N	N	N	N	N	N	SZ	SZ	7.11(C)
Truck washing	N	N	N	N	N	N	Y	Y	7.11(C)
INDUSTRIAL USES									
Manufacturing, Distribution									
Light Manufacturing	N	N	N	N	N	SZ	~~SZ~~ Y	Y	7.12(A)
Wholesale	N	N	N	N	N	SZ	~~N~~ Y	~~SZ~~ Y	7.12(B)
Utility Uses									
Above-ground utilities, non- municipal	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.13(A)
Above-ground utilities, Municipal	Y	Y	Y	Y	Y	Y	Y	Y	

Y=permitted as of right; SZ = allowed by special permit, Board of Appeals; SP=allowed by special permit from the Planning Board; SA=allowed by special permit with site plan approval from the Planning Board; N=prohibited.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Earth migration of less than 500 cubic yards for:	Y	Y	Y	Y	Y	Y	Y	Y	
Earth migration over 500 cubic yards	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	7.13(B)
(SECS) Non-freestanding (=mounted to building)	Y	Y	Y	Y	Y	Y	Y	Y	
(SECS) Freestanding	SP	SP	SP	SP	SP	SP	SP	SP	6.5
Underground utilities	Y	Y	Y	Y	Y	Y	Y	Y	
Wireless communications facility	SP	SP	SP	SP	SP	SP	SP	SP	6.6
Waste Disposal									
Recyclable Materials Transfer Center	N	N	N	N	N	N	N	SA	
Temporary Construction Trailer	N	N	N	Y	Y	Y	Y	Y	
Other Industrial									
Contractor's Yard	N	N	N	N	N	N	SP	SP	7.14(A)
ACCESSORY USES									
Residential Accessory Uses									
Accessory Residential Uses	Y	Y	Y	Y	Y	Y	N	N	
Home Occupation ¹	Y	Y	Y	Y	N	N	N	N	7.15(A)
Accessory Dwelling Unit	Y	Y	Y	Y	Y	Y	N	N	
In-Law Apartment	SZ	SZ	SZ	SZ	SZ	SZ	N	N	7.15(B)
Keeping of Horses: ²	Y	Y	Y	N	N	N	N	N	
Keeping of Hens	Y	Y	Y	N	N	N	N	N	
Room Rental (5 Or Less)	Y	Y	Y	Y	Y	Y	N	N	
Room Rental (More Than 5)	SZ	SZ	SZ	SZ	SZ	SZ	N	N	7.15(C)
Storage of One Vehicle or Trailer	Y	Y	Y	Y	Y	Y	N	N	
Storage of More than One Vehicle or Trailer	SZ	SZ	SZ	SZ	SZ	SZ	N	N	7.15(D)
Nonresidential Accessory Uses									
Accessory Retail and Automotive Services	N	N	N	N	N	N	~~N~~ SZ	SZ	7.16(A)
Accessory uses to scientific research or development	N	N	N	N	SZ	SZ	Y	Y	7.16(B)

¹ Except a special permit shall be required for a Home Occupation employing one or more nonresidents of the premises.

² Minimum land requirement per horse: <10,000 S.F., no horses; 10,000 – 19,999 S.F., 1 horse; 20,000 – 29,999 S.F., 2 horses; and 30,000 or more S.F., 3 horses.

(Proposed) Billerica Zoning Bylaw

	VR	NR	RR	MF	NB	GB	C	I	Ref.
Accessory service and repair	N	N	N	N	N	N	N	SZ	7.16(C)
For professional office or R&D Buildings over 50,000 net SF, uses that are wholly within the same building as the principal permitted use and occupy not less than 20% of the net square footage can be allowed by right. These can include retail, restaurant, personal services, and other amenity uses.	N	N	N	N	N	Y	Y	Y	
Miscellaneous Accessory Uses									
Auto parking	N	N	N	N	N	SZ	SZ	N	7.17(A)
Garaging or parking of one heavy commercial vehicle	SZ	SZ	SZ	SZ	SZ	Y	Y	Y	7.17(B)
Garaging or parking of one light commercial vehicle	Y	Y	Y	Y	Y	Y	Y	Y	7.17(B)
Garaging or parking of two light commercial vehicles	SZ	SZ	SZ	SZ	Y	Y	Y	Y	7.17(B)
Garaging or parking of two or more heavy commercial vehicles	N	N	N	N	N	SZ	Y	Y	7.17(B)
Truck parking	N	N	N	N	N	~~N~~ SZ	~~SZ~~ Y	~~N~~ Y	7.17(B)



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JULY 21, 2025**

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

Members Absent: None

Staff Present: 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. On a roll call attendance was taken: Vice Chair Burrows was present, Secretary Daniel Darris-O'Connor was present, Member Rosa was present, Member Favreau was present and Chair Pavidis was present.

The Pledge of Allegiance was recited.

1. Open Microphone

There was no one for open microphone.

New Business

2. Discussion and Possible Vote on Issuing an RFP for Town Counsel Services

Member Rosa stated that we should look at expanding the scope of services due to the pitfalls we have had with Brooks & DeRensis. For example, anything to do with the Select Board meeting material should be included in the retainer. We should look at tightening up the language in the RFP.

Member Favreau stated that she doesn't disagree. The RFP refers to the State Ethics but not other laws like Open Meeting Law but she questions if this would be in the RFP or at the negotiations level. Member Rosa stated that they should know when they are applying for the RFP.

Secretary Darris-O'Connor it says including but not limited to, so he believes that any law firm who have been Town Counsels in other towns would understand that. They provide municipal services. The problems we've encountered with Brooks & DeRensis are not typical and they lack the legal advocate service. Member Favreau stated point of order, and asked if we were breaking executive privilege, we should not be discussing things about Brooks & DeRensis outside of Executive Session. Chair Pavidis stated that we should stick with the RFP discussion.

Member Favreau asked who wrote the RFP. Ms. McDowell replied that this is the exact same RFP that was sent out last year. The only change is the dates.

Vice Chair Burrows asked why the school is included. Mr. Maynard stated that the school is referred to as a catch all so if there is a problem that involves both the Town and School we could use Town Counsel. The School Department has their own legal counsel, but this is there just in case. This is a template RFP and when the contract is negotiated, that is where these things would be worked out.

Secretary Darris-O'Connor stated that we need to get this out as soon as possible.

MOTION - Secretary Darris-O'Connor made a motion to send out the Request for Proposal (RFP) for Town Counsel from July 22, 2025 to August 21, 2025. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0. On a roll call vote: Vice Chair Burrows voted Aye Secretary Daniel Darris-O'Connor voted Aye, Member Rosa voted Aye, Member Favreau voted Aye and Chair Pavidis voted Aye.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JULY 21, 2025**

MOTION - Secretary Darris-O'Connor made a motion to adjourn the regular meeting of July 21, 2025 at 6:10 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0. On a roll call vote: Vice Chair Burrows voted Aye, Secretary Daniel Darris-O'Connor voted Aye, Member Rosa voted Aye, Member Favreau voted Aye and Chair Pavidis voted Aye.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*

Exhibits for the Select Board Meeting – July 21, 2025

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

New Business

2. **Discussion and Possible Vote on Issuing an RFP for Town Counsel Services** – Draft RFP for Town Counsel dated 07/14/25

Approved On: _____