



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

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

Members Absent: None

Staff Present: Town Manager Clancy Main, Assistant Town Manager Robert Maynard and Recording Secretary Dawn McDowell

Call to Order 6:02 PM

The Pledge of Allegiance was recited.

Chairman Rosa called the meeting to order and stated that the meeting is hybrid via Zoom. He also noted that Channel 5 is in the room recording.

1. Open Microphone

Barbara Reidy of 10 Maplewood Ave – Ms. Reidy stated that she has three items that she would like answers for: What is the status of the audit report and management letter for the audit that was done after Mr. Curran left. On the prior yearly audit, what is the status of the school moving to the Town's Munis system and what processes have the School put in place to make sure there is no shortfalls and now that the article has come out why Mr. Main is leaving, Ms. Favreau should not be blamed for Mr. Main leaving an apology should be issued to her.

New Business (Quick Items)

2. Permission for the Billerica Minuteman and 250th Committee to Hold a Ceremony on the Town Common on Sunday April 13th Honoring the Minutemen who Marched to Concord on April 19th and Those Who Died

Chris Sennott joined the meeting. They are requesting use of the center for the 250th ceremony on April 19th at 5:00 AM.

MOTION - Secretary Pavidis made a motion to approve the use of the common for the 250th Committee ceremony on April 19th at 5:00 AM. The motion was seconded by Member Burrows and unanimously voted 5-0-0.

Old Business

3. Preliminary Town Meeting Warrant Articles – Discussion and Possible Vote

MOTION - Secretary Pavidis made a motion to Recommend Article 3 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Main stated that Article #4 is going to transfer from the overlay surplus to cover the cost of legal fees. This motion should be subject to the recommendation of the Board of Assessors.

MOTION - Secretary Pavidis made a motion to Recommend Article 4 to Town Meeting contingent on the recommendation of the Board of Assessors. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Main stated that Article #5 is a 1-year contract for 3%. The cost will be \$120,000 and is a raise and appropriate article.

MOTION - Secretary Pavidis made a motion to Recommend Article 5 to Town Meeting as Presented. The motion was seconded by Member Burrows and unanimously voted 5-0-0.

Mr. Main stated that Article #6 is a 1-year contract for 3%. The cost will be \$80,000 and is a raise and appropriate article.

MOTION - Secretary Pavidis made a motion to Recommend Article 6 to Town Meeting as Presented. The motion was seconded by Member Burrows and unanimously voted 5-0-0.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

Mr. Main stated that Article 7 should be withdrawn. The contract will be ready for the Fall Town Meeting.

MOTION - Secretary Pavidis made a motion to Withdraw Article 7 from the Town Warrant. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Main stated that Article #9 is a 1-year contract for 3%. The cost will be \$190,000 and is a raise and appropriate article.

MOTION - Secretary Pavidis made a motion to Recommend Article 9 to Town Meeting as Presented. The motion was seconded by Member Burrows and unanimously voted 5-0-0.

Mr. Main stated that Article 10 should be withdrawn. The funding is already in the budget, so we don't need to have an article.

MOTION - Secretary Pavidis made a motion to Withdraw Article 10 from the Town Warrant. . The motion was seconded by Member Burrows and unanimously voted 5-0-0.

Mr. Main stated that Article #16 is the Town FY26 budget.

Member Darris-O'Connor asked if this was just the Town budget. Mr. Main replied yes. Member Darris-O'Connor stated that as far back as he knows, the town budget and school budget have always been one. He doesn't think it's appropriate to separate them. We should withdraw Articles 16-19 and let Town Meeting separate them if they want.

Chair Rosa stated that Article #20 is a Finance Committee article and they haven't voted on it yet. We have separated the articles so it gives more opportunities for Town Meeting to ask questions. Prior to FY24, the Schools used one-time funds for reoccurring expenses to balance the budget and last year the Town gave an additional \$800,000 of ARPA money to the School Department. The using of one-time money to fund reoccurring expenses in the school budget cause the highest tax increase on taxpayers in the history of Billerica.

Member Burrows stated that people don't go to the School Committee and complain about taxes. Having separate articles lets Town Meeting address why their taxes are going up and lets them talk about their wants and their needs.

Member Favreau stated that she agrees with the concept and theory but she would like to hear from Dr. Cleary.

Kerry Cleary, School Superintendent joined the meeting. Dr. Cleary thanked the Select Board for the opportunity to discuss this. Her biggest concern last year was to balance the FY25 budget. If the articles are separate, we will work with them. We bring our budget to the Town Manager and if he thinks it's ok, then they bring it to Town Meeting. The Town did step up and help us last year but this feels like a step back and separate articles would send a negative message. Town Meeting members can still ask questions and she will give a presentation but she will move forward with any way that is chosen.

Mr. Main stated that regardless, one path should be chosen so we don't double appropriate.

Member Favreau asked procedurally, she doesn't remember voting to separate the articles but we can't withdraw a Finance Committee article. Mr. Main replied that it is correct, it would have to be on Town Meeting floor. Member Favreau stated that is going to be confusing. Did the Town and School use to be separate articles. Chair Rosa replied yes. Member Favreau asked why the shared costs is a separate article. Mr. Main replied that it is separate in the budget book and shared costs doesn't fit in the Town or School budgets.

Member Darris-O'Connor stated that Town Meeting members can ask questions and having them separate creates division and has no benefit.

Chair Rosa stated that having them separate gives Town Meeting the biggest bite of the apple. He met with the School Committee Chair and Vice Chair, Dr. Cleary, Mr. Main and Mr. Maynard and we had a great meeting and we are going to continue to collaborate.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

Member Burrows stated that transparency is being used a lot lately. The Town and School are two separate entities and should have separate budgets. The two budgets have been separated in the past and when the question why taxes are going up can be addressed to the School Committee. This would also let the School Committee showcase what they have done over the last year.

MOTION - Member Darris-O'Connor made a motion to Withdraw Articles #16, #17, #18 & #19. There was no second.

MOTION - Secretary Pavidis made a motion to Recommend Article 16 to Town Meeting as Presented. The motion was seconded by Member Burrows and voted 4-1-0. Member Darris-O'Connor voted against.

MOTION - Secretary Pavidis made a motion to Recommend Article 19 to Town Meeting as Presented. The motion was seconded by Member Burrows and voted 4-1-0. Member Darris-O'Connor voted against.

MOTION - Secretary Pavidis made a motion to Recommend Article 21 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

MOTION - Secretary Pavidis made a motion to Recommend Article 22 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

MOTION - Secretary Pavidis made a motion to Recommend Article 24 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

MOTION - Secretary Pavidis made a motion to Recommend Article 25 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Main stated that Town Counsel has recommended that Article 26 be withdrawn since the original vote put the opioid settlement money into the stabilization fund already.

Member Favreau stated that you still need an article to appropriate out. Mr. Main replied that was correct.

MOTION - Secretary Pavidis made a motion to Withdraw Article 26 from the Town Warrant. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Fred Russell stated that Article #29 is on the TIP. This article is for the renovation of Tower Farm Road to Locke Road at a cost of \$11.5 million. This will be similar to the Boston Road projects and this article will fund construction oversight.

Chair Rosa stated that Middlesex Turnpike and Boston Road are both State projects and have been a disaster. We need to make sure State projects don't linger. Mr. Russell stated that he can't speak for them but we can raise concerns.

Mr. Main stated that this will be taken from free cash.

MOTION - Secretary Pavidis made a motion to Recommend Article 29 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Russell stated that this article is for cleaning the diesel gas tank. Mr. Main stated that this will come from Free Cash.

MOTION - Secretary Pavidis made a motion to Recommend Article 30 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Russell stated that Article 31 will allow us to update the sewer model that is used on large projects to determine the impacts on our sewer system. This model is over 10 years old and needs to be updated.

Mr. Main stated that Article 31 will come from wastewater retained earnings.

MOTION - Secretary Pavidis made a motion to Recommend Article 31 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

Mr. Main stated that Article 32 is to correct an underestimation of the ambulance that was bought in FY22. The original shortfall was taken from FY23 to cover FY22 but now we need to cover the FY23 shortfall. This will come from free cash.

Secretary Pavidis stated that we will use \$132,000 from free cash to cover the shortfall on buying the ambulance. Mr. Main replied that was correct.

Member Favreau asked when did we find out there was a shortfall. Mr. Main replied right about when the warrant was opened.

MOTION - Secretary Pavidis made a motion to Recommend Article 32 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Russell stated that Article 34 is for an easement at Treble Cove Road in two locations. The Planning Board required sidewalks but there was not enough room in the right of way, so we needed to get an easement to construct the sidewalks.

MOTION - Secretary Pavidis made a motion to Recommend Article 34 to Town Meeting as Presented. The motion was seconded by Member Burrows and unanimously voted 5-0-0.

Mr. Russell stated that Article 35 addresses the Article 97 requirements for the Yankee Doodle Bike Path.

MOTION - Secretary Pavidis made a motion to Recommend Article 35 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Main stated that this article will grant an easement for utilities for the new Rec Center.

MOTION - Secretary Pavidis made a motion to Recommend Article 36 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Mr. Main stated that Town Counsel has said that we already have the authority to do this.

MOTION - Secretary Pavidis made a motion to Withdraw Article 37 from the Town Warrant. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Chair Rosa stated that we should withdraw Article 38 until we figure this out. How do residents caucus in and we need to get the technology figured out on how people would vote.

Secretary Pavidis asked if we could figure this out by the Fall Town Meeting for next Spring. Chair Rosa replied that this article will be a Home Rule Petition and we need to work this out for the Spring.

Member Darris-O'Connor stated that Town Meeting is a couple times a year and if you are a Town Meeting member, you should show up although he knows that other towns have done this. We should wait until its right.

Member Favreau stated that she is taken back because she thought we were ready to go. This wouldn't take effect until next Spring Town Meeting so we should move this forward and let Town Meeting decide. There are people with young families that would like to get involved but can't because of time commitments. She would not support the withdrawal.

Mr. Main stated that this is a policy decision of the Board.

Member Darris-O'Connor asked if the Town Clerk or Town Moderator had been involved with discussions. Mr. Main replied no, this is a policy decision of the Select Board. Member Darris-O'Connor stated that the questions need to be answered.

Member Burrows stated that he met on Zoom with the Federal DOT and there were over 350 members. We have other Towns doing remote participation for Town Meeting like Lexington and we want to get the residents involved.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

MOTION - Secretary Pavidis made a motion to Recommend Article 38 to Town Meeting as Presented. The motion was seconded by Member Favreau and voted 4-1-0. Member Darris-O'Connor voted against.

Member Favreau stated that Article 39 is the Right to Farm bylaw. The Right to Farm was passed in 1990 by the State as a Constitutional right but the Town has to accept it.

Member Darris-O'Connor asked if this is allowed by right, why do we need to accept it. Member Favreau replied that we didn't adopt the MGL for the Right to Farm, which needs to be done. Member Darris-O'Connor asked if anyone has denied the right to farm. It just seems suspect that the timing for this is doing this for a guy who doesn't pay his taxes. Chair Rosa stated this discussion is outside of the warrant article and this is not for a specific farm.

MOTION - Secretary Pavidis made a motion to Recommend Article 39 to Town Meeting as Presented. The motion was seconded by Member Favreau and voted 4-1-0. Member Darris-O'Connor voted against.

Chair Rosa stated that he submitted this article to accept MGL 59, Section 5, Clause 22i and would allow tax exemptions for disabled veterans. It would cost an estimated \$5,000 depending on the number of applicants.

MOTION - Secretary Pavidis made a motion to Recommend Article 40 to Town Meeting as Presented. The motion was seconded by Member Burrows and unanimously voted 5-0-0.

Chair Rosa stated that he submitted this article that codifies on how the budget is submitted and added a Capital Plan. This brings the budget in line with the Charter. When he met with the school, they asked for a few language changes and those have been incorporated.

MOTION - Secretary Pavidis made a motion to Recommend Article 41 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Favreau stated that we have had extensive discussions on Article 42. The goal is to increase transparency in government. The information in the package was regarding the Select Board policy, not the bylaw. There is no dollar threshold listed in the bylaw.

Secretary Pavidis asked if this bylaw is retroactive. Member Favreau replied no, it will be in effect when Town Meeting passes it.

Chair Rosa stated that there is a paragraph in the bylaw, that Brooks and DeRensis had stricken out. The paragraph is identical in the policy and in the bylaw and they did not recommend. The language is identical.

Member Favreau stated that there is no material change and no impact to the day-to-day operation.

Member Burrows stated that he reached out to Town Counsel and the last paragraph, who would make the determination of the safety of individuals.

Member Favreau stated that the final paragraph protects the abusers or violators of law.

Chair Rosa stated that he is concerned with Section 7.5, which contains the paragraph about retroactive on agreements.

MOTION - Secretary Pavidis made a motion to Recommend Article 42 to Town Meeting as Presented. The motion was seconded by Member Favreau and voted 1-4-0. Member Favreau voting in favor.

Chair Rosa stated that he submitted this Article to adopt MGL 59, Section 5 Clause 5C which provides a property tax exemption of \$1.5 million for veteran's organizations. We have two in town, the VFW Solomon and VFW Eggo Post. The current law provides a \$750,000 exemption but the new law allows for \$1.5 million. Currently both organizations are under by at least \$200,000. Chair Rosa stated that Article 43 is being proactive to protect our veteran's organizations.

Member Darris-O'Connor asked why we are raising the value before it's needed. Chair Rosa replied because property values are always going up so this is being proactive. Member Darris-O'Connor stated that he didn't think charitable



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

organizations pay taxes. Mr. Main replied that churches don't pay taxes but veteran organizations do but he will check on the law for charitable organizations.

Member Darris-O'Connor asked why we would help a bar. They make calls and ask to donate. Chair Rosa stated that they are not being given any money, it's to raise the exemption for property tax for VFW organizations that support veterans.

MOTION - Secretary Pavidis made a motion to Recommend Article 43 to Town Meeting as Presented. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Executive Session

Chair Rosa stated that they will be going into Executive Session for two items and will only return to Regular Session to adjourn.

4. **Executive Session Pursuant to G.L c. 30A§ 21 (8) to consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening – Interim Town Manager**

MOTION - Secretary Pavidis made a motion to go into Executive Session Pursuant to G.L c. 30A§ 21 (8) to consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening – Interim Town Manager at 7:19 PM. The motion was seconded by Member Burrows and unanimously voted 5-0-0. On a roll call vote: Secretary Pavidis voted Aye, Member Darris-O'Connor voted Aye, Member Burrows voted Aye, Member Favreau voted Aye and Chair Rosa voted Aye.

MOTION - Secretary Pavidis made a motion to adjourn the regular meeting of April 15, 2025 at 7:46 PM. The motion was seconded by Member Darris-O'Connor and unanimously voted 5-0-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*



**TOWN OF BILLERICA
SELECT BOARD MINUTES
APRIL 15, 2025**

Exhibits for the Select Board Meeting – April 15, 2025

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

New Business (Quick Items)

2. **Permission for the 250th Committee and Captain Edward Farmer's Militia Company to Hold a Ceremony on the Town Common on Saturday April 19th to Witness a Recreation of the Mustering of the March to Concord – Ringing the Bells at 5:00 AM** - No Exhibits

Old Business

3. **Preliminary Town Meeting Warrant Articles – Discussion and Possible Vote** – Preliminary Warrant undated

Executive Session

4. **Executive Session Pursuant to G.L c. 30A§ 21 (8) to consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening – Interim Town Manager**– See Executive Session Minutes

Approved On: June 02, 2025