



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JANUARY 27, 2025**

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

Members Absent: None

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

Call to Order 6:00 PM

The Pledge of Allegiance was recited.

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

1. Open Microphone

There was no one in person or via Zoom for Open Microphone.

Announcements

2. Vacancies on Boards and Committees

Secretary Rosa read the vacancy list.

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

Public Hearing

4. Transfer of Off-Premises Wine and Malt License \$15 FROM JP Retailers, Inc. dba JP Beer and Wine TO Heri Sairam Inc. dba Shop & Go at the premises located at 326 Salem Road, Billerica, MA

MOTION - Secretary Rosa made a motion to open the public hearing for the transfer of license from JP Retailers, Inc to Heri Sairam, Inc at 6:02 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Attorney Thomas Truax and Hamel Patel joined the meeting. Attorney Truax stated that this transfer includes the sale of assets, a pledge of inventory and stock. Mr. Patel has over four years' experience with alcohol sales and is TIPS Certified.

Secretary Rosa stated that all the paperwork is in order and the acknowledgement statement is signed. We as a Board take the sale of alcohol very seriously.

Vice Chair stated that the Board takes sales to underage patrons very seriously.

The Board wished them luck.

There were no questions from the audience or online.

MOTION - Secretary Rosa made a motion to close the public hearing at 6:06 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion to approve the transfer of the wine and malt license **\$15 FROM** JP Retailers, Inc. dba JP Beer and Wine **TO** Heri Sairam Inc. dba Shop & Go at the premises located at 326 Salem Road, Billerica, MA with the hours of operations Monday-Saturday 8:00 AM to 11:00 PM and Sunday from 10:00 AM to 10:00 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

5. New Off-Premises Wine and Malt License \$15 for Para Mart, Inc. dba One Stop at the premises located at 772 Boston Road, Billerica, MA

MOTION - Secretary Rosa made a motion to open the public hearing for a new off-premises wine and malt license for Para Mart, Inc. dba One Stop at premises located at 772 Boston Road at 6:08 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.



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Attorney James Dangora and Mr. Patel joined the meeting. Attorney Dangora stated that Mr. Patel has extensive experience with over 14 years of sales of alcohol and he has no discipline marks and is a US Citizen. They are going to close down the convenience store and make this a beer and wine store that requires all patrons to be 21 years old or older. They will have lottery, snacks and cigarettes. They have received a letter from Lt. Coffey and he has vetted Mr. Patel. They have also purchased an age verification scanner. This does not include a pledge of license.

Member Riley asked when the age verification scanner will be in place. Attorney Dangora replied they will not open until it is in place.

Vice Chair Favreau stated that she is familiar with the owner and runs a fantastic business in another part of town.

Secretary Rosa stated that everything is in order and he has signed the acknowledgement form. We take the sale of alcohol very seriously.

Member Conway asked how many open licenses there are. Ms. McDowell replied that there are six open wine and malt off-premises licenses available.

There were no questions from the audience or online.

MOTION - Secretary Rosa made a motion to close the public hearing for Para Mart, Inc. dba One Stop located at 772 Boston Road at 6:13 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0. On a roll call vote: Secretary Rosa voted Aye, Member Conway voted Aye, Member Riley voted Aye, Vice Chair Favreau voted Aye and Chair Burrows voted Aye.

MOTION - Secretary Rosa made a motion that the Select Board approves the new off-premises Wine and Malt License §15 for Para Mart, Inc. dba One Stop at the premises located at 772 Boston Road, Billerica, MA. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

New Business (Quick Items)

Wayne Smith of 6 Chadwick Street – Mr. Smith stated that he signed up for open microphone. He would like to the residents to know that they can get a better electrical rate than National Grid. He will give the information to the Town Manager.

6. Discussion and Possible Vote – Setting Town Election and Spring Town Meeting Dates and Hours – Requested by the Town Clerk

Town Clerk Donna McCoy joined the meeting. She presented a memo requesting the Board set the Town Election and Spring Town Meeting dates.

Member Conway asked if there were any holidays that would interfere with the Town Meeting. Ms. McCoy replied no.

MOTION - Secretary Rosa made a motion to set the Town Election for April 5th from 8:00 AM to 8:00 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion to start the Spring Town Meeting on May 6th at 7:00 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

7. Discussion and Possible Vote – Early Voting Options and Recommendations for the Annual Town Election 2025 – Requested by the Town Clerk.

Town Clerk Donna McCoy joined the meeting. Ms. McCoy stated that the Board of Registrars recommend that the Town opt-out of vote by mail for early voting for the local election but recommends early in-person voting. It costs the town over \$5,000 to send out the early mailing votes.

Member Conway would support the request.



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Member Riley stated that he would be against this request. People do use mail in ballots. Ms. McCoy stated that people can still request an absentee ballot.

Vice Chair Favreau asked if this request was based on costs only because the numbers provided showed that the town received about 50% of the ballots back, which is great. Ms. McCoy replied it is cost and manpower. Vice Chair Favreau asked what meeting the Board of Registrars made this recommendation because she could not find a posted meeting. Ms. McCoy stated that it was an informal discussion in her office. Vice Chair Favreau asked if the Board of Registrars provide support during the elections. Ms. McCoy replied yes they do. Vice Chair Favreau realizes it's a lot of work, but the residents should have every option to vote.

Member Riley asked what the vote of the Board of Registrars was. Ms. McCoy replied it was 3-0-0.

Secretary Rosa stated that this vote will not preclude absentee or medical ballots and we will have in person early voting and it will save the town money.

Kelley Sardina of 95 Gray Street – Ms. Sardina asked if there were any grants to help with early voting by mail. Ms. McCoy stated that she doesn't think so.

Chair Burrows stated that he hates wasting money. Ms. McCoy added that typically, local elections only produce 10-14% of voter turnout.

MOTION - Secretary Rosa stated that the Select Board vote to Opt-Out of voting by mail for early voting. The motion was seconded by Vice Chair Favreau and voted 4-1-0. Vice Chair Favreau voted against the motion.

MOTION - Secretary Rosa made a motion that in person early voting will be held on March 31st from 8:00 AM to 6:30 PM and April 1st and 2nd from 8:30 AM to 4:00 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Member Conway asked if there was early voting on Saturday. Ms. McCoy replied only for State elections.

8. Request for (4) 18" x 24" Signs on the Common from March 15, 2025 to April 12, 2025 for the Family Health and Safety Fair on April 12, 2025 at the Elks Lodge – Requested by Bethany Slack, MPH Board of Health

MOTION - Secretary Rosa made a motion to approve the request for (4) 18" x 24" Signs on the Common from March 15, 2025 to April 12, 2025 for the Family Health and Safety Fair on April 12, 2025 at the Elks Lodge. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

9. Request for (4) 18" x 24" Signs on the Common from January 28, 2025 until February 28, 2025 for the Annual Clean Up Green Up Day on April 26, 2025 – Requested by Michael Parker

MOTION - Secretary Rosa made a motion to approve the request for (4) 18" x 24" Signs on the Common from January 28, 2025 until February 28, 2025 for the Annual Clean Up Green Up Day on April 26, 2025. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

10. Agenda Item Removed

16. Discussion and Possible Vote on Creating a Mission Statement and Objectives for the 250th Committee – Requested by Vice Chair Favreau

Vice Chair Favreau stated that one resident has resigned and three others have reached out with concerns. She would like to get everyone on the same page and have a successful event. She has presented a mission statement and objectives including increasing the membership of the committee and posting a meeting schedule.

Darlene Torre – Ms. Torre is the person who resigned. She expected that this committee to be something different. She thought it would be fun to work on. The committee has lost focus and we need guidelines. This is supposed to be a non-partisan event and it's not.



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Diana Saunders – Ms. Saunders is also on the committee. We need guidance and she hopes that all four people who have applied get appointed.

Kelley Sardina – Ms. Sardina stated that she concurs with what has been said. The 250th is for all of Billerica. We are more than just the tar and feathering and Yankee Doodle. We need a reboot of the committee.

Ms. Torre stated that other town's got groups involved. EDC got businesses involved to promote the 250th.

Member Riley stated that this is the first ready. Vice Chair Favreau stated that the Board would adopt the guidance.

Member Conway stated that it seems there is a lot going on. Ms. Torre stated that it was discussed having a one-day event that involved a minute man march but that was never voted on. There is no benefit to the Town. There are no minutes or video of this meeting and it's gone astray. Member Conway stated that if we revamp this committee, would Ms. Torre come back. Ms. Torre stated that she would still be involved, she doesn't need to be a voting member.

Ms. Saunders stated that children don't know the history of Billerica. We should involve the kids.

Vice Chair Favreau stated that she provided a 250th Field Guide. The starting point would be the revolutionary war but there is so much more.

Chris Sennott – Mr. Sennott stated that he attended the last meeting. It was interesting and there are two different ideas within the committee. He would support the historic nature but would want to make it fun for all. There are ideas that were not heard.

Member Conway asked if you are proposing including the State guidelines. Vice Chair Favreau replied yes plus other ideas. Member Conway asked if the Chair is going to change and if the committee is enlarged would that make it better. Vice Chair Favreau stated that by increasing membership, you increase the diversity of thought and increase the number of people to help. Member Conway stated that Mr. Main or Mr. Maynard needs to be there. She would support the purpose and scope.

Secretary Rosa stated that he would agree with the guidance and expand the committee because this is a big job and a lot of work needs to be done. The Scholarship and Yankee Doodle Committee have more members.

Member Conway stated that the increase of the committee is not on the agenda.

Member Riley stated that when we created the committee, we increased the membership and took everyone who applied and that was done without it being on the agenda.

Ms. Saunders stated that some of the committee just want to do the 1775-1776 period but there are others that want to do all 250 years and we can't move past that.

John LaFauci – Mr. LaFauci stated that Amy Dearth just texted him and she is withdrawing her name.

MOTION - Secretary Rosa made a motion that the Select Board adopt the recommendations of the Mission Statement and Objectives submitted including the State guidelines. The motion is seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Appointments

11. 250th Committee (One Opening)

- a) Christopher Sennott
- b) John LaFauci
- c) Amy Dearth
- d) Thomas Tringale

Secretary Rosa stated that this will be discussed at the next meeting.



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12. NMCOG Committee Reports – Vice Chair Favreau

Vice Chair Favreau presented and provided an update on NMCOG activities.

Old Business

13. Town Managers Report and Goal Updates

Mr. Main thanked Jason Hand from the water department for helping with contentious issue.

Member Riley congratulated Mr. Hand.

MOTION - Secretary Rosa made a motion to put a letter in the file of Mr. Hand. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Chair Burrows stated that other towns do not do a Town Manager's report. This takes up a lot of time and we should just focus on the goals and look at updates from Select Board members.

- **Large Capital Projects**

Mr. Main stated that there are three large capital projects ongoing: North Billerica Fire Station – Architect toured Pinehurst and is starting design. Rec Center – Should go out for estimating in the next two weeks. DPW - Excavated for one corner of the foundation. Ground heaters are in place concrete could be poured next week.

Member Riley asked that the Fire Department stays involved with the Fire Station design. Mr. Main replied yes, they are involved in all aspects.

Member Conway asked if the P&S is signed for the Fire Station. Mr. Main replied yes, we are in our due diligence phase.

- **Playground Inspection**

Mr. Main stated that three members of the Facilities Department have signed up to take a playground inspection course and certification test next month. Once certified, they'll be able to officially inspect and maintain our playgrounds to ensure they're safe for everyone. We've also compiled an inventory of issues that need attention, and residents can expect to see improvements starting in early spring.

Vice Chair Favreau stated that this is a great job in taking the initiative by the employees to get trained on inspecting our playgrounds. I'm looking forward to seeing that training translate into improvements to our parks and playgrounds.

Secretary Rosa stated that he is glad the facility department is getting certified.

Member Conway stated that this is great. Will they look at town and school playgrounds. Mr. Main stated that we would concentrate on town playgrounds but he would need to talk with Dr. Cleary.

- **Land Bank Policy**

Mr. Main stated that one of his goals for this year is for the Board to adopt a land bank policy or land acquisition fund policy. This would allow us to set aside dedicated funds each year for purchasing land that benefits the community. He'd recommend funding this with a combination of free cash, overlay surplus (when available), and CPC funds, targeting \$250,000 annually. The Board, working with the Open Space and Recreation Committee, would develop a list of priority properties and set criteria for eligible land purchases

Vice Chair Favreau stated that she would support the land bank policy.

Member Riley stated that the scope priority should be done before a property is purchased.

Secretary Rosa stated that he fully supports this. He and Mr. Montuori wrote the initial Land Bank article years ago. Article 97 properties are being identified as part of the Open Space and Recreation plan now. We have already color coded and identified all different type of land (town, state, open space, etc.).



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Member Conway stated that she likes this and would this have a budget recommendation. Mr. Main replied that he would work with the OSR committee and discuss priority sites. This would be a financial policy. Member Conway asked if this is going to be a formal policy. Mr. Main replied yes.

- **New Town Website Project**

Mr. Main stated the new Town website project is moving forward! Our vendor, JGPR, has already met with the Police, Fire, and Recreation Departments, with upcoming meetings scheduled with the Council on Aging, Library, and Town Hall. Once those meetings are complete, the process of designing and building the websites will begin. Residents can also expect opportunities to provide feedback, such as surveys and layout options.

Vice Chair Favreau asked if BSAP could migrate to the Town's new website. Mr. Main replied yes, they can add the page.

Secretary Rosa stated that this is good news.

- **Town Wide Audit**

Mr. Main stated that the town-wide audit is making progress, with different sections at various stages of completion. Drafts of risk control matrices for financial reporting, budgeting, and fixed assets are expected soon. Work is also ongoing for procurement, revenue, and treasury processes. Reviews of outside accounts, like revolving funds and outside committees, have not yet started. The audit team also plans to meet with DPW and IT to complete their evaluations.

Vice Chair Favreau stated that she will wait for the official report before commenting. Will this report be made public. Mr. Main replied yes.

Member Conway asked when the audit report will be completed. Mr. Main replied hopefully by the next meeting but he has to wait for them to complete it.

- **No Parking Signs on Covington**

Mr. Main stated the no parking signs on Covington Street have been installed. This should help address concerns in the area and improve safety and accessibility.

- **North Billerica Train Station**

Mr. Main stated he spoke with the MBTA about our current land ownership issue. The Town owns a parcel of land inside the MBTA Parking lot. We are in the process of negotiating a number that is owed for the Town for use of that parcel. Once that is completed I will follow up with the Board on next steps for the Train Station.

Secretary Rosa stated that during the original agreement, the residents can get a 50% reduced parking rate and we have a second agreement that weekends and federal holidays are free. Residents just need to get a sticker from the Town Clerk.

Chair Burrows stated that we own about 60 spaces, so they are in violation of the agreement and are making money for our property.

- **NMCOG Award**

Mr. Main stated that the Town received \$45,000 this year from NMCOG Technical Assistance Programs. This was an increase over last year's number. The projects that NMCOG will assist the Town with include the Billerica Housing Production Plan, the Billerica Master Plan, and Billerica Site Plan Review Policy Update. They also have included us in three regional projects. The Town pays almost \$17,000 to be part of NMCOG.

Secretary Rosa stated that this is great.

Member Conway asked if this will be this year. Mr. Main replied it would be the next grant cycle.



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- **Capital Projects**

Mr. Main stated at the next meeting; he will be presenting the Capital Plan. He would like the Board to schedule a separate meeting to hear from our staff and consultants about roads, sewer, water, stormwater, and a secondary water source. This will help set the stage of a future in-depth discussion.

Vice Chair Favreau stated that discussion of this is very important and would support a special meeting special meeting to give it the focused attention it needs.

Secretary Rosa stated that he would agree to having a separate meeting for discussion of capital projects.

Member Conway stated that she would suggest waiting to discuss this until after the elections.

- **Recovery Community Center Space**

Mr. Main stated as part of the opioid landscape analysis, one of the key recommendations was to establish a Recovery Community Center Space. To better understand how these centers operate, he toured two existing facilities in Malden and Lowell. He's also started exploring potential locations within Town-owned buildings that could accommodate this type of center. The two most suitable options are the Masonic Building and the Lewis Building at 250 Boston Road, with 250 Boston Road emerging as the best fit. Money was appropriated towards a Center in the Town Meeting warrant article.

Vice Chair Favreau stated that she wanted to recognize the town manager's willingness in engaging in this process and being open to learning about this very important issue combatting substance use issues in our community. The leaders in the recovery treatment and advocacy community are very impressed with your engagement in trying to provide sustainable solutions. She thanked Mr. Main for his engagement.

Member Riley thanked Mr. Main for looking at this.

Secretary Rosa thanked Mr. Main for looking at this.

Chair Burrows has visited a recovery center and if you didn't know what it was, you would not know it was there.

14. Discussion of Delinquent Payments from Griggs Farm – Potential Vote on Tax Title Taking – Requested by Member Conway

Member Conway stated that we have been talking about taxes going up and our residents are struggling to pay their bills. This Board has taken action on businesses that did not pay their taxes. Mr. Griggs hasn't paid his taxes since 2017. The town has tried to negotiate with him but Mr. Griggs was quoted in the paper saying he's not going to pay his taxes. This is not fair or equitable. The Salt Box and McHugh's Farm Stands pay their taxes and it's not fair to our residents and other businesses. He owes \$272,000 without interest. We have elderly homeowners who make difficult choices to pay their taxes and we take properties for tax title all the time, but Mr. Griggs is being treated differently.

Member Riley stated that it's odd having this conversation because everyone has to pay their taxes. Our State Representative and others have tried to negotiate an agreement with Mr. Griggs. There was also a Go Fund me campaign that Vice Chair Favreau started that was supposed to pay the taxes and he is not sure where this money went.

Vice Chair Favreau stated there are very specific application of law in valuations, assessment and taxes under an agricultural preservation restriction. Pursuant to MGL Ch. 61A section 4a it states: the rate of tax applicable to land actively devoted to agricultural, horticultural or agricultural and horticultural uses shall be the rate determined to be applicable to class two, open space. The town of Billerica does not currently have a Class 2 Classification Rate for Open Space and as such, Griggs is being taxed at a commercial rate for 19.7 acres that are protected. Further, under section 10 The board of assessors of a city or town, in valuing land with respect to which timely application has been made and approved as provided in this chapter, shall consider only those indicia of value which such land has for agricultural, horticultural or agricultural and horticultural uses. Said board, in establishing the use value of such land, shall use the list of ranges published pursuant to section eleven and its personal knowledge, judgment and experience



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as to such agricultural land values but these factors shall be limited to data specific to the crop or product being grown or produced. And Section 11 prescribes that the Farmland Advisory Commission is responsible for setting a list for a range of values on a per acre basis for each of the several classifications of land in agricultural or horticultural or forest land uses. Now that we are all aware of how that works, she would like to go into the timeline a bit here because the one we were given is skewed. Federal Tax Lien Release filed on July 3, 2017, in lieu of payment in the amount of \$5,088.76. Federal Tax Lien Release filed on November 29, 2017, in lieu of payment in the amount of \$9365.57. Instrument of Taking issued March 2, 2018, to Gilbert Griggs for Fiscal Year 2017 in the amount of \$25,795.18 for 19.70 Acres more or less (that's the farmland which is protected). December 5, 2019, Notice of Intent to Foreclose was filed in land court by the town with attached exhibit A citing 19.70 acres as the property subject to the filing. Under this filing, it is required that the Notice of the Complaint must be filed with the Registry upon the proper form LCN2 as soon as the complaint is entered with the court. And by the way, the town filed the lawsuit against Gilbert Griggs, who passed away many years ago, so we are essentially suing a deceased person. December 5, 2019, Notice of the Complaint filed on Form LCN2 with the Registry of Deeds citing 5.87 Acres more or less against Griggs Farm Limited Partnership. January 2020 – Title Examiner Report filed with the court. The report notes: The 19.70 acres is protected by an Agricultural Preservation Restriction and Option to Purchase, which is to say that the MA Department of Food and Agriculture has the right of first refusal, not the Town of Billerica. And, The Instrument of Taking and Notice of Intent to foreclose filed by the town was for the protected 19.70 acres. December 2020 Munis Report for the Town of Billerica Tax Commitment book shows a balance for the 5.870 acres of commercial real estate in the amount of \$206.78. December 2020 Munis Report for the Town of Billerica Tax Commitment book shows a zero balance for personal property for FY21 and a combination of residential and commercial real estate in the amount of \$32,130.30 for FY21. Note that the land values assessed cite the 19.70 acres of farmland, which is supposed to be taxed at a different rate than residential and commercial real estate. There's no differentiation contained in the assessed values for the land or buildings, which is the crux of the dispute that Mr. Griggs has raised. In August of 2021, the law firm for the town submitted a request to the court to put the case on hold until further notice. Someone somewhere likely figured out the series of errors made, the fact that this land is protected, and the state has first dibs, but the Town did not perfect service of process to the Commissioner of Food and Agriculture. September 2021, Strazzere, Inc. files and Answer to the Court and states Strazzere calls upon the Plaintiff to prove valid notice of the underlying tax taking was given to Strazzere as well as to prove the superiority of its tax lien to the easement interest of Strazzere Inc. They further acknowledge that the Plaintiff has requested the case be placed on hold but filed their Answer to preserve their rights. July 18, 2022, Counsel issued a letter to the court requesting that the hold be removed and states that the town effected the taking in the amount of \$4,996.54. This does not align with the original Instrument of Taking filing cited to the court, so which one is it? December 2022 Certificate of Release of Tax lien issued in lieu of payment in the amount of \$27,206.62. On January 17, 2025, the MA DOR filed a Release of Tax Lien in Lieu of payment in the amount of \$6897. 63. And all of this is to say that the town has never filed a notice of municipal tax lien with the registry of deeds, the experts retained cannot definitively answer what the real amount is that is owed, if any, there isn't a single document formally filed anywhere as to these 6 digit figures cited and our own Munis Tax Commitment reports show that is not the case as of FY21. Mr. Griggs has clearly been paying taxes to the Federal and State government for his property and business in amounts that aren't too far off what is filed with the courts by our own attorney. Since we can never end up with the land regardless, she doesn't know what the end game is here other than to inflict maximum damage to an elderly farmer, and she won't be supporting any adverse action against our last remaining farm when clearly someone here in town hall dropped the ball somewhere.

Secretary Rosa stated that we work with businesses all the time on payment plans. This was put on pause by the previous administration but it sounds like something is not right. We have a process to work through these types of actions. We don't try to shut down businesses, we try to work with them to come to an agreement. This is not the venue to do it. We voted not to go after tax title on Mr. Griggs. According to Mr. Main's letter that there may be a resolution possible and he is willing to give them an opportunity to work it out.

Bill Griggs – Mr. Griggs stated that he has a 61A over the whole property since the 1990s. He's never gotten the right information about for his taxes.



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John Larson – Mr. Larson stated that his son works with Mr. Griggs. We need to know what is owed in taxes and how the Town got to the number. Griggs has been a staple of Billerica since the 1930s. Gil Griggs gave half of the land to Billerica to save the farm land. The classification should be “2”. He understands there may be taxes on the parking lot and house but not the farm. He is trying to bring the farm back to life.

Member Riley asked if there is still a question on what is owed and will Town Counsel get involved. Mr. Main stated that this was brought up by Ms. Favreau and he will look into this.

Member Conway stated that there are one to two homes on the property that would be taxed as residential and the farm stand would be taxed as commercial. If there was concern and you disagree with the amount of taxes, then an appeal could be filed. If the Town made a mistake, there is a process to appeal. Mr. Griggs never filed an appeal. Ms. Favreau is not an attorney. She would like Town Counsel to review this. This has spurred a conversation and this has been going on for a long time. She has zero interest in taking the farm. The Town is willing to work with a plan to get this straightened out. She is willing to take this off the table and have Mr. Griggs’ attorney meet with the Town. Mr. Griggs has the right to appeal his assessment, and if he didn’t that is on him. She is asking that the Town Manager take steps to work this out.

Lynn Morrison – Ms. Morrison stated that the numbers for the taxes are not correct. Mr. Griggs will pay as long as he knows what the numbers are.

Chair Burrows stated that we need to get a professional assessor to look at this with Town Counsel. He is not going to talk about it until we get all the information.

Kelley Sardina – Ms. Sardina stated that there was a legal ad posted on January 27th for taking land but no notification was in the paper except for the property on High Street.

New Business

15. Budget Overview

Mr. Main thanked Mr. Maynard and Mr. Chhayani for all their help with preparing the budget. He will be presenting the full budget on March 3rd. It is due by Charter on March 6th. Mr. Main stated that he went through the budget with the Department Heads to reduce services not needed. He presented his budget memo.

Secretary Rosa stated that the 1.6% increase is great compared to previous higher increases. He appreciates all the work that was done. He does have a question on why not let the Library and Recreation friends group to donate. Mr. Main stated that the Friends groups are not getting a lot of donations because it’s tough economic times. For example. The library has a book sale, because of the rain, they did not get a lot of sales. With the Town fully funding it, they can get their programing in place. Secretary Rosa stated that the full cost of the water is covered by the water retained earning fees. Mr. Main replied that was correct. Secretary Rosa stated that the school is coming in at 3.30% without any contracts. This is on top of the 7.4% from last year plus the \$800,000 in ARPA funds the Town gave them. They cannot keep coming in at +3%. The town is doing more with less and the school is doing the opposite and something needs to change.

Member Riley asked if the new Assistant Town Manager salary is included. Mr. Main replied yes. Member Riley asked if summer help is still being used. Mr. Main replied yes, but they have not been using the \$250,000 so it’s been lowered to \$100,000.

Vice Chair Favreau stated that we need to keep residents in our forethought. We can’t keep raising taxes.

Member Conway stated that having the town at 1.6% is great job and we can’t keep raising taxes on our residents. Mr. Main stated that we took a real hard look of what was spent versus what was being asked for.

Chair Burrows stated that it’s great that you worked with the Department Heads and he would like to see the Town and School budgets separate for Town Meeting.



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17. September 23, 2024 Regular Session

MOTION - Secretary Rosa made a motion to approve the Select Board meeting minutes of September 23, 2024 Regular Session as submitted. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

18. October 7, 2024 Regular Session

MOTION - Secretary Rosa made a motion to approve the Select Board meeting minutes of October 7, 2024 Regular Session as submitted. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

19. October 7, 2024 Special Meeting

MOTION - Secretary Rosa made a motion to approve the Select Board meeting minutes of October 7, 2024 Special Session as submitted. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

20. December 16, 2024 Regular Session

MOTION - Secretary Rosa made a motion to approve the Select Board meeting minutes of December 16, 2024 Regular Session as submitted. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION -

Meeting Schedule

February 3, 2025 and February 24, 2025

Executive Session

21. Executive Session Pursuant to G.L. c. 30A § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Review and Approval and Possible Redaction of Executive Session Minutes of January 6, 2025

MOTION - Secretary Rosa made a motion to go into Executive Session to G.L. c. 30A, § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Review and Approval and Possible Redaction of Executive Session Minutes of January 6, 2025. The Town of Billerica at TIME PM. The motion was seconded by Vice Chair Favreau and voted 5-0-0. . On a roll call vote: Secretary Rosa voted Aye, Vice Chair Favreau voted Aye, Member Riley voted Aye, Member Conway voted Aye and Chair Burrows voted Aye.

22. Executive Session Pursuant to G.L. c. 30A, § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Request Unredacted Minutes of August 19, 2024 Previously Approved, Redacted and Released on September 23, 2024

MOTION - Secretary Rosa made a motion to go into Executive Session to G.L. c. 30A, § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Request Unredacted Minutes of August 19, 2024 Previously Approved, Redacted and Released on September 23, 2024 at TIME PM. The motion was seconded by Vice Chair Favreau and voted 5-0-0. On a roll call vote: Secretary Rosa voted Aye, Vice Chair Favreau voted Aye, Member Riley voted Aye, Member Conway voted Aye and Chair Burrows voted Aye.

Secretary Rosa stated that we will only return to regular session to adjourn.

MOTION - Secretary Rosa made a motion to adjourn the regular meeting of January 27, 2025 at 8:43 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 4-1-0. Chair Burrows voting against.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JANUARY 27, 2025**

Exhibits for the Select Board Meeting – January 27, 2025

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

Announcements

2. **Vacancies on Boards and Committees** – Vacancy List dated 01/23/25
3. **All other announcements may be viewed on the Town of Billerica website**– No Exhibits

Proclamation and Public Recognition

Public Hearings

4. **Transfer of Off-Premises Wine and Malt License §15 FROM JP Retailers, Inc. dba JP Beer and Wine TO Heri Sairam Inc. dba Shop & Go at the premises located at 326 Salem Road, Billerica, MA** – Billerica Application dated 12/30/24, Memo from Lt. Coffey dated 12/12/24, ABCC Application dated 11/08/24
5. **New Off-Premises Wine and Malt License §15 for Para Mart, Inc. dba One Stop at the premises located at 772 Boston Road, Billerica, MA 01821** – Billerica Application dated 01/07/25, Memo from Lt. Coffey dated 12/31/24, ABCC Application dated 12/18/24

New Business (Quick Items)

6. **Discussion and Possible Vote – Setting Town Election and Spring Town Meeting Dates and Hours – Requested by the Town Clerk** – Memo from D. McCoy dated 01/06/25
7. **Discussion and Possible Vote – Early Voting Options and Recommendations for the Annual Town Election 2025 – Requested by the Town Clerk** – Memo from D. McCoy dated 02/03/25
8. **Request for (4) 18” x 24” Signs on the Common from March 15, 2025 to April 12, 2025 for the Family Health and Safety Fair on April 12, 2025 at the Elks Lodge – Requested by Bethany Slack, MPH Board of Health** – Email from B. Slack dated 12/23/24, Proposed Sign
9. **Request for (4) 18” x 24” Signs on the Common from January 28, 2025 until February 28, 2025 for the Annual Clean Up Green Up Day on April 26, 2025 – Requested by Michael Parker** – Email from M. Parker dated 01/23/25, Proposed Signs

10. **Agenda Item Removed**– No Exhibits

Appointments

11. **250th Committee (One Opening)**

- a. Christopher Sennott – Application dated 01/09/25
- b. John LaFauci - Application dated 01/09/25
- c. Amy Dearth – Application dated 01/10/25
- d. Thomas Tringale – Application dated 01/13/25

Presentation

Committee Reports

12. **NMCOG Committee Reports – Vice Chair Favreau** – Memo from D. Favreau dated 01/22/25

Old Business

13. **Town Managers Report and Goal Updates** – Town Manager’s Report dated 01/24/25
14. **Discussion of Delinquent Tax Payments from Griggs Farm – Potential Vote on Tax Title Taking – Requested by Member Conway** – Memo from C. Main dated 01/24/25



**TOWN OF BILLERICA
SELECT BOARD MINUTES
JANUARY 27, 2025**

New Business

15. **Budget Overview** – Memo from C. Main dated 01/24/25
16. **Discussion and Possible Vote on Creating a Mission Statement and Objectives for 250th Committee – Requested by Vice Chair Favreau** – Memo from D. Favreau undated, MA250 Field Guide undated, Slides from MMA Conference undated

Approval of Meeting Minutes

17. **September 23, 2024 Regular Session** – Minutes of September 23, 2024 Regular Session
18. **October 7, 2024 Regular Session** – Minutes of October 7, 2024 Regular Session
19. **October 7, 2024 Special Meeting** – Minutes of October 7, 2024 Special Meeting
20. **December 16, 2024 Regular Session** – Minutes of December 16, 2024 Regular Session

Meeting Schedule

February 3, 2025 and February 24, 2025

Executive Session

21. **Executive Session Pursuant to G.L c. 30A § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Review and Approval and Possible Redaction of Executive Session Minutes of January 6, 2025** – See Executive Session Minutes
22. **Executive Session Pursuant to G.L c. 30A § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Request Unredacted Minutes of August 19, 2024 Previously Approved, Redacted and Released on September 23, 2024** – See Executive Session Minutes

Approved On: March 17, 2025



**TOWN OF BILLERICA
SELECT BOARD
EXECUTIVE SESSION MINUTES
JANUARY 27, 2025**

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

Members Absent: None

Staff Present: Town Manager Clancy Main, Administrative Services Director Robert Maynard, and Recording Secretary Dawn McDowell

Chair Burrows called the meeting to order at 8:33 PM

A roll call attendance was taken: Secretary Rosa was Present, Vice Chair Favreau was Present, Member Conway was Present, Member Riley was Present and Chair Burrows was Present.

21. Executive Session Pursuant to G.L c. 30A § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Review and Approval and Possible Redaction of Executive Session Minutes of January 6, 2025

Ms. McDowell stated that she sent the proposed redactions to Town Counsel and Attorney Kawamoto agreed. She asked that the motion in the Community Collective case be redacted due to ongoing litigation in this case.

Vice Chair Favreau stated that she read them and it doesn't matter to her either way.

MOTION - Secretary Rosa made a motion that the Select Board approve the Executive Session Minutes of January 6, 2025 and release the redacted version as approved by Town Counsel. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0. On a roll call vote: Member Rosa voted Aye, Vice Chair Favreau voted Aye, Member Conway voted Aye, Member Riley voted Aye and Chair Burrows voted Aye.

22. Executive Session Pursuant to G.L c. 30A § 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Request Unredacted Minutes of August 19, 2024 Previously Approved, Redacted and Released on September 23, 2024

Ms. McDowell stated that these minutes were previously approved on September 23, 2024, and the redacted version was released. Mr. Femia has submitted a public records request for the unredacted version of just his item.

Member Conway asked if Town Counsel recommended that it be denied. She says in her email there is attorney client privilege and it should be redacted.

Secretary Rosa stated that we are currently in litigation with another public records request about what can be redacted and what cannot be, we should wait for the judge to decide. Chair Burrows stated that this case is done. Secretary Rosa stated that there is nothing confidential in here but there was discussion with our Town Counsel, but it was not a big case.

Member Riley stated that he would be concerned with setting a precedent. We should send it back to Town Counsel and let her know that we ok with releasing it but would that set a precedent in other cases.

Vice Chair Favreau stated that there is no attorney client privilege because the case is over, otherwise we will end up in another lawsuit.

MOTION - Vice Chair Favreau made a motion that the Select Board waive Attorney/Client privilege in the Femia case due to the fact the case is complete and we are required by law to release the minutes. The motion was seconded by Secretary Rosa and voted 3-2-0. On a roll call vote: Vice Chair Favreau voted Aye, Member Conway voted No, Member Riley voted No, Secretary Rosa voted Aye and Chair Burrows voted Aye.

MOTION - Secretary Rosa made a motion to release the unredacted minutes for Agenda Item #1 of the August 19, 2024 Executive Session which dealt with the John Femia case. This was due to the fact that the case has been settled. The motion was seconded by Vice Chair Favreau and voted 4-1-0. On a roll call vote: Vice Chair Favreau voted Aye, Member Conway voted No, Member Riley voted Aye, Secretary Rosa voted Aye and Chair Burrows voted Aye.



**TOWN OF BILLERICA
SELECT BOARD
EXECUTIVE SESSION MINUTES
JANUARY 27, 2025**

Member Conway stated that she is voting no because we should be listening to our Town Counsel

MOTION - Secretary Rosa made a motion to come out of Executive Session at 8:42 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 4-1-0. On a roll call vote: Member Rosa voted Aye, Vice Chair Favreau voted Aye, Member Conway voted No, Member Riley voted No and Chair Burrows voted No.

MOTION - Secretary Rosa made a motion to adjourn the regular meeting of January 27, 2025 at 8:43 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 4-1-0. On a roll call vote: Member Rosa voted Aye, Vice Chair Favreau voted Aye, Member Conway voted Aye, Member Riley voted Aye and Chair Burrows voted No.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*

Exhibits for the Select Board Executive Session Meeting – January 27, 2025

Executive Session

- 21. Executive Session Pursuant to G.L c. 30A§ 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Review and Approval and Possible Redaction of Executive Session Minutes of January 6, 2025 – Email from N. Kawamoto dated 01/23/25, Proposed redaction minutes of January 6, 2025**
- 22. Executive Session Pursuant to G.L c. 30A§ 21 (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Request Unredacted Minutes of August 19, 2024 Previously Approved, Redacted and Released on September 23, 2024 – Email from D. McDowell dated 01/17/25, Public Records Request from J. Femia dated 01/10/25, Approved Executive Session minutes (Redacted and Unredacted) of August 19, 2024**

Approved On: February 3, 2025

Released On: February 3, 2025 (Unredacted)