



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

RECEIVED
2026 FEB 20 A 8:10
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

FEBRUARY 23, 2026 @ 6:00 PM

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

Weather Contingency: If Town Hall is closed due to weather, this meeting will be held remotely via Zoom
All documents are available to review in the Select Board office during normal business hours

Amendment #1 2/20/26

Executive Session 5:00 PM

1. Executive Session Pursuant to G.L. c. 30A § 21 (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares – Town of Billerica v. Community Care Collective, Inc., C.A. No. 2481CV003312, Middlesex Superior Court

Call to order 6:00 PM

2. Open Microphone

Announcements

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

Consent

5. Bike Run-May 17, 2026 The National Brain Tumor Society
6. Bike Run-September 13, 2026-NEPC Cool Kidz 5k
7. Change of Managers: MHF Billerica Operating Tenant VII LLC dba Courtyard Billerica, 270 Concord Road
8. Proclamation -Black History Month (100th Anniversary)
9. Proclamation - Outstanding Contributions to the Billerica 250th Committee
10. Minutes-January 12, 2026 Select Board Minutes
11. Minutes-February 2, 2026 Select Board Minutes
12. 1 Day Liquor License-COA-Black Tie Bingo March 27, 2026

Public Hearings

13. National Grid/Verizon-WO# 31235419-(French St)Petition to install one (1) joint utility pole on French Street near Middlesex Turnpike, pursuant to *M.G.L. c. 166, §§ 21 and 22. Select Board Policies 42.0*

New Business (Quick Items)

14. Seasonal Entertainment License Application-Billerica Farmers Market *Select Board Policies 22.32 MGL 181*
15. Establish a Select Board Policies and Procedures Review Committee

Presentation

16. Shawsheen Valley Technical School – MSBA Feasibility Study
Informational Presentation Discussion and possible vote
17. NMCOG Status Report
18. Food Pantry update

Old Business

19. Discussion and Vote to Award Community Funds Grant Applications
All applications are in compliance with the Select Boards policy 29.0

Billerica 250th Committee
Billerica Adventure Series Corp
Billerica Community Farmers Market
Billerica Historical Society
Billerica Public Library
Boys and Girls Club of Greater Billerica
Shawsheen Tech PAC
Sunshine Gals Inc.
Team 4909, Inc.
Veterans Service
VFW-Post #8819

20. Discussion and Possible Vote-Town Center Gazebo update

New Business

21. Discussion-First Reading of Proposed New Policy: Contractor responsibility and Labor Law Compliance Policy
22. Discussion-First Reading of Rescission of Policy 48 (Lithium-Ion Battery Storage Moratorium Position)
23. Discussion-First Reading of Proposed Amendment to Select Board Policy: 22.32-(Entertainment License)
24. Discussion-First Reading of Proposed Amendment to Select Board Policy: Policy 3.1 (Appointments to Boards)
25. Discussion and Possible vote: FY27 Grant Funding Opportunities
26. Discussion-First Reading of Proposed New Policy: Automated License Plates Readers (ALPR's)
27. Vote to update the designated domain www.billerica.gov with the Attorney Generals Office as the Towns official notice posting method for all the public bodies
28. Discuss complaint against Daniel Darris-O'Connor pertaining to statements he made at the Planning Board's February 9, 2026 meeting, and discuss and vote on potential remedial actions, including censure.

Meeting Schedule

March 2, 2026 and March 16, 2026

Adjournment



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phone 1 929 205 6099

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Meeting Schedule

March 2, 2026 and March 16, 2026

Adjournment

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
Conservation Commission	1-Member* 4-Alternate Members	2027 3 year term
Historic District Commission	4-Alternate Members	3 year term
Electronic Voting Committee	2 – Members	2027
Fence Viewer	2 Positions	2027
Historic Commission	1 - Member 1 – Member (Alternate)	2028 2027
Local Cultural Council	1 – Member	2027
Municipal Affordable Housing Trust	1 – Member (Attorney) 1 – Member (Banker) 1 – Resident 1 – Resident 1 – Member (Realtor) 1 – Member Housing Authority Rep 5 TOTAL	2027 2026 2026 2027 2027 2026
Scholarship Committee	4 – Members	2028

Conservation Member Resigned 2/26



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Michael S. Rosa, *Member*
Dina M. Favreau, *Member*

MEMO

TO: Select Board
FROM: Kerri Rufo
SUBJECT: Consent Agenda Items-1 day alcohol
DATE: February 23, 2026

The following items are recommended for approval as part of the Consent Agenda. These items are routine, non-controversial, and administrative in nature and may be approved by a single vote unless a Board member requests that an item be removed for separate discussion.

Consent Agenda Items:

5. Bike Run-May 17, 2026 The National Brain Tumor Society
6. Bike Run-September 13, 2026-NEPC Cool Kidz 5k
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- 10.Minutes-January 12, 2026 Select Board Minutes
- 11.Minutes-February 2, 2026 Select Board Minutes
- 12.1 Day Liquor License-COA-Black Tie Bingo March 27, 2026

Motion:

_____ made a motion to take all actions specified in the February 23, 2026 Consent Agenda as presented in the Select Board packet.
_____ seconded.

If an Item is to be taken of consent to discuss separately:

_____ Move to take all actions specified in the February 23, 2026 consent agenda posted in the meeting notice, except for Item #X.
_____ seconded.

5. National Brain Tumor Society Bike Ride Approval

Request for a one-day entertainment license in connection with the National Brain Tumor Society Bike Ride scheduled for May 17, 2026. The application is complete, includes Police and DPW review, and no safety issues were identified.

6. Cool Kidz Bike Race – Road Race Approval

Request to approve a community road race scheduled for September 13, 2026, hosted by New England Pediatric Care. Police and DPW have reviewed the route and logistics, and no objections were raised.

7. Change of Manager – Courtyard by Marriott, 270 Concord Road

Application requesting approval of a Change of Manager for the Courtyard by Marriott liquor license. All required departmental sign-offs, background checks, and certifications have been completed with no adverse findings.

8. Proclamation – 100th Anniversary of Black History Month

Proclamation recognizing the 100th anniversary of Black History Month and acknowledging its historical and cultural significance.

9. Proclamation – Outstanding Contributions to the Billerica 250th Committee

Proclamation recognizing Michele DeParasis for outstanding service and contributions to the Billerica 250th Anniversary Committee, particularly in honoring women in history.

10. Approval of Draft Select Board Minutes – January 12, 2026

Approval of the January 12, 2026 Select Board meeting minutes as edited by Members Rosa and Favreau.

11. Approval of Draft Select Board Minutes-February 2, 2026

Approval of the February 2, 2026 Select Board meeting minutes as edited by Members Rosa and Favreau.

13. 1 Day Alcohol License

All documents are in order and signoffs with no issues

All items are routine, non-controversial, and appropriate for consideration under the Consent Agenda. Any item may be removed for separate discussion at the request of a Board member.

Documents:

Memo from NBT for approval of Bike Race Dated 01.22.26

Response from DPW 02.04.26

Response from Police-McKenna 01.23.26

Email memo from NEPC 02.09.26

Complete Change of Manager Application Courtyard 02.04.26

Memo from Police for Change of Manager Courtyard 02.01.26

Email from D. Favreau 02.09.26 for 100th Anniversary of Black History Month

Email from D. Favreau 02.09.26 for Outstanding Cont. to Billerica 250th

Draft Select Board Minutes – January 12, 2026

Draft Select Board Minutes -February 2, 2026

1 Day Alcohol Complete application-2/19/26

Consent. Complete Packet.

January 22, 2026

Town of Billerica
c/o Clancy Main
365 Boston Road
Billerica, MA 01821

Dear Mr. Main,

I am reaching out as event organizers for The National Brain Tumor Society Ride taking place on Sunday, May 17, 2026. The non-profit, charity ride requests permission to travel on a portion of the streets of the Town of Billerica. The event starts at 200 West St in Waltham and consists of the following routes:

- 50- mile rolling start between 7-8:00am
- 25- mile begins at 8:45am
- 10- mile begins at 9:00am

For this event, all departing riders will exit from 200 West Street, turning right onto West Street and left on Winter Street. All riders returning to the finish at 200 West Street will travel from Rt. 117 onto Lexington Street to the finish at 200 West Street.

Directional signage will be installed Saturday morning and removed Sunday afternoon. This year roughly 500 riders are anticipated.

We will have full communication support from cellular radios in each SAG vehicle, as well as a Command Center located in Waltham at the event start/finish site. There will be staff and volunteers at all water/rest stops and Police Details stationed at intersections along the route to offer additional safety and support to participants.

Thank you very much for your consideration of this request. We look forward to working with you again this year. Should you need to contact me, I can be reached by email at azampitella@conventures.com or phone at 617-204-4234.

Sincerely,
Annie Zampitella
Director of Sports Events
Conventures, Inc.



National Brain Tumor Society Ride **50 Mile Route:**

0.0 mi: Start at parking lot of 200 West Street.

0.0 mi: Turn right onto West Street.

0.5 mi: Turn left onto Winter Street.

2.6 mi: Keep right on Winter Street.

3.0 mi: Turn left onto Trapelo Road.

3.5 mi: Keep left onto Trapelo Road.

3.9 mi: Turn left onto Lincoln Road.

4.2 mi: Keep right on Lincoln Road.

5.5 mi: Turn right onto Codman Road.

6.1 mi: Keep right on Codman Road.

8.1 mi: Continue straight on Walden Street.

9.1 mi: Turn right onto Heywood Street.

9.2 mi: Turn right onto Lexington Road.

10.3 mi: Keep right on Lexington Road.

12.5 mi: Turn left onto Hanscom Drive.

12.9 mi: Keep left onto Hanscom Drive.

13.1 mi: At roundabout, take exit 5 onto Old Bedford Road.

15.3 mi: Turn right onto Old Bedford Road.

15.6 mi: Turn left onto Bedford Street.

17.0 mi: Turn right onto Monument Street.

17.8 mi: Keep right on Monument Street.

20.3 mi: Keep right onto River Road.

21.4 mi: Turn left onto Bedford Road.

22.0 mi: Turn right onto Brook Street.

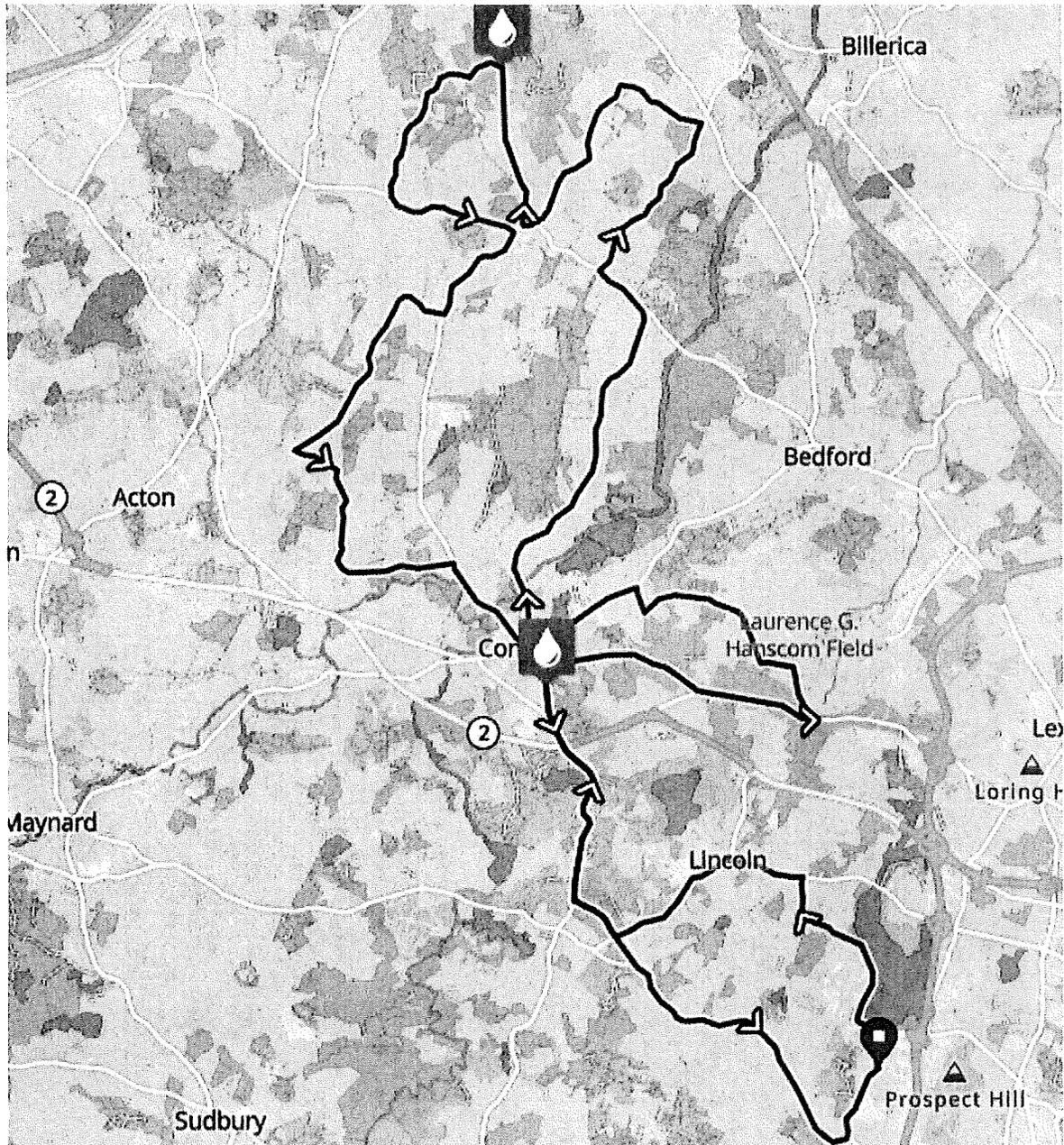


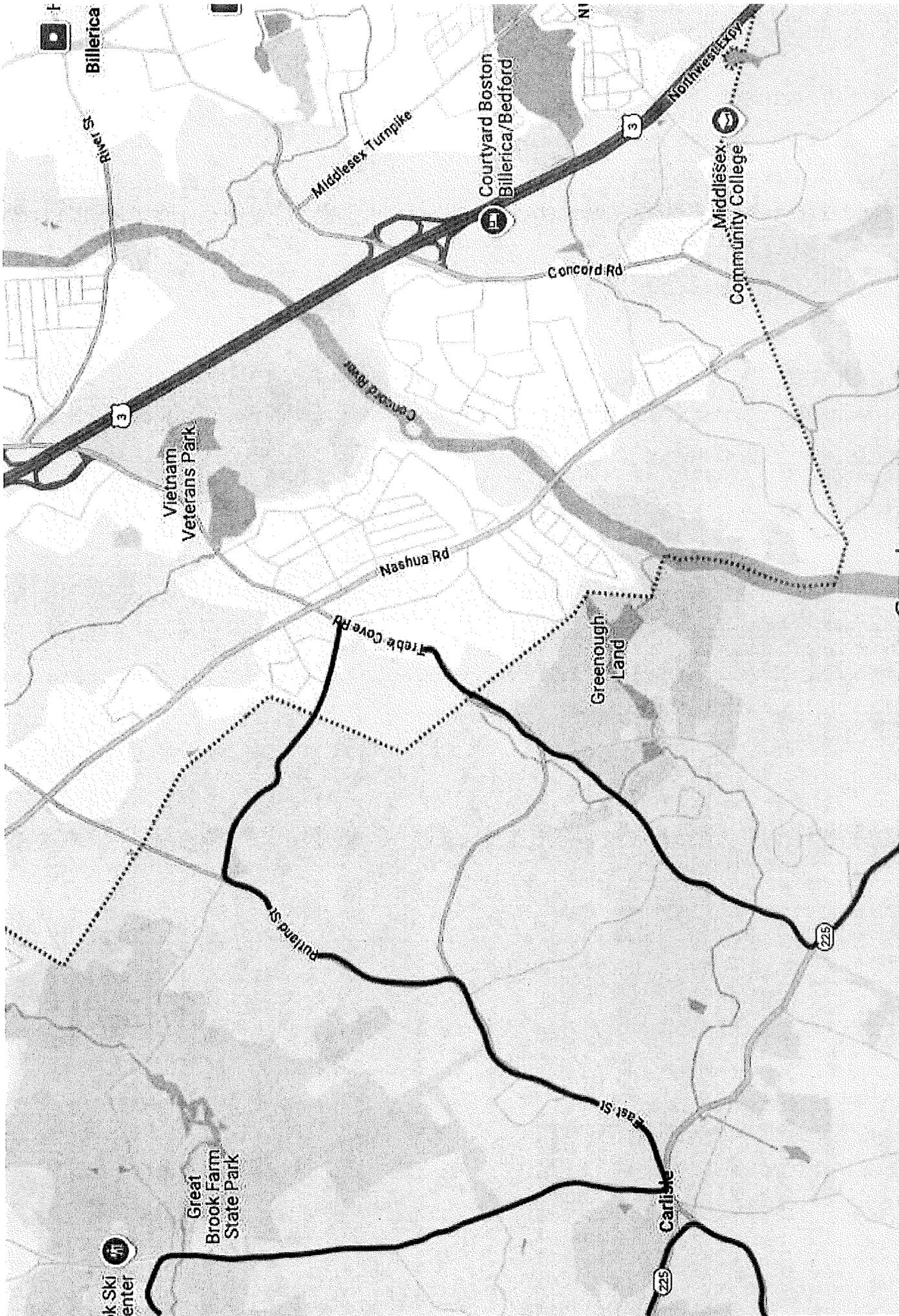
- 23.2 mi: Keep left onto Maple Street.
- 23.3 mi: Turn right onto Maple Street.
- 24.1 mi: Turn left onto West Street.
- 25.2 mi: Turn left onto Rutland Street.
- 26.2 mi: Keep right onto East Street.
- 27.2 mi: Turn right onto Bedford Street.
- 27.3 mi: Keep right on Bedford Street, at roundabout, take exit 1 onto Lowell Street.
- 29.2 mi: Turn left onto Curve Street.
- 31.5 mi: Turn left onto Westford Street.
- 32.9 mi: Turn right onto Church Street.
- 33.0 mi: Turn right onto Concord Steet.
- 34.3 mi: Turn right onto South Street.
- 35.7 mi: Turn left onto West Street.
- 35.8 mi: Keep right onto Pope Road.
- 37.1 mi: Turn left onto Strawberry Hill Road.
- 38.0 mi: Turn right onto College Road.
- 39.0 mi: Turn left onto Barretts Mill Road.
- 40.2 mi: Turn right onto Lowell Road.
- 41.4 mi: At the roundabout, take exit 2 onto Lexington Road.
- 41.6 mi: Turn right onto Heywood Street.
- 41.7 mi: Keep left onto Heywood Street and turn left onto Walden Street.
- 42.7 mi: Continue straight on Walden Street.
- 44.7 mi: Turn left onto Codman Road.
- 45.8 mi: Turn left onto South Great Road.
- 46.0 mi: Keep left on South Great Road.



49.2 mi: Turn left onto Lexington Street.

50.2 mi: Turn right into 200 West Street parking lot.





Billerica

River St

Middlesex Turnpike

Courtyard Boston
Billerica/Bedford

3

Middlesex
Community College

Concord Rd

3

Vietnam
Veterans Park

Nashua Rd

Treble Cove Rd

Greenough
Land

Rutland St

225

East St

Carlisle

225

Great
Brook Farm
State Park



Ski
Center

Kerri Rufo

From: Timothy F. McKenna <tmckenna@billericapolice.org>
Sent: Friday, January 23, 2026 7:51 AM
To: Kerri Rufo; Fred Russell
Subject: Re: Request for Comments 3/23 SB Meeting-National Brain Tumor Society Ride-5/17/26

[EXTERNAL EMAIL]

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

Good morning:

In reference to the request regarding the National Brain Tumor Society Ride on 17 May 2026, I foresee no traffic safety issues with the event. In the recent past, the Department has supported large motorcycle runs utilizing West Street and Treble Cove Road to-and-from Carlisle. The Traffic Division can easily support traffic control for the predicted number of riders on the short route through town.

Please reach out if there are any further questions.

Tim

Timothy F. McKenna

Patrol Sergeant | CJIS Representative

Billerica Police Department

6 Good St

Billerica, MA 01821

Direct Phone: 978-215-9695 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: "Kerri Rufo (selectboard@billerica.gov)" <selectboard@billerica.gov>
To: Fred Russell <frussell@billerica.gov>, "Timothy F. McKenna" <tmckenna@billericapolice.org>
Date: Thu, 22 Jan 2026 19:45:21 +0000
Subject: Request for Comments 3/23 SB Meeting-National Brain Tumor Society Ride- 5/17/26

Hi Fred and Tim,

Request for comments by: The week of February 9th
Select Board Meeting: 3/23/26

Kerri Rufo

From: Fred Russell
Sent: Wednesday, February 4, 2026 11:56 AM
To: Kerri Rufo
Cc: Timothy F. McKenna
Subject: RE: Request for Comments 3/23 SB Meeting-National Brain Tumor Society Ride-5/17/26

Hi Kerry,

The DPW is happy to work with the Police Department to help facilitate whatever is needed for a successful bike ride.

Please let us know how we can assist as planning moves forward.

Thank you,

Fred

*Frederick W. Russell, PE, PWLF, Director
Town of Billerica Department of Public Works*

365 Boston Road

Billerica, MA 01821

Phone: (978) 671 – 1313

“Public works isn't just a job, it's magic that transforms communities”



TOWN of BILLERICA

From: Kerri Rufo <selectboard@billerica.gov>
Sent: Wednesday, February 4, 2026 11:46 AM
To: Fred Russell <frussell@billerica.gov>
Subject: Request for Comments 3/23 SB Meeting-National Brain Tumor Society Ride- 5/17/26

Fred,

Can I get your comments on the Annual Bike Ride for the National Brain Tumor Society Run.

I had a typo in my original request for comments. I said it is coming before the SB on 3/23 but it is 2/23.

Thank you!

From: Kerri Rufo
Sent: Thursday, January 22, 2026 2:45 PM
To: Fred Russell <frussell@billerica.gov>; Timothy F. McKenna <tmckenna@billericapolice.org>
Subject: Request for Comments 3/23 SB Meeting-National Brain Tumor Society Ride- 5/17/26

Hi Fred and Tim,

Completed Application
Consent



LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: \$ 25.00
CHK# 3344

ACTION: NEW or XXCHANGE

Licensee of Business: MHF Billerica Operating Tenant VII LLC		
Doing Business As: Courtyard Billerica		
Street Address: 270 Concord Road, Billerica MA 01821	Assessors Plate/Parcel: 84-108-2-1	
Phone #: 978 670 7500	Zip Code: 01821	Tax ID #:
Alt. Phone #:	Email: steve@flaherty-ohara.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.

3,000 SF Lobby, 4,000SF Banquet Room, 2 Entrances, 6 Exits, Seating: 75 Lobby and 200 Banquet Entire Hotel, including cafe, bar, library, function rooms, room service, gift shop, lobby area, Banquest rooms (Approved Management Agreement Included)

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Building Inspector: <i>Mark Ferguson</i>	Date: 1-28-26
Comments:	
Board of Health: <i>Kimberly Donnell</i>	Date: 01/27/26
Comments:	
Police: <i>Lt. Sean Coy</i>	Date: 2/3/2026
Comments:	
Fire: <i>[Signature]</i>	Date: 1/28/26
Comments:	
Treasurer: <i>Mary Ann Schapea</i>	Date: 1/27/26
Comments:	

Manager's Name: Jessica Leigh Ingraham		
Street Address: 6 Carroll Street		
City/Town/State/Zip: Nashua, NH 03063		
Phone #: 603 689 8798	Tax ID #:	Email: jessica.ingraham2@marriott.com

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

Weekday (Monday-Friday):	8:00 am - 12:00 am
Saturday:	8:00 am - 12:00 am
Sunday:	10:00 am to 12:00 am

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		<input type="checkbox"/> YES	<input type="checkbox"/> NO
MOTOR VEHICLE (Circle Option):	Class I	Class II	Class III
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT:			
Weekday: (Per MGL, Ch. 140, Section 183A or 181):			
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	Bowling	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:



Town of Billerica Police Department

6 Good Street
Billerica, MA 01821
(978) 215-9621 Fax (978) 670-2762
www.billericapolice.org

Criminal Record Background Check

Date: _____

Release: I, Jessica Leigh Ingraham
Name of Applicant

[REDACTED]
Date of Birth

allow the Town of Billerica Police Department to search my records to ascertain information on my personal history.

Authorization for Personal History:

This authorization will give the Billerica Police Department permission to research your background, personal history and character references.

Signature of Applicant Jessica Leigh Ingraham

Application Approved: _____

Application Denied: _____

Reason: _____



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RULES AND REGULATIONS ACKNOWLEDGEMENT FORM

This Form MUST Be Submitted during the Yearly Renewal Process

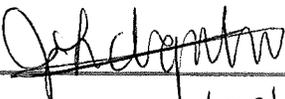
Name: Jessica Leigh Ingraham

Name of Establishment: Courtyard Billerica

Address: 270 Concord Road, Billerica MA 01821

Billerica, MA

Printed Name: Jessica Leigh Ingraham

Signature: 

Date: 1/22/26

I am the Manager or duly authorized designee of the above listed establishment and I hereby certify that I have read and understand the Town of Billerica Rules and Regulations for the Licensing and Sale of Alcoholic Beverages.



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
MHF Billerica Operating Tenant VII LLC	Billerica	07642-HT-0106

2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Steve Everett	Legal Assiatant	[REDACTED]	[REDACTED]

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name: Jessica Leigh Ingraham Date of Birth: [REDACTED]

Residential Address: [REDACTED]

Email: [REDACTED]

Please indicate how many hours per week you intend to be on the licensed premises: 50 Last-Approved License Manager: Chad Nathan

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen/Qualified Alien under the Immigration and Nationality Act? Yes No

If yes, attach one of the following documents: US Passport, Voter's Certificate, Birth Certificate, Naturalization Papers, Green Card or Employment Authorization Document.

Have you ever been convicted of a state, federal, or military crime? Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

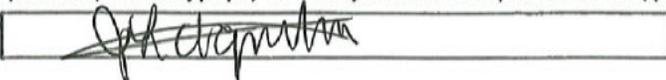
Start Date	End Date	Position	Employer	Supervisor Name
11/2010	9/2023	Asst General Mgr	Courtyard East Boston	Steve Nalen
10/2024	1/2026	General Mgr.	Courtyard Manchester	Briana Kone

3D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature:  Date: 1/23/26



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.
CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: LICENSEE NAME: CITY/TOWN:

APPLICANT INFORMATION

LAST NAME: FIRST NAME: MIDDLE NAME:

MAIDEN NAME OR ALIAS (IF APPLICABLE): PLACE OF BIRTH:

DATE OF BIRTH:

MOTHER'S MAIDEN NAME:

GENDER: HEIGHT: HAIR:

CURRENT ADDRESS:

CITY/TOWN: STATE: ZIP:

FORMER ADDRESS:

CITY/TOWN: STATE: ZIP:

PRINT AND SIGN

PRINTED NAME: APPLICANT/EMPLOYEE SIGNATURE:

NOTARY INFORMATION

On this before me, the undersigned notary public, personally appeared

(name of document signer), proved to me through satisfactory evidence of identification, which were

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

 **JULIE FIGUCIA**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
August 7, 2031

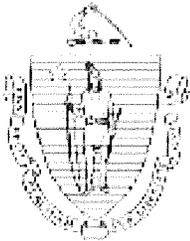
NOTARY

DIVISION USE ONLY

REQUESTED BY:

SIGNATURE OF CORI AUTHORIZED EMPLOYEE:

The DCJ Identity Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJ. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCJ via mail or by fax to (617) 669-4514.



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: MHF Billerica Manager VII LLC dba Courtyard Boston Billerica

Address: 270 Concord Road

City/State/Zip: Billerica, MA 01821 Phone #: (978) 670-7500

Are you an employer? Check the appropriate box:

- 1. I am a employer with 35 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 Hotel

*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: State National Insurance Company

Insurer's Address: 1900 L. Don Dodson Drive

City/State/Zip: Bedford, TX 76021

Policy # or Self-ins. Lic. # VTLWC02101200 Expiration Date: 05/01/25 to 05/01/26

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: 10/24/2025

Phone #: 401-562-2228

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 #: _____

Congratulations!

You have successfully completed the ServSafe® Training and Certificate Program. This is your official ServSafe Alcohol Certificate Card and provides confirmation that you have studied, and are knowledgeable about, how to serve alcohol responsibly.

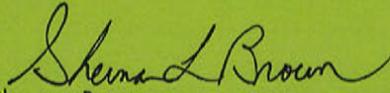
Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,



Sherman Brown

Executive Vice President, National Restaurant Association Solutions



ServSafe
National Restaurant Association

ID # 22061546
CARD # 28530677

ServSafe Alcohol® CERTIFICATE

JESSICA INGRAHAM

NAME

1/20/2026

DATE OF EXAMINATION

Card expires three years from the date of examination. Local laws apply.



Sherman Brown

Sherman Brown
Executive Vice President, National Restaurant Association Solutions

This certificate confirms completion of the ServSafe Alcohol® responsible alcohol service program.

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NOTE: You can access your score and certification information anytime at ServSafe.com.

If you have any questions regarding your certification please contact the National Restaurant Association Service Center at ServiceCenter@restaurant.org or 800.765.2122, ext. 6703.

In Alaska you must laminate your card for it to be valid.

NATIONAL
RESTAURANT
ASSOCIATION

233 South Wacker Drive
Suite 3600
Chicago, IL 60606-6383
1-800.SERVSAFE
312.715.1010 In the Chicago area
ServSafe.com

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Your Information

Payment

Receipt

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email and via text message.



Transaction Processed Successfully.

INVOICE #: 3f63b5e2-95b0-4d00-8eb2-a13b753dec6f

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	07642-HT-0106	\$200.00
		\$200.00

Total Convenience Fee: \$5.18

Date Paid: 1/22/2026 8:48:01 AM EDT

Total Amount Paid: \$205.18

Payment On Behalf Of

License Number or Business Name:
07642-HT-0106

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
Flaherty & O'Hara PC Steve

Last Name:
Everett

Address:
317 E. Carson Street

City:
Pittsburgh

State:
PA

Zip Code:
15219

Email Address:
steve@flaherty-ohara.com



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

AMENDMENT-Change of Manager

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

**Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358**

Billerica Select Board RMT 1:37
 RCVD FEB 5 2025

APPLICANT'S STATEMENT

I, Alexandra Clegg the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of MHF Billerica Operating Tenant V! LLC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: Alexandra Clegg
Title: Alexandra Clegg

Date: 1/21 /2026

Steve Everett

From: customerservice@nCourt.com
Sent: Thursday, January 22, 2026 8:48 AM
To: Steve Everett
Subject: Receipt from nCourt

YOUR RECEIPT >>

Please include the payment receipt with your application. Thank you.

Paid To
Name: Massachusetts Alcoholic Beverages Control Commission - Retail
Address 1: 95 Fourth Street, Suite 3
City: Chelsea
State: Massachusetts
Zip: 02150

Payment On Behalf Of
First Name: Jessica Last Name: Ingraham
Address [REDACTED] State/Territory: NH Zip: 03063
City [REDACTED]
Phone [REDACTED]

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	07642-HT-0106	\$200.00

Receipt Date: 1/22/2026 8:48:01 AM ET **Convenience Fee:** \$5.18
Invoice Number: 3f63b5e2-95b0-4d00-8eb2-a13b753dec6f **Total Amount Paid:** \$205.18

Billing Information	Credit / Debit Card Information
Organization Name: Flaherty & O'Hara PC Address [REDACTED] Address [REDACTED] City [REDACTED] State/Territory [REDACTED] Zip [REDACTED] Phone Number [REDACTED] Email [REDACTED]@ara.com	Card Type: Visa Card Number: *****0810

IMPORTANT INFORMATION >>

CERTIFICATION OF VITAL RECORD

State of New Hampshire

CERTIFIED ABSTRACT OF A CERTIFICATE OF BIRTH FILE #

815630

N/A

FULL NAME
 DATE OF BIRTH
 SEX
 BIRTHPLACE
 CITY/TOWN
 FATHER'S NAME
 AGE
 FATHER'S BIRTHPLACE
 MOTHER'S NAME
 AGE
 MOTHER'S BIRTHPLACE
 DATE RECORD FILED
 MARGINAL NOTES

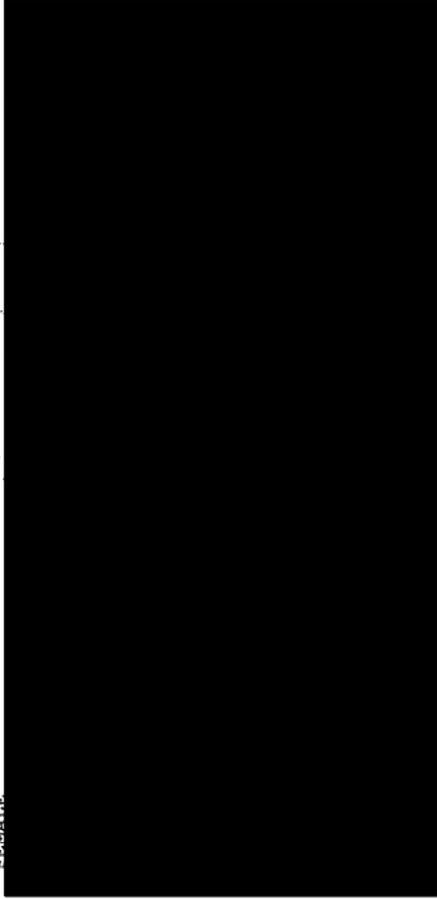
JESSICA LEIGH BLANCHE

MARCH 24, 1986

FEMALE

TIME OF BIRTH

09:47 PM



I HEREBY CERTIFY THAT THIS IS A TRUE ABSTRACT ISSUED FROM THE OFFICIAL RECORDS ON FILE AT THIS OFFICE.

ATTEST:

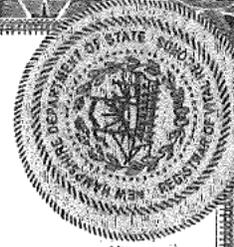
Paul H. Beynon
STATE REGISTRAR

STATE CITY/TOWN OF:

This copy not valid unless accompanied by original border displaying seal and signature of Registrar. It shall be unlawful for anyone to reproduce this certificate other than local or State Registrar.

WILLIAM R. BOLTON, JR.
State Registrar

VS-SP2



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Congratulations!

You have successfully completed the ServSafe® Training and Certificate Program. This is your official ServSafe Alcohol Certificate Card and provides confirmation that you have studied, and are knowledgeable about, how to serve alcohol responsibly.

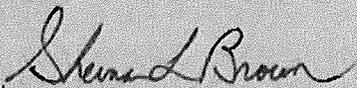
Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,



Sherman Brown

Executive Vice President, National Restaurant Association Solutions



ID # 22981648
CARD # 28550877

ServSafe Alcohol® CERTIFICATE

JESSICA INGRAHAM

NAME
1/20/2026

DATE OF EXAMINATION
Card expires three years from the date of examination. Local laws apply.



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Sherman Brown
Executive Vice President, National Restaurant Association Solutions

This certificate confirms completion of the ServSafe Alcohol® responsible alcohol service program.

In Alaska you must laminate your card for it to be valid.

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If you have any questions regarding your certification please contact the National Restaurant Association Service Center at ServiceCenter@restaurant.org or 800.765.2122, ext. 6703.

NATIONAL
RESTAURANT
ASSOCIATION

253 So. Wacker Drive
Suite 3000
Chicago, IL 60606-6883
1-800-SERVSAFE
312.715.1000 In the Chicago area
ServSafe.com

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NEW HAMPSHIRE USA

DRIVER LICENSE



[REDACTED]
LAST NAME
INGRAHAM

[Handwritten signature]



0 1b

[REDACTED]

[REDACTED]



Town of Billerica Police Department

6 Good Street
Billerica, Ma 01821
(978) 215-9621 Fax (978) 670-2762
scoffey@billericapolice.org

February 1, 2026

To: Select Board

From: Lt. Sean P. Coffey

Re: Courtyard by Marriott – Manager Change, Liquor License

Board Members,

On February 1, 2026, I received an application from MHF Billerica Operating Tenant VII LLC, doing business as Courtyard Billerica, requesting approval for a change of manager. The business holds a Section 12 Hotel License (on-premises, all-alcohol) and operates under Tax Identification Number 001574591.

The proposed manager is Jessica Leigh Ingraham of [REDACTED] A background and CORI check was conducted on Ms. Ingraham, with no adverse findings. She holds a current ServSafe certification and has approximately sixteen years of experience working at Courtyard hotels.

I reviewed the Town of Billerica's Rules and Regulations governing liquor licenses with Ms. Ingraham, and she demonstrated a clear understanding of the importance of compliance with all applicable laws and regulations.

Based on the information above, approval of the requested manager change is recommended. Respectfully submitted,

Lt. Sean P. Coffey

Lt Sean P. Coffey

*2/23 Change of Man
Consent.*

TOWN OF BILLERICA

Schedule of Departmental Payments to the Treasurer

Dept. Select Board

11228-43601

Date: 2/9/2026

From Whom	Source	Amount	Total
Courtyard-02.23.26 Sb Hearing- Change of Manager/Officer	CK#3344	\$ 25.00	\$ 25.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
		Total:	\$ 25.00

RECEIVED OF SELECT BOARD:

Twenty five dollars only

Treasurer

FLAHERTY & O'HARA, PC
MAGNA HOSPITALITY TRUST ACCOUNT
317 E. CARSON ST., SUITE 333
PITTSBURGH, PA 15219
PH. 412-456-2001

BANK OF AMERICA, NA
222 BROADWAY
NEW YORK, NY 10038
62-208/312

VOID 3344

DATE

01/23/2026

NUMBER

3344

AMOUNT

*****\$25.00

PAY

*** TWENTY-FIVE & 00/100 DOLLARS

TO THE ORDER OF Town of Billerica

2/23 SB HEARING COM

Tom Hry
AUTHORIZED SIGNATURE

FLAHERTY & O'HARA, PC - [REDACTED]

PAY TO Town of Billerica

3344

DATE

TRUST NAME

DESCRIPTION

AMOUNT

01/23/2026

Magna Hospitality Group
Account: 33069.99999-31

33069.00004 - Acquisition of Boston
Hotel License #00004

25.00

2/23 SB Hearing COM.

SWE

CHECK DATE

CHECK NO.

CHECK AMOUNT

01/23/2026

3344

25.00

Kerri Rufo

From: Erin Ficociello <eficociello@nepc.org>
Sent: Tuesday, February 17, 2026 10:49 AM
To: Kerri Rufo
Subject: Re: Kool Kids 5K roadrace

You don't often get email from eficociello@nepc.org. [Learn why this is important](#)

[EXTERNAL EMAIL]

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

Thank you for meeting with me this morning, Keri

Please let the Select Board know about our road race planned for September 13, 2026 from 10am - 2pm.

Thank you!

Erin

Get [Outlook for iOS](#)

From: Kerri Rufo <selectboard@billerica.gov>
Sent: Monday, February 9, 2026 2:00:40 PM
To: Erin Ficociello <eficociello@nepc.org>
Subject: RE: Kool Kids 5K roadrace

You don't often get email from selectboard@billerica.gov. [Learn why this is important](#)

Hi Eric,

To begin the approval process for the bike race in Billerica, please send me an email with the following information:

- **Date of the event**
- **Start time and expected end time**
- **Start and end locations**
- **Route directions and a map of the proposed route**

Once I receive this information, I will forward it to the Police Department and DPW for review and comments. After that review is complete, the request can be scheduled to go before the Select Board for approval.

Please let me know if you have any questions.

Best regards,
Kerri

From: Erin Ficociello <eficociello@nepc.org>
Sent: Monday, February 9, 2026 1:38 PM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: Kool Kids 5K roadrace

You don't often get email from eficociello@nepc.org. [Learn why this is important](#)

[EXTERNAL EMAIL]

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

Good afternoon,

I am the race coordinator for our annual 5K this year, as our Director of Therapeutic Rec is on maternity leave. I wanted to let the town know we have selected our date and time, and was hoping you could help direct me in the correct steps to having that request formally submitted to the town and the PD for approval.

Thank you!

Erin Ficociello, M.Ed., CAGS
Director of Education
New England Pediatric Care
978.667-5123

[Book an appointment with me!](#)



NEPC Cool Kidz 5K

Billerica, MA

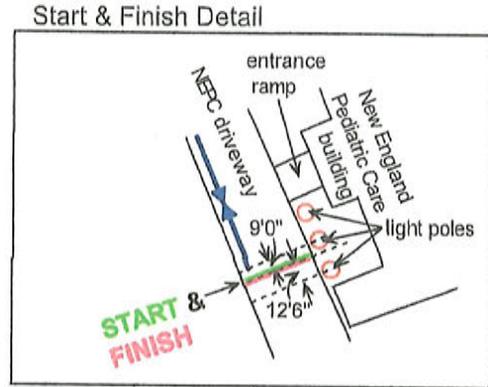
Measured by Matthew Studholme
 July 21, 2025
 sheddingcat@comcast.net
 (276) 206-7202

This course was measured using the full width of the road and the shortest possible route (SPR), unless otherwise noted.



Courses restrictions:
 Southbound lane only on Brick Kiln Rd
 Emergency Lanes only, bound by white lines, on Boston Rd and Chelmsford Rd.

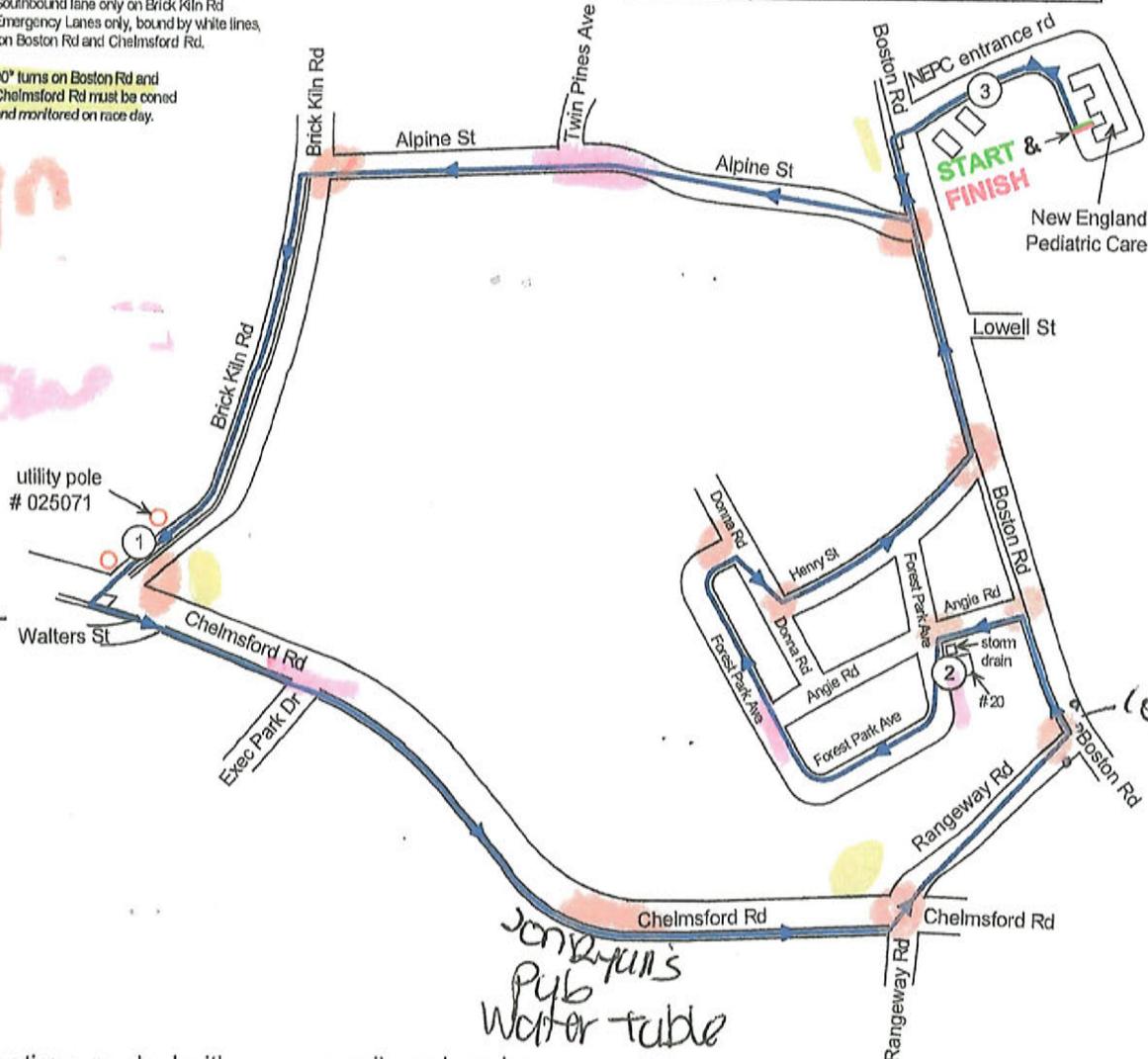
90° turns on Boston Rd and Chelmsford Rd must be coned and monitored on race day.



0 = Sign

0.5 arrow

Police officer



John's Pub water table

lenses?

Split Locations, marked with masonry nails and washers

<p>Start & Finish: On NEPC driveway: 9'0" south of light pole adjacent to the entrance ramp and 12'6" north of the light pole on the southwest corner of the building.</p>	<p>Mile 1: On Brick Kiln Rd: 43' south of utility pole # 025071 ("2"), which is the second utility pole north of the intersection of Brick Kiln Rd and Chelmsford Rd.</p>
<p>Mile 2: On Forest Park Ave: 42' south of the storm drain on the corner of Forest Park Ave and Angie Rd; marker is in front of 20 Forest Park Ave.</p>	<p>Mile 3: On NEPC entrance rd: 58' northeast of the most northerly corner of the Life Care Center of Merrimack Valley beige building set back from the road.</p>

Kerri Rufo

From: Kerri Rufo
Sent: Tuesday, February 17, 2026 10:55 AM
To: Timothy F. McKenna; Fred Russell
Subject: FW: Kool Kids 5K roadrace-Request for Comments
Attachments: Consent Kool Kidz Bike Race-Map.pdf

NEPC will be hosting their annual Cool Kids 5k Bike Run September 13th from 10AM to 2PM
Attache is the Map.

Please let me know if you have any concerns, I will be putting this on the 2/23 Select Board meeting for approval

Thank you!

Kerri

From: Erin Ficociello <eficociello@nepc.org>
Sent: Tuesday, February 17, 2026 10:49 AM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: Re: Kool Kids 5K roadrace

You don't often get email from eficociello@nepc.org. [Learn why this is important](#)

[EXTERNAL EMAIL]

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Get [Outlook for iOS](#)

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To: Kerri Rufo <selectboard@billerica.gov>
Subject: Kool Kids 5K roadrace

You don't often get email from eficociello@nepc.org. [Learn why this is important](#)

[EXTERNAL EMAIL]

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

Good afternoon,

I am the race coordinator for our annual 5K this year, as our Director of Therapeutic Rec is on maternity leave. I wanted to let the town know we have selected our date and time, and was hoping you could help direct me in the correct steps to having that request formally submitted to the town and the PD for approval.

Thank you!

Erin Ficociello, M.Ed., CAGS
Director of Education
New England Pediatric Care
978.667-5123

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Kerri Rufo

From: Fred Russell
Sent: Wednesday, February 18, 2026 6:45 AM
To: Timothy F. McKenna; Kerri Rufo
Subject: RE: Kool Kids 5K roadrace-Request for Comments

Thanks Tim, feel free to let me know anyway the DPW can help as we get closer to the date.

Fred

*Frederick W. Russell, PE, PWLF, Director
Town of Billerica Department of Public Works
365 Boston Road
Billerica, MA 01821
Phone: (978) 671 – 1313*

“Public works isn’t just a job, it’s magic that transforms communities”



TOWN of BILLERICA

From: Timothy F. McKenna <tmckenna@billericapolice.org>
Sent: Tuesday, February 17, 2026 11:45 PM
To: Fred Russell <frussell@billerica.gov>; Kerri Rufo <selectboard@billerica.gov>
Subject: RE: Kool Kids 5K roadrace-Request for Comments

[EXTERNAL EMAIL]

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Good Evening:

As in years past, the Police Department has supported this event. The current course has ample sidewalks for walkers and young children, and utilizing the the Forest Park neighborhood helps us out.

We did encounter a slight issue with last year's race having a split start time for runners and walkers. We have discouraged using these starts at road races because they tend to blend together with incapable runners needing the full time between race starts and we have to duplicate road closures. We can easily manage runners, walkers, rollers, and riders with one starting time. Just inform the Department of the start time and we will be there.

Director Russell: Last year, we ran the race without the need for the DPW personnel. Closer to race time, we may need to get MassDOT to clear the vegetation from the sidewalk along Boston Road from Henry Street, north to Lowell Street. We can handle that request closer to race time.

Tim

Timothy F. McKenna

Patrol Sergeant | CJIS Representative

Billerica Police Department

6 Good St

Billerica, MA 01821

Direct Phone: 978-215-9695 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: "Fred Russell (frussell@billerica.gov)" <frussell@billerica.gov>
To: Kerri Rufo <selectboard@billerica.gov>, "Timothy F. McKenna" <tmckenna@billericapolice.org>
Date: Tue, 17 Feb 2026 20:30:14 +0000
Subject: RE: Kool Kids 5K roadrace-Request for Comments

Tim – just let me know what you need from the DPW.

Fred

*Frederick W. Russell, PE, PWLF, Director
Town of Billerica Department of Public Works*

365 Boston Road

Billerica, MA 01821

Phone: (978) 671 – 1313

“Public works isn't just a job, it's magic that transforms communities”



TOWN of BILLERICA

From: Kerri Rufo <selectboard@billerica.gov>
Sent: Tuesday, February 17, 2026 10:55 AM
To: Timothy F. McKenna <tmckenna@billericapolice.org>; Fred Russell <frussell@billerica.gov>
Subject: FW: Kool Kids 5K roadrace-Request for Comments

NEPC will be hosting their annual Cool Kids 5k Bike Run September 13th from 10AM to 2PM
Attache is the Map.

Please let me know if you have any concerns, I will be putting this on the 2/23 Select Board meeting for approval

Thank you!

Kerri

From: Erin Ficociello <eficociello@nepc.org>
Sent: Tuesday, February 17, 2026 10:49 AM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: Re: Kool Kids 5K roadrace

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[EXTERNAL EMAIL]

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Thank you for meeting with me this morning, Keri

Please let the Select Board know about our road race planned for September 13, 2026 from 10am - 2pm.

Thank you!

Erin

Get [Outlook for iOS](#)

From: Kerri Rufo <selectboard@billerica.gov>
Sent: Monday, February 9, 2026 2:00:40 PM
To: Erin Ficociello <eficociello@nepc.org>
Subject: RE: Kool Kids 5K roadrace

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Hi Eric,

To begin the approval process for the bike race in Billerica, please send me an email with the following information:

- **Date of the event**
- **Start time and expected end time**
- **Start and end locations**
- **Route directions and a map of the proposed route**

Once I receive this information, I will forward it to the Police Department and DPW for review and comments. After that review is complete, the request can be scheduled to go before the Select Board for approval.

Please let me know if you have any questions.

Best regards,
Kerri

From: Erin Ficociello <eficociello@nepc.org>
Sent: Monday, February 9, 2026 1:38 PM

To: Kerri Rufo <selectboard@billerica.gov>

Subject: Kool Kids 5K roadrace

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[EXTERNAL EMAIL]

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Good afternoon,

I am the race coordinator for our annual 5K this year, as our Director of Therapeutic Rec is on maternity leave. I wanted to let the town know we have selected our date and time, and was hoping you could help direct me in the correct steps to having that request formally submitted to the town and the PD for approval.

Thank you!

Erin Ficociello, M.Ed., CAGS
Director of Education
New England Pediatric Care
978.667-5123

[Book an appointment with me!](#)



Kerri Rufo

From: Dina Favreau
Sent: Friday, February 6, 2026 8:48 AM
To: Kerri Rufo
Cc: Jillian Pavidis
Subject: Feb. 23rd Agenda Request: Proclamation: Celebrating 100 Years of Black History Month
Attachments: Proclamation In Honor of the 100th Anniversary of Black History Month.docx

Good morning, Kerri,

Happy Friday! Please add this to the upcoming agenda of 2/23/26.



Kind regards,
Dina M. Favreau
Billerica Select Board

Proclamation In Honor of the 100th Anniversary of Black History Month

WHEREAS, in the year 1926, esteemed historian Dr. Carter G. Woodson inaugurated Negro History Week to ensure the recognition, preservation, and celebration of the history, achievements, and enduring contributions of Black Americans; and

WHEREAS, this observance, born of scholarship and conscience, has grown into Black History Month, now commemorated nationally and internationally as a vital affirmation that Black history is inseparable from the history of the United States; and

WHEREAS, the year 2026 marks the solemn and celebratory milestone of one hundred years of this historic observance, honoring a century of education, remembrance, and acknowledgment; and

WHEREAS, throughout our nation's history, Black Americans have shaped the moral, cultural, economic, scientific, and civic foundations of the United States, often while overcoming profound injustice, exclusion, and adversity; and

WHEREAS, Black History Month serves not only as a time of celebration, but also as a time of reflection, calling upon all people to remember the struggles for freedom, equality, and civil rights, and to honor the resilience, leadership, artistry, and vision that continue to inspire generations; and

WHEREAS, the Town of Billerica recognizes that an honest understanding of history strengthens democracy, deepens mutual respect, and fosters a more inclusive and unified community; and

WHEREAS, commemorating the 100th anniversary of Black History Month affirms our shared responsibility to uphold the principles of dignity, justice, and equal opportunity, and to ensure that the stories and contributions of Black Americans are honored not only this month, but always;

NOW, THEREFORE, BE IT PROCLAIMED, that the Billerica Select Board does hereby proclaim and honor the 100th Anniversary of Black History Month, and calls upon all residents to observe this historic milestone through education, reflection, and civic engagement; and

BE IT FURTHER PROCLAIMED, that the Billerica Select Board reaffirms its enduring commitment to fostering a welcoming and inclusive community, where diversity is respected, history is honored, and every individual is valued.

IN WITNESS WHEREOF, the Billerica Select Board has hereunto set their hands and caused this proclamation to be issued this 23rd day of February, in the Year Two Thousand Twenty-Six.

Chair Jillian Pavidis

Vice Chair John Burrows

Secretary Daniel Darris-O'Conner

Member Michael Rosa

Member Dina Favreau

Kerri Rufo

From: Dina Favreau
Sent: Monday, February 9, 2026 12:34 PM
To: Kerri Rufo
Cc: Jillian Pavidis
Subject: Feb 23rd Agenda Request: Proclamation for Outstanding Service
Attachments: Proclamation for Outstanding Contributions to the Billerica 250th Committee.docx

Hi Kerri,

Please place this on the 2/23/26 agenda.

Thank you.

Kind regards,
Dina M. Favreau
Billerica Select Board

**Proclamation for Outstanding Contributions to the Billerica 250th Committee
Honoring Women in History**

WHEREAS, the Town of Billerica is proudly commemorating its 250th anniversary by honoring the people and events that shaped our nation, our community, and our democracy; and

WHEREAS, the Billerica 250th Committee’s Ladies Luncheon of February 8, 2026, recognized the enduring contributions of women in history, particularly those whose courage and determination advanced the founding of our country and the women’s suffrage movement; and

WHEREAS, it is fitting and proper to recognize individuals whose service and dedication reflect the spirit, perseverance, and civic engagement of those women we honor today; and

WHEREAS, **Michele DeParasis** has served as a valued member of the Billerica 250th Committee, demonstrating exceptional commitment, leadership, and passion in preserving and promoting the history and legacy of women whose voices and contributions have too often gone unrecognized; and

WHEREAS, through her tireless efforts, thoughtful collaboration, and dedication to historical education and community engagement, **Michele DeParasis** has made a meaningful and lasting impact on the success of the Billerica 250th Anniversary commemorations and the mission of the Committee as a whole.

NOW, THEREFORE, BE IT PROCLAIMED, that the Billerica Select Board does hereby recognize and commend **Michele DeParasis** for her outstanding service and contributions, and extends its sincere appreciation for her dedication to honoring women in history and strengthening our community’s understanding of its past; and

BE IT FURTHER PROCLAIMED, that the Select Board joins the attendees of the Ladies Luncheon in expressing gratitude and admiration for **Michele DeParasis**, whose work exemplifies the values of service, leadership, and historical stewardship worthy of this celebration.

IN WITNESS WHEREOF, we have hereunto set our hands this 23rd day of February, in the Year Two Thousand Twenty-Six.

Chair Jillian Pavidis

Vice Chair John Burrows

Secretary Daniel DarrisO’Conner

Member Michael Rosa

Member Dina Favreau

**BILLERICA SELECT BOARD AGENDA
JANUARY 12, 2026 @ 6:00 PM
THOMAS CONWAY HEARING ROOM #205 AND HYBRID VIA ZOOM**

Select Board: Chair Jillian Pavidis, Vice Chair John Burrows, Michael Rosa, Dina Favreau

Remote: Secretary Daniel Darrius-O’Conner

Staff: Chris Dillon; Town Manager, Ann Marie Casey; Assistant Town Manager. Dawn McDowell; Director of Administrator Services, Kerri Rufo, Fire Chief Cole,

Attendees: Mr. Gordon, Lawrence Keller, Barba Ready, William Reed, Kelly Sardina, Janet Moran, Chris Sennott

Call to order 6:00 PM

Roll Call Vote

Darris-O’Conner	Present
Favreau	Present
Burrows	Present
Rosa	Present
Pavidis	Present

1. Open Microphone

Public Comment

Ms. Barbara Ready addressed the Board and raised concerns regarding the conduct of Select Board Member John Burrows and what she described as the mistreatment of Select Board Member Dina Favreau. She alleged that Ms. Favreau had been falsely blamed for the departure of a former Town employee and described several past meetings and incidents which she characterized as involving profanity, unprofessional conduct, and threatening behavior by Mr. Burrows, including an incident in which she stated a gavel was thrown during a meeting. Ms. Ready stated that, in her view, no appropriate disciplinary action had been taken in response to these incidents and that complaints had been filed without resolution. She further stated that she believed certain actions violated state and federal law and urged the Board to take corrective action, including training and the establishment of additional oversight measures. She concluded by stating that she would continue to raise these issues publicly.

Mr. William Reed then addressed the Board regarding a pedestrian safety incident that occurred on January 2, 2026, at approximately 7:00 a.m. near a crosswalk and bus stop, where he stated a vehicle failed to stop while a police officer was directing him to cross. He explained that the officer pursued the vehicle and that he later attempted to find out whether the driver had been ticketed but was unable to obtain that information. He expressed concern about pedestrian safety in the area and also commented more generally on what he described as bullying, rudeness, and lack of civility in public discourse, urging people to work together more constructively.

Ms. Kelly Sardina then addressed the Board regarding several matters related to the Town Manager’s report and prior actions involving infrastructure and permitting issues, including sewer capacity, pump station limitations, and development on Darby Street and Boston Road. She provided documents, including a report from Woodard & Curran, and stated that in her view, not all relevant information was being fully presented or considered. She raised concerns about zoning, parking, seating capacity, MassDOT approvals, and the classification of certain uses as industrial. She also expressed frustration with the time limit for public

comment and questioned the Board's role in protecting the health, safety, and welfare of residents. The Chair and Mr. Burrows reminded her of the three-minute limit and noted that zoning and planning matters are handled by other boards.

Ms. Janet Moran then addressed the Board regarding the Swanson Meadows entertainment license matter. She stated that she had corresponded with Chief Frost regarding noise issues and believed that the Chief had determined the noise was excessive. She expressed concern that her correspondence was not included in the agenda packet for public review and questioned why it was not made available to the public. She also questioned whether this omission was related to personal relationships. Mr. Burrows responded that agenda materials are subject to submission deadlines and that he reviews his packet in advance of meetings. Ms. Rufo stated that she had forwarded the email she received from Ms. Moran to the Board that morning and explained the timing of when the correspondence was received. Ms. Favreau stated that she had received the email on Friday. The timing of the submission, after the close of business on Friday, was noted.

Mr. Neil Doran of Parker Street then addressed the Board regarding ongoing traffic and speeding concerns on Parker Street. He described conditions in the area, including vehicles traveling at high speeds, trucks and buses using the street, and damage to the grass in front of his home. He stated that a temporary speed display trailer had previously been helpful and asked whether Parker Street would remain as it is or whether additional measures could be taken. The Chair stated that the Board had recently voted to approve additional signage to help address the issue. Mr. Burrows explained that the new signage would include restrictions during school-related peak traffic hours. Mr. Doran asked about the timing of installation and whether further approvals were needed. Town Manager Dillon stated that the Board has been focused on Parker Street and related traffic issues, that additional discussion is expected in February, including in the context of the Town Center and Safe Routes to School, and that the matter remains under active consideration. Mr. Doran thanked the Board and stated he would continue to follow the issue.

Announcements

2. Vacancies on Boards and Committees

Secretary Daniel Darrius-O'Conner read the Vacancies on Boards and Committees

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

New Business (Quick Items)

4. Right of First Refusal-41 Boston Rd Unit 464-No Attendees

The Town has received a Right of First Refusal (ROFR) notice from CHAPA regarding the sale of the affordable housing unit located at 41 Boston Road, Unit 464 (Barrett Farm Condominium). The maximum resale price is \$333,270. Under the deed rider, the Town has 60 days (from December 17, 2025 through February 16, 2026) to decide whether to purchase the unit.

The Billerica Housing Authority has reviewed the opportunity and has formally notified the Select Board that it declines to purchase the unit. If the Town does not exercise its Right of First Refusal, CHAPA will proceed with marketing the unit to an eligible buyer in accordance with the affordability restrictions.

The Select Board is being asked to formally vote not to exercise the Town’s Right of First Refusal so that CHAPA may proceed with the resale process.

Motion:

Secretary Darrius-O’Conner moved the Select Board voted not to exercise the Town of Billerica’s Right of First Refusal for the affordable housing unit located at 41 Boston Road, Unit 464, and to authorize the Chair to notify CHAPA accordingly.

Member Rosa seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

5. VFW Solomon Post-Change of Manager & Change of Officer- No Attendees

The Select Board reviewed an application submitted by VFW Solomon Post 8819, Inc., located at 12 Phinney Street, requesting approval of a Change of Manager and Change of Officers in connection with its on-premises Section 12 liquor license. The proposed manager is Lawrence A. Keller, and the proposed slate of officers includes Ronald B. Stocker (President), Ernest E. Cantell (Senior Vice President), James M. Proctor (Junior Vice President), Deanna Follis (Treasurer), John H. Cunniff (Clerk), and William R. Baro (Director).

The Licensing Authority confirmed that all required departmental sign-offs were received and that background checks were conducted on all listed individuals, with no disqualifying information identified. Mr. Keller has demonstrated familiarity with the Town’s Rules and Regulations governing liquor licenses and holds a valid TIPS certification. Based on the information presented, approval of the Change of Manager and Change of Officers was recommended.

Motion:

Secretary Darrius-O’Conner moved to approve the Change of Manager and Change of Officers for VFW Solomon Post 8819, Inc., located at 12 Phinney Street, appointing Lawrence A. Keller as Manager, subject to all applicable state and local requirements.

Member Rosa seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

Appointments- Marlies might show up

6. 250th Committee-Robert Fullman Expires 7/30/26

Motion:

Secretary Darris-O’Conner moved to appoint Robert Fullman to the 250th Committee with a term ending on 7/30/26.

Member Rosa seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

7. Historic District Commission-Marlies Henderson. Alternate Position-Expires 6/30/28

Motion:

Secretary Darris-O’Conner moved to appoint Marlies Henderson to the Historic District Commission as an alternate with a term ending 6/30/28

Select Board Member Rosa seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

Old Business-

8. 2025 License Renewals – Review and Approval – One Remaining License

- a. Farmer Brewery Pouring Permit – 1 (License) – Petty King Brewing Company, LLC located at 279 Boston Road-

Message sent to Town Counsel:

The first item is a renewal of a Farmer Brewery Pouring Permit. This license was approved during the July 14, 2025 Select Board meeting. The establishment is not yet opened, but the Board needs to renew the 2026 License. During the meeting last night, some of the members wanted to add conditions to the license. The question is can conditions be added to a license renewal outside of a public hearing? Below is a transcript of the 1/5/26 Select Board Meeting.

2026 License Renewals – Review and Approval – One Remaining License-1/5/26 SB Meeting

Petty King Brewing Company, LLC, located at 279 Boston Road, is requesting approval of its 2026 annual renewal for a Farmer Brewery Pouring Permit (Malt Only). The licensed manager is John Thompson. Proposed hours of operation are Monday–Saturday, 12:00 p.m. to 12:00 a.m., and Sunday, 12:00 p.m. to 10:00 p.m., subject to the conditions of the existing Mixed Use Special Permit. The renewal reflects no change in license class, type, or category. All required renewal documentation has been submitted, the manager holds a valid TIPS certification, and the application is in compliance with state and local requirements. Approval of the license renewal is recommended.

Secretary Darris-O'Connor stated that one remaining 2026 license renewal was before the Board: the Farmer Brewery Pouring Permit for Petty King Brewing Company, LLC, located at 279 Boston Road. Secretary Darris-O'Connor made a motion to approve the 2026 renewal of the Farmer Brewery Pouring Permit for Petty King Brewing Company, LLC.

Member Rosa stated that conditions related to the Mixed Use Special Permit should be part of the approval and noted prior concerns raised by the Police Department regarding alcohol leaving the licensed area and being consumed in other portions of the building. Member Rosa also noted there had previously been an issue regarding the business not opening until the restaurant portion was open, as food is not served at the brewery.

Secretary Darris-O'Connor stated that the Board was voting to renew the license and that any conditions previously imposed would still apply. Ms. Dawn McDowell stated that the Board reviewed the prior minutes and that the issues raised by the Police Department were not part of the renewal motion at that time. She explained that the Police had objected to an additional request that was not approved by the ABCC, and while the matter had been discussed, it was never made part of the license renewal conditions.

Member Rosa stated that the Board could add conditions now. Further discussion followed regarding the scope of the Select Board's authority and the existing conditions associated with the license.

Following discussion, the Board did not take final action on the renewal and tabled the matter pending further review.

Town Counsel Response– Petty King Brewing License Renewal

Based on Town Counsel's advice, the Select Board must either approve or deny the Petty King Brewing renewal as submitted and may not add new conditions as part of the renewal process. If the Board has concerns about operations or compliance, those issues must be addressed through a separate for-cause or enforcement proceeding.

Discussion:

The Board took up the remaining 2025 license renewal item, being the Farmer Brewery Pouring Permit for Petty King Brewing Company, LLC, located at 279 Boston Road. Secretary Darris-O'Connor noted that this item had been continued from the prior meeting.

Secretary Darris-O'Connor made a motion to approve the 2026 Farmer Brewery Pouring Permit renewal for Petty King Brewing Company, LLC, as submitted, subject to all existing approvals and conditions. The motion was seconded by Vice Chair Burrows.

Select Board Member Favreau stated that the matter had previously been continued in order to obtain the opinion of Town Counsel and requested that the basis for that legal advice be placed on the record. The Town Manager explained that Town Counsel had advised that, under Chapter 138 of the Massachusetts General Laws, licenses are to be renewed upon application and that the statute uses mandatory language ("shall") rather than discretionary language, meaning that the Board's responsibility is to renew the license in the absence of a legal basis for denial. He further explained that, while other sections of the law allow the Board to amend, modify, or suspend licenses, those provisions do not apply in this context, and the Board must either approve or reject the renewal application.

Select Board Member Favreau stated her understanding that the renewal was therefore a mandatory, or prima facie, approval under the statute, absent violations or other legal grounds for denial.

Motion to approve:

Secretary Darius-O'Conner moved to approve the 2026 Farmer Brewery Pouring Permit renewal for Petty King Brewing Company, LLC, located at 279 Boston Road, as submitted, subject to all existing approvals and conditions.

Member Burrow seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

9. Town Managers Report

The Board received the Town Manager’s Report. The Town Manager stated that the report was intended to respond to questions and statements raised at prior meetings and to clarify information for both the public and the Board, noting that staff may make mistakes but will address issues when they are brought forward. He explained that water bills are generated by Town staff and then sent to Kelley & Ryan Associates for printing and mailing. He provided updates on the Darby Street and Waterview Avenue pump stations, stating that he toured both facilities and that the stations have not yet been refurbished, and referenced photographs included in the report. He also addressed questions regarding the PUD at the mall and stated that staff could not locate language requiring commercial and residential occupancy together, while noting that he would review the underlying documentation and that the recorded Decision includes phasing requirements. He summarized additional topics addressed in the report, including tree removal concerns at Asterisk Way, Town Center engineering costs and expenditures to date, and the Cook and Alexander intersection review, noting that Chief Frost supports evaluating the intersection and requested that traffic conditions be reviewed during school dismissal times. The Town Manager also discussed concerns raised regarding 279 Boston Road and stated that he met with the Fire Chief and Chief Building Official, who advised that the project is being built to code and that CO2 is not inherently flammable, and he referenced common uses of CO2 in restaurant settings. He provided an update regarding speeding on Allen Road and indicated that Police would increase patrols and DPW would evaluate additional signage. He also stated that the Planning Board had not yet voted on a waiver request related to a coffee shop traffic study and peer review.

The Town Manager then addressed concerns regarding the Town’s new website, stating that staff had heard resident feedback, that a meeting with the website vendor was scheduled in the coming weeks, and that the purpose of the website transition was not to limit public access to information. The Chair suggested that Board members provide the Town Manager with website improvement concerns they have heard from residents so those items can be raised with the vendor. Select Board Member Rosa thanked the Town Manager for addressing the website and requested that historical materials be restored where possible. Mr. Rosa also asked for follow-up regarding the Town Center project, including clarification of the time period represented by the expenditures to date and whether recent plan revisions were prepared by BETA or Town staff, and requested that the Town Manager provide DPW-recommended locations for additional speed limit signage on Allen Road for the Board to consider in its capacity as Road Commissioners. Select Board Member Favreau asked whether historical documents from the prior website were archived and available, and the Town Manager stated the Town retained the documents but that restoring older materials and hyperlinks would take additional time. Ms. Favreau also requested clarification on the source of the remaining Town Center design funding balance and asked whether the Board’s prior request to obtain Town Counsel feedback in writing regarding safety/liability concerns at 279 Boston Road had been completed; the Town Manager stated he would follow up on those items. The Chair then moved the meeting forward following a point of order.

Town Center / BETA spending – time period and scope

Select Board Member Rosa asked the Town Manager to determine what **time window** the \$672,241.79 spent to date covers, and to clarify whether the most recent plan sets were prepared **by BETA or in-house**, and why BETA remains involved if designs were already substantially complete.

Town Center remaining balance – funding source(s)

Select Board Member Favreau asked where the remaining balance of \$177,258.21 comes from and requested

clarification on the **warrant article(s) / funding source(s)** supporting the Town Center design contract. The Town Manager stated he would find the answer.

279 Boston Road / CO2 and safety – written confirmation from Town Counsel

Select Board Member Favreau asked whether the Board’s prior request to send the 279 Boston Road safety/combustibility/liability question to Town Counsel had been done, and requested that the Board receive something **in writing**. The Town Manager stated he would follow up with Town Counsel.

Website historical documents – board-member input to vendor meeting (operational)

The Chair suggested Board members send the Town Manager their website improvement concerns so he can incorporate them into the upcoming vendor meeting; Select Board Member Rosa specifically asked about restoring missing historical content.

New Business

10. Discussion and possible vote for pilot program for consent agenda-Requested by Jillian Pavidis on behalf of Kerri Rufo

A Consent Agenda is a tool to improve meeting efficiency by grouping routine, non-controversial items into one section of the agenda and approving them with a single vote. All items remain clearly listed on the agenda, with full backup provided in advance, and any Board member may remove any item for separate discussion at any time before the vote. This process is fully compliant with the Massachusetts Open Meeting Law.

The Chair introduced the item and explained that the concept of a consent agenda had been brought forward as a way to improve meeting efficiency by grouping routine, non-controversial items into a single vote, while preserving the ability of any Select Board member to remove any item for separate discussion. It was noted that examples from other municipalities had been provided to the Board for reference.

Ms. Rufo explained that the consent agenda would be limited to routine items that do not require discussion, such as minutes or routine license matters, and that any Board member could request that an item be removed from the consent agenda at the meeting and considered separately. She further stated that all supporting documentation would continue to be included in the agenda packet and available to the public, and that the intent of the consent agenda was to improve efficiency while maintaining transparency.

Discussion:

Select Board Member Rosa stated that he had reviewed the examples from other communities and that the types of items shown there appeared appropriate for a consent agenda. He emphasized that the most important safeguard was the ability of any Board member to pull an item for separate discussion and vote. He stated that, while he supported trying the concept, he wanted to ensure that it was done in a way that would not create procedural or legal issues, particularly in light of prior concerns about how some license matters had been grouped for approval.

Select Board Member Favreau stated that she understood the purpose of a consent agenda and complimented the draft language that had been prepared, but expressed concern about transparency and public perception, noting that residents have previously expressed concern about items being bundled together. She stated that the consent agenda should be limited to truly routine, non-controversial matters and should not include financial or policy items and emphasized that all supporting documentation must remain publicly available.

The Board discussed whether a pilot program could be implemented under the current Select Board Policies and Procedures, specifically Section 2.6, which governs the structure of the agenda. Vice Chair Burrows raised concern about whether the Board could proceed with a pilot without first addressing the existing

policy, noting that the Board should not place itself in a position of not following its own rules. Other members agreed that the Board should proceed in a procedurally proper way.

The Board discussed implementing the consent agenda on a trial basis for approximately two months in order to evaluate whether the process is beneficial before considering a permanent policy change. It was stated that, if the pilot proved is successful, the Board would then proceed with a formal amendment to the Select Board Policies and Procedures using the standard first and second reading process.

The Board also discussed the importance of consulting Town Counsel before and during the pilot period. Select Board Member Rosa specifically requested that Town Counsel be asked to review the structure of the consent agenda in advance to ensure that the process does not create Open Meeting Law or other legal issues. The Chair and other members agreed that legal guidance should be obtained.

The Board agreed that the appropriate mechanism to proceed was to temporarily suspend Section 2.6 of the Select Board Policies and Procedures in order to allow the pilot program to move forward.

Secretary Darris-O'Connor made a motion to suspend Select Board Policies and Procedures Section 2.6 to allow for the implementation of a consent agenda on a pilot basis for the following two months, after which the Board could decide whether to continue, modify, or discontinue the practice. The motion was seconded by Select Board Member Favreau and was approved by a vote of 5-0.

As part of the discussion, the Board directed that Town Counsel be asked to review and provide guidance on the following: whether the temporary suspension of Section 2.6 to conduct a pilot is legally and procedurally appropriate; whether the proposed consent agenda structure complies with the Open Meeting Law; and what guardrails or limitations should be followed regarding what types of items may or may not be placed on a consent agenda.

Pilot Proposal Motion

Secretary Darris-O'Connor made a motion to suspend Select Board Policies and Procedures Section 2.6 to allow for the implementation of a consent agenda on a pilot basis for the following two months, after which the Board could decide whether to continue, modify, or discontinue the practice proposed that the Select Board implement the Consent Agenda on a pilot basis for approximately two months, after which the Board can decide whether to continue, modify, or discontinue the practice.

Member Favreau seconded.

Darris-O'Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

11. Temp Sign Permit-250th Committee-Requested by John Burrows Chris Sennott

The Board took up the request from the 250th Committee regarding the installation of a temporary sign on the Billerica Common to recognize and promote the Town's upcoming 250th anniversary celebration. Vice Chair Burrows introduced the item and invited Mr. Chris Sennott to address the Board.

Mr. Sennott explained that the Committee was requesting permission to install a temporary sign on the Common, potentially through the conclusion of the July 2026 celebrations or the July 4th, 2026 event, in order to provide ongoing public recognition of the 250th anniversary. He noted that other communities, including Lexington, have similar signage and that the Committee was considering ideas for the sign's design, including possible involvement of local students.

Discussion:

The Board discussed the proposed location on the Town Common, with Mr. Sennott indicating a preference for a south-facing orientation to be visible to northbound traffic. The size of the sign was also discussed, with Mr. Sennott suggesting a minimum size of approximately 4 feet by 8 feet. He stated that he had spoken with the Building Commissioner about installation methods that would be secure but not permanent, such as using barriers rather than excavation.

Select Board Member Rosa stated that, given the significance of the event, he supported the idea and suggested that two signs be installed on opposite sides of the Common so that traffic in both directions would be able to see them, subject to review by the Traffic Safety Officer and appropriate staff to ensure that there are no sightline or safety issues. The Chair indicated her agreement with this approach, and Mr. Sennott stated that he was comfortable proceeding in that manner.

Select Board Member Favreau asked whether an electronic sign could also be used in the interim or in addition to the physical signs, particularly while the final design was being developed. The Board discussed that the Select Board’s direct jurisdiction is limited to the Common and that staff could be asked to advise on the availability and appropriate use of such signage elsewhere.

There was also discussion regarding whether the design of the sign could be changed over time, for example to allow student artwork or rotating displays, and it was generally agreed that the Board’s approval would be for the size, location, and overall concept, with the Committee managing the specific designs within those parameters.

Motion:

Secretary Darris-O’Connor then made a motion to direct the 250th Committee, as a subcommittee of the Select Board, to coordinate with the Department of Public Works and any other appropriate Town departments, boards, or staff to install a 250th celebration sign on the Billerica Common, including determining appropriate location, size, installation methods, timeframes, and design, and to ensure compliance with all applicable Town policies and regulations, with removal of the sign(s) to occur at the conclusion of the approved display period ending July 2026
Vice Chair Burrows seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

12. Discussion and Possible Vote to rescind the December 15th vote to approve the Swanson Meadow Entertainment License -Requested by Dina Favreau

This agenda item was placed on the agenda at the request of Select Board Member Dina Favreau following the Board’s December 15, 2025 vote renewing multiple licenses, including the Swanson Meadows license, which included entertainment as part of the approved license package. After that meeting, questions were raised regarding the form and clarity of the agenda language and the motion used by the Board, specifically whether the agenda and motion should have more explicitly listed each individual license type being acted upon, even though the entertainment license was included in the materials and approval.

Town Counsel Summary:

Town Counsel reviewed the matter and advised that state law does not require abutter notification or a public hearing for the issuance or renewal of an entertainment license unless the Board intends to deny the license. However, Town Counsel also advised that the Town’s past practice of approving multiple license types under

a general agenda description, without listing each license category explicitly in the agenda and motion, creates potential Open Meeting Law risk based on lack of specificity and clarity for the public record.

As a result, this item is before the Board both to discuss the concern raised and to consider a clarification vote to confirm the intent of the December 15, 2025 action, namely that the Board's vote was intended to renew all licenses and license categories held by each establishment as shown on the attached schedule.

Secretary Darris-O'Connor introduced the item and made a motion to table the matter. Select Board Member Favreau stated that this was her agenda item and requested the opportunity to speak. A procedural discussion followed regarding whether the motion to table was debatable. The Chair allowed Select Board Member Favreau to address the Board.

Select Board Member Favreau explained that she had placed the item on the agenda due to concerns regarding the validity of the Board's December 15, 2025 vote approving the entertainment license, noting that required documents were not included in the packet, that the Board's policies and procedures regarding entertainment license approvals were not followed, and that residents had raised concerns regarding noise. She stated that since that meeting, the Board had received an opinion from Town Counsel indicating that the lack of specificity in the prior vote created concerns, including potential Open Meeting Law issues, and that the prior action may be legally suspect and require corrective action. She stated that she agreed that no action should be taken at this meeting but wanted the record to reflect why the matter was being deferred and that residents continued to have concerns.

The Chair stated that she had spoken with staff prior to the meeting about scheduling a special meeting to address the issue, since the Board would not meet again until February. Select Board Member Favreau asked whether the prior vote was currently invalid and whether the license was therefore not in effect. Ms. McDowell explained that Town Counsel's communication did not state that the votes were invalid, but rather that they were potentially problematic or "suspect," and that Town Counsel had recommended bringing the matter back on a properly noticed agenda for corrective action.

The Board discussed whether a special meeting or an emergency meeting might be required, depending on Town Counsel's clarification as to the current legal status of the December 15 action. The Chair stated that clarification would be requested from Town Counsel and that, depending on the response, either an emergency meeting or a special meeting would be scheduled to address the matter.

Select Board Member Rosa stated that, since the Board was in agreement that no action would be taken at this meeting, there was no need to proceed with tabling the item and that the Board should move on and schedule a follow-up meeting once legal guidance was received.

The Board reached consensus to take no action on the item at this meeting, to seek clarification from Town Counsel regarding the legal status of the December 15 vote, and to schedule either a special meeting or an emergency meeting, as appropriate, after receiving that guidance.

13. Amendment to Select Board Policy 20.1 – Inquiries to Town Counsel-Requested by Dina Favreau

Select Board Member Favreau explained that she had provided the Board with a memorandum and proposed redline changes to Policy 20.1. She stated that the purpose of the proposed amendment is to change the timing of when draft policies are sent to Town Counsel for legal review. She explained that under the current practice, draft policies are sent to Town Counsel immediately after the first reading, even though they are often still incomplete and subject to substantial revision. She stated that this results in multiple rounds of legal review of evolving drafts, which is not an efficient use of Town Counsel's time and results in unnecessary

legal expense to the Town. She explained that the proposed change would ensure that Town Council reviews a more complete draft after substantive changes identified during the first reading have been incorporated, so that the legal review is more meaningful and efficient, while final policies would still be reviewed to ensure legal compliance.

Discussion

Select Board Member Rosa stated that he did not object to the concept but asked for clarification, noting that the existing policy already states that draft policies are to be sent to Town Council after the first reading. He asked how the proposed language differed in practice from the current policy.

Select Board Member Favreau responded that, while the language is similar in concept, the proposed amendment adds structure and clearer definitions to avoid sending drafts that are still in their “infancy” to Town Council. She cited a recent example in which a policy draft was sent to Town Council immediately after a first reading, even though the Board had just discussed a number of potential substantive changes, resulting in the draft being outdated almost immediately and necessitating another round of legal review.

Select Board Member Rosa stated that this clarification addressed his concern and agreed that it made sense not to send drafts for legal review when they are known to be incomplete and likely to change substantially.

It was noted that this item constitutes a proposed policy amendment and therefore would need to proceed through the Board’s standard first and second reading process before any vote could be taken. No vote was taken on the item at this meeting, and the matter was left to proceed through the normal policy amendment process.

The Confidential Executive Assistant, Kerri Rufo asked Select Board Member Dina Favreau whether the draft amendment to Policy 20.1 should be sent to Town Council following the second reading, noting that no substantive changes had been recommended after the first reading. Ms. Favreau confirmed that the item could proceed and indicated that she would send an email to the Confidential Executive Secretary so that it could be forwarded to Town Council.

Ms. Rufo also asked for clarification regarding her authority to contact Town Council. Ms. Favreau indicated that she would provide written direction by email for that purpose.

14. Discussion and Possible Vote: North Billerica Concord River Access BFD Lowell Street- Requested By Dina Favreau

Requested by Select Board Member Favreau, regarding access to the Concord River launch area adjacent to the North Billerica Fire Station on Lowell Street. Select Board Member Favreau stated the item was placed on the agenda at the request of a resident, Mr. Rick Gordon, to allow him to be heard by the full Board and to discuss whether a more consistent and streamlined process could be developed for public access to the river, while balancing departmental and safety concerns.

Resident Mr. Gordon addressed the Board and requested that unrestricted public access be restored to the Concord River boat, kayak, and canoe launch, stating that the access path is chained and padlocked by the Fire Department. He described receiving differing communications regarding whether the public may access the launch and whether Fire Department staff would unlock the chain upon request. He expressed concern that requiring residents to request entry on a case-by-case basis is inconsistent and impractical, particularly for early-morning access or if the station is unavailable due to calls and noted the Fire Department’s anticipated relocation in the future. He stated that other access points in Town are more limited and that this location is the only launch site in North Billerica that allows vehicle access to the river, and he requested removal of the chain to allow public access.

Discussion:

Fire Chief Cole provided comments and stated that, to his understanding, the access way was established for emergency access to the river and not as a public boat ramp, and that portions of the access area are within

wetlands and are subject to seasonal flooding. He stated that the Fire Department needs to ensure the access is not blocked, as it is an important emergency access point to the river below the falls and is also used by mutual aid partners. He noted past concerns including illegal dumping and other activities in the area. Chief Cole stated that walking access is generally available and that people do utilize the area for fishing and for hand-carried kayak/canoe launches, but that removing the chain for vehicle access could create a risk that vehicles could block the narrow access way and impede emergency response. He stated that the Fire Department does not own the property but maintains the chain to help ensure emergency access is available when needed, and indicated that wetlands restrictions may limit what can be done without further review.

The Chair and Board members discussed the width and conditions of the access way and the potential for vehicles to block emergency access if the chain were unlocked. Select Board Member Favreau stated that clarification is needed regarding whether the area is intended as public access and, if so, what consistent parameters could be established to allow public use without compromising emergency access or environmental constraints. Select Board Member Rosa stated he supports river access but emphasized that emergency access and parking management are major concerns and that a balance is needed between public access and public safety. He discussed potential long-term improvements that could be considered in the future, particularly after the Fire Department relocates, and referenced prior examples of improving access and parking at other locations.

During the discussion, Mr. Gordon asked questions regarding whether he could access the river by walking around or under the chain without violating any laws and raised concerns about who has authority to place a lock on Town property. The Town Manager advised that damaging the lock would constitute vandalism and stated that the Conservation Director had indicated she would be willing to evaluate the site in the spring and that, due to wetlands concerns, she did not believe the area should be used for certain purposes until current conditions are reviewed.

The Board expressed that there are unresolved jurisdictional and regulatory questions, including wetlands constraints, the intended status of the access as public or emergency-only, and appropriate operational controls. The Chair and Secretary Darris-O'Connor stated that additional information should be gathered before considering broader changes to access.

As a short-term measure, Select Board Member Rosa proposed installing signage to direct river users to appropriate parking locations behind the fire station in order to reduce the risk of vehicles obstructing emergency access. The Board discussed the need to consult the Conservation Director regarding wetlands considerations related to signage and parking.

Motion:

Member Rosa made a motion, contingent upon approval of the Conservation Director, to install parking signage at the North Billerica Fire Station to direct parking for individuals using the path to the river access area.

Member Favreau seconded

Darris-O'Conner	Nay
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

Meeting Schedule

February 2, 2026 and February 23, 2026

Adjournment

Motion:

Secretary Darrius O’Conner to adjourn at 7:43 PM

Member Rosa seconded.

Darris-O’Conner	Yea
Favreau	Yea
Burrows	Yea
Rosa	Yea
Pavidis	Yea

Minutes prepared by Kerri Rufo

Edits Provided by Member Rosa 1/23/26 on and Member Favreau on 2/13/26

Minutes Approved at the 2/23/26 Select Board Meeting.

Town Manager Chris Dillon noted that conversations with staff suggested zoning amendments would likely be more effective in addressing public safety concerns. He acknowledged that BESS facilities are built to code and that emergency responders are trained to manage potential incidents but emphasized that proper zoning is necessary for long-term protection.

Member Rosa highlighted the importance of the policy as a moratorium and compared it to previous instances in Billerica where new technologies, such as hydrogen fuel cells, required specialized planning with fire and emergency services. Rosa stressed that the policy allows the Town to ensure first responders have appropriate equipment, training, and procedures in place, and noted the importance of temporary measures to protect first responders and the community while permanent regulations are developed.

Member Favreau further referenced a documented BESS fire in California in January 2025 which burned for 13 days and caused extended environmental impacts, to underline potential risks and the need for careful study before permanent regulations are adopted.

Secretary Darris-O’Conner expressed concerns that the policy is non-binding, duplicates existing state and local regulations, and could convey a misleading message about the safety of BESS technology. She emphasized the importance of supporting data-driven decisions and noted that current regulations already address many safety issues.

Vice Chair Burrows questioned the absence of direct input from the Fire Department and Building Inspector in the materials provided, raised concerns about overregulation, and suggested tabling the policy until the Building Inspector and the Zoning and By-law Review Committee could develop permanent regulations. He expressed concern that the policy could hinder local business development and innovation.

In response, Member Favreau clarified that the policy’s sole purpose is to provide time for the Town to develop appropriate zoning regulations. She stated that all feedback from the first reading and departmental input had been incorporated and that the policy is not intended to oppose any specific land use or impose unnecessary restrictions. She emphasized that the interim policy supports public safety and planning efforts while permanent regulations are established.

1st Motion

Secretary Darris-O’Conner made a motion to deny adoption of Policy 48 interim public safety policy for battery energy storage systems.

Vice Chair Burrows seconded.

Darris-O’Conner	Yea
Favreau	Nay
Burrows	Yea
Rosa	Nay
Pavidis	Nay

Failed by a vote of 2-3

2nd Motion:

Member Favreau then moved to approve the policy 48 interim public safety policy for battery energy storage systems.

Member Rosa seconded

Secretary Darris-O’Conner stated his continued opposition to the policy, noting that it could negatively affect economic development and good-paying jobs in Billerica by signaling opposition to battery energy storage technology. He further stated that, in his view, the policy is not based on scientific evidence.

Darris-O’Conner **Nay**
Favreau **Yea**
Burrows **Nay**
Rosa **Yea**
Pavidis **Yea**
Passed by a vote of 3-2

The policy was adopted as the interim public safety policy for BESS, remaining in effect until permanent zoning or regulatory measures are adopted or the moratorium is lifted.

11. **Champion Sign Discussion- Requested by John Burrows**

Vice Chair Burrows introduced the item following a request from residents to recognize the increasing number of championship accomplishments by Billerica athletes and teams. He noted that the Town experienced an unusually high number of championship wins last year across multiple levels, including youth sports, high school teams, and collegiate alumni, and that this trend has continued. He cited a recent state record set by a Shawsheen Tech athlete as an example and suggested that a permanent champion sign could serve as a positive way to recognize these achievements. Potential locations discussed included the area near the new Recreation Center. Vice Chair Burrows also proposed incorporating modern technology, such as a QR code, to allow for broader recognition and historical information without space limitations.

Chair Pavidis expressed strong support for the concept, noting that it is well deserved and a positive reflection of the community. She acknowledged that the growing number of championships presents logistical challenges in terms of size and content of any physical sign and supported the idea of a general recognition display supplemented by a QR code that would direct viewers to additional information online.

Member Rosa agreed that recognizing championship teams is important and thanked Assistant Town Manager Casey for her research on the topic. He supported the Recreation Center as an appropriate location but raised concerns about relying solely on a QR code, noting that many people driving by may not stop to scan it. He suggested that visible text recognizing championships would be more effective for public recognition, while acknowledging that a hybrid approach could address space limitations.

Discussion continued around the idea of combining physical signage for recent or major championships with an online “Champions” landing page accessible via QR code. Vice Chair Burrows explained that this approach would allow the Town to recognize current champions while also honoring past teams and non-sports achievements, such as academic, vocational, and skills-based competitions, which would otherwise be difficult to display physically.

Town staff, including the Confidential Executive Assistant Kerri Rufo and Assistant Town Manager Casey, noted that several logistical and policy questions would need to be resolved, including eligibility criteria, duration of recognition, maintenance responsibilities, and website upkeep. Assistant Town Manager Casey described the project as a positive opportunity to celebrate local accomplishments and expressed willingness to continue research, explore partnerships with schools and existing Hall of Fame groups, and return to the Board with recommendations. She indicated that a hybrid approach would be inclusive and adaptable over time.



Town of Billerica Police Department

6 Good Street
Billerica, Ma 01821
(978) 215-9621 Fax (978) 670-2762
scoffey@billericapolice.org

*also SB -2/23
Eko*

February 19, 2026

To: Select Board
From: Lt. Sean P. Coffey
Re: Friends of the Billerica Council on Aging

Board Members,

On February 2, 2026 I received an application for a one-day, Wine and Malt Liquor License (nonprofit) from Wayne Smith, representing The Friends of the Billerica Council on Aging, which is a registered 501 (c) (3) nonprofit organization. The event, Black Tie Bingo, is a fund raiser for The Billerica Council on Aging and will be held at 25 Concord Rd on March 27, 2026 from 6 PM to 10 PM

A background/CORI check was performed on Mr. Smith and it yielded nothing. The event will be utilizing *Boston's Best Bartending Service*, the bartenders name is Cally Beresford, and she possesses an active ServeSafe certificate. It should be noted that the Friends of the Billerica Council on Aging has had fundraising events in the past without incident.

Based upon the above information the one-day alcohol license is recommended.

Respectfully submitted,

Lt Sean P Coffey
Lt. Sean P. Coffey

REC'D FEB 19 2026
Billerica Select Board PM12:08



LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: \$ Request Fee be waived w/s

ACTION: NEW or CHANGE

Licensee of Business: <u>one day 3/27/26 Friends COA</u>		
Doing Business As: <u>COA Friends 501C3 WAYNE F Smith</u>		
Street Address: <u>25 Concord Rd</u>	Assessors Plate/Parcel: <u>COA</u>	
Phone #: <u>978 408 7905</u>	Zip Code: <u>01821</u>	Tax ID #: <u>04-3279496</u>
Alt. Phone #: <u>978 317 7966</u>	Email:	

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.

25 Concord Rd MAIN FLOOR COA Several Restrooms
Inc. = Ins & Tip Rent For "Boston Best Bartending Service"
100 people MAX For Fri Night 3/27/26
DIANNA KINSIAM 978 465 2227

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Building Inspector: <u>Mark Jofuria</u>	Date: <u>1/23/26</u>
Comments:	
Board of Health: <u>Kristen Smith</u>	Date: <u>01/23/26</u>
Comments: <u>Temp Food Permit required for event.</u>	
Police: <u>Det S - O'Neil</u>	Date: <u>2/11/26</u>
Comments:	
Fire: <u>Paul Cole</u>	Date: <u>1/27/2026</u>
Comments:	
Treasurer: <u>Eleen Kern</u>	Date: <u>1/27/26</u>
Comments:	

RCVD FEB 19 2026
Billerica Select Board PM12:07

Manager's Name: <u>Wayne Smith For Mary Camilleri</u>
Street Address:
City/Town/State: <u>Billerica</u>
Phone #: <u>978 408</u>
Email:

underscore

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

Weekday (Monday-Friday):	one day COA 3/27/26 6:00pm - 10:00pm
Saturday:	
Sunday:	

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	<input type="checkbox"/> YES	<input type="checkbox"/> 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:
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:



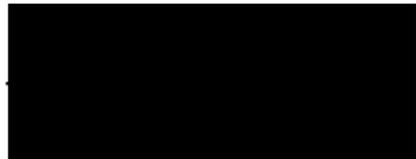
Town of Billerica Police Department

6 Good Street
Billerica, MA 01821
(978) 215-9621 Fax (978) 670-2762
www.billericapolice.org

Criminal Record Background Check

Date: 01/21/26

Release: I, Wayne F. Smith
Name of Applicant



allow the Town of Billerica Police Department to search my records to ascertain information on my personal history.

Authorization for Personal History:

This authorization will give the Billerica Police Department permission to research your background, personal history and character references.

Wayne F. Smith
Signature of Applicant



Application Approved: _____

Application Denied: _____

Reason: _____

Boston's Best Bartending Contract

Order Confirmation:

Your signature at the bottom of this form will place your order with Boston's Best Bartending Services, Inc., and will confirm your understanding of and agreement to the following terms. You may fax the confirmation to us at 978-465-2227, or email it to BostonsBestBar@aol.com. Revisions to orders are acceptable 30 days prior to event date only. Please note Boston's Best Bartending does not provide alcohol, soda, garnish fruit, ice, or plastic ware.

Liquor Distribution:

All alcohol will be served pursuant to Massachusetts General Law, Chapter 138. There will be no self-service of alcohol. Boston's Best Bartending will be held harmless in the event self-service occurs or any other vendor/individual provides liquor distribution. Boston's Best Bartending reserves the right to close a bar at any time as determined by management.

Payment Policy Additional Costs and Invoicing:

All orders must be paid for upon event completion or in advance unless special arrangements have been made. Past due balances are automatically assessed \$25.00. Additional paperwork requests such as addendums, revisions, vendor forms, and multiple (3 or more) insured's are billed at a flat rate of \$35.00. Reschedules are billed at \$50.00 per reschedule. Acceptable forms of payment include:

- cash
- personal check
- company check
- credit card with convenience fee

Cancellation/Deposit Policy:

If your event has been canceled or postponed, kindly let us know as soon as possible. A 50% cancellation fee of total invoice or total estimated less gratuity, shall apply to all orders canceled. Cancellation within 7 days of the scheduled event will result in full payment due. There are no exceptions to the cancellation policy.

I understand and accept the terms outlined above and that I am the person financially responsible for this order. Please type your full legal name on the line below. The Uniform Electronic Transactions Act (UETA) states "If a law requires a signature, an electronic signature satisfies the law." Typing your signature and or initials shall be considered your electronic signature and is binding this agreement as if signed by handwriting.

Haym J Smith 3/27/26 25 Concord Rd 6:00pm - 9:00pm
 Your Name, Event Date, Event Location, Guest Count and Function Hours

I want to go green. Please email my invoice to _____





STANDARD FUNCTIONS

Staffing

Bartender = \$35.00 per hour/4.0 min, 5.0 min. Saturday

Set Up Charge = \$1.75per head/\$175.00 minimum

Our service includes General Consultations, Event Design, Referral Service, Liability and the following equipment:

- (1) Chilling Tub: 22 Gallon

- (1) Large Plastic Ice Scoop

- (1) Ice Bowl, beveled plastic, 15"

- (6) Pourers, black plastic

- (2) 1 Litre Wine Carafe, plastic

- (1) Opener, wine/beer

- (1) Shaker, stainless steel

- (1) Strainer, stainless steel

- (1) Ice Scoop, stainless steel

We suggest 1 bartender per 100 guests, 2 bartenders for 100 or more, depending on the set-up. All bartenders are trained to serve alcoholic beverages according to the guidelines established by the Commonwealth with no exceptions.

Congratulations!

You have successfully completed the ServSafe® Training and Certificate Program. This is your official ServSafe Alcohol Certificate Card and provides confirmation that you have studied and are knowledgeable about how to serve alcohol responsibly.

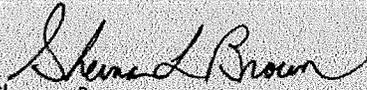
Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,



Sherman Brown

Executive Vice President, National Restaurant Association Solutions



ID # 24145714

CARD # 24590434

ServSafe Alcohol® CERTIFICATE

CALLY BERESFORD



NAME

9/11/2023

DATE OF EXAMINATION

Card expires three years from the date of examination. Local laws apply.

© 2017 National Restaurant Association Educational Foundation (NRAEF). All rights reserved. ServSafe® and the ServSafe logo are trademarks of the NRAEF. National Restaurant Association® and the NRAEF logo are trademarks of the National Restaurant Association. 17110001 2/2711

Sherman Brown
Executive Vice President, National Restaurant Association Solutions

This certificate confirms completion of the ServSafe Alcohol® responsible alcohol service program.

In Alaska you must laminate your card for it to be valid.



240 South Wacker Drive
Suite 4000
Chicago, IL 60606-6383
1-800-SERVSAFE
www.servsafe.com

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NOTE: You can access your score and certification information anytime at ServSafe.com.

If you have any questions regarding your certification please contact the National Restaurant Association Service Center at

Service Center@restaurant.org or
800.765.2122 ext. 6703



LICENSE APPLICATION
BILLERICA SELECT BOARD

2/23

Fee Paid: \$ _____

ACTION: NEW or CHANGE

Licensee of Business: katie shubin president BCFM		
Doing Business As: billerica Community Farmers Market		
Street Address: [REDACTED]	Assessors Plate/Parcel:	
Phone #: [REDACTED]	Zip Code: 01866	Tax ID #:
Alt. Phone #:	Email: [REDACTED]	

RECD FEB 9 2026
Billerica Select Board #10342

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.

The Billerica Community Farmers Market (BCFM) is a summer market of up to 60 vendors

The market is held Mondays noon to dusk (12-9p) from June 15th- September 28th at 793 Boston rd

The market will use the pavilion, field, restrooms and trash removal provided by the town.

Personal generators will be used by vendors, and the market with a 15' exhaust safety buffer.

Market entrance and emergency vehicle egress is located at Grove street (see attached layout)

* Four 18" x 24" signs on the common on Market Days, per email from Katie on 2/4/26

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Building Inspector: [Signature]	Date: 1/28/26
Comments: Any tents require tent permit w/ Building & Fire Depts.	
Board of Health: [Signature]	Date: 1/28/26
Comments: Applicants serving/retailing food products require a food permit.	
Police: [Signature]	Date: 2/2/2026
Comments:	
Fire: [Signature]	Date: 1-28-26
Comments:	
Treasurer: [Signature]	Date: 1/28/26
Comments:	

Manager's Name: katie shubin		
Street Address: PO Box # 209		
City/Town/State/Zip: Pinehurst Ma 01866		
Phone #: (508)423-5056	Tax ID #:	Email: katieshubin@yahoo.com

2/4- Waiting to hear back from Katie about signs on common + COI
2/4- Cert Mail- mailed

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

Weekday (Monday-Friday):	12-9p Mondays June 15- sept 28th (operating hours 2-7p)
Saturday:	
Sunday:	

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	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
MOTOR VEHICLE (Circle Option):	Class I	Class II	Class III

HAZARDOUS MATERIAL STORAGE (List Type):

ENTERTAINMENT:

Weekday: (Per MGL, Ch. 140, Section 183A or 181): Mondays June 15-September 28th

Sunday: (Per MGL, Ch. 136 – Form 90 Required):

Type of Entertainment: community friendly entertainment

musicians, costume characters, demonstrations, live animals (see layout)

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
 Bowling
 Other: _____

Licensees Signature:	Date: 1/27/2026
-----------------------------	------------------------

Title: president BCFM Billerica Community Farmers market

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:



TOWN OF BILLERICA

APPLICATION FOR ENTERTAINMENT
AUTHORITY M.G.L. CHAPTER 140, SECTION 183A

(No Fee if Licensed under Chapter 140, Section 2 Common Victualer)

[] ONE DAY: [X] ANNUAL:

Name of Applicant: Katie Shubin (BCFM) Name of Business: Billerica Community Farmers market

Address of Business: 793 Boston Rd Mailing Address: [Redacted] (If Different)

Email: [Redacted] Phone #: [Redacted]

Please Check All That Apply:

Day: [X] Weekday (Monday-Friday) [] Saturday [] Sunday (If Sunday, Form 90 Required)

Dancing: [X] By Patrons [X] By Entertainers [] No Dancing

Music: [X] Recorded [] Juke Box [X] Live Music [X] Amplification System [] No Music

Shows: [] Theatre [] Movies [] Floor Show [] Light Show [] No Show

[] Any dynamic audio or visual show whether live or recorded

Nudity: [] Nudity, as described in M.G.L. c. 140, § 183A [X] No Nudity

Admission: Yes [] No [X] If yes, how much \$ _____

Costumes Worn: Yes [X] No [] If yes, describe Themed characters (Elsa & clowns)

Other: Bowling _____ Video Games _____ Billiard Tables _____ Other Auto Amusement _____ (Indicate Quantity)

Please fully describe the proposed entertainment: (Type, dates, hours of operation, costumes worn, indoors/outdoors, number of maximum patrons/attendees, etc. Use separate sheet of paper if needed.)

Amplification system to be used at entertainers discretion - family friendly music - outdoors.
Live music during operating hours (3-7p) Mondays June 15th- sept 28th near pavilion.

[Signature]
Applicant

[Signature]
Date



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: Billerica Community Farmers Market

Address: [REDACTED]

City/State/Zip: Pinehurst Ma 01866 Phone #: [REDACTED]

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ 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 Farmers market

*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: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

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.

1/27/2026

Signature: [Signature] Date: _____

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 #: _____



Town of Billerica Police Department

6 Good Street
Billerica, MA 01821
(978) 215-9621 Fax (978) 670-2762
www.billericapolice.org

Criminal Record Background Check

Date: 1/27/2026

Release: I, Catherine A shubin
Name of Applicant

[REDACTED]
Date of Birth

allow the Town of Billerica Police Department to search my records to ascertain information on my personal history.

Authorization for Personal History:

This authorization will give the Billerica Police Department permission to research your background, personal history and character references.


Signature of Applicant

Application Approved: _____

Application Denied: _____

Reason: _____



Received

JAN 28 2026

Board of Assessors
Billerica, MA

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

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

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

ABUTTERS LIST REQUEST

Name Katie Shubin (BCFM) Date 1/27/2026
Address of Property 793 Boston Road Plate 99
Telephone Number [REDACTED] Parcel 96

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 [Handwritten Signature]

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 1/28/26 Amount \$10.00

Katieshubin@yahoo.com

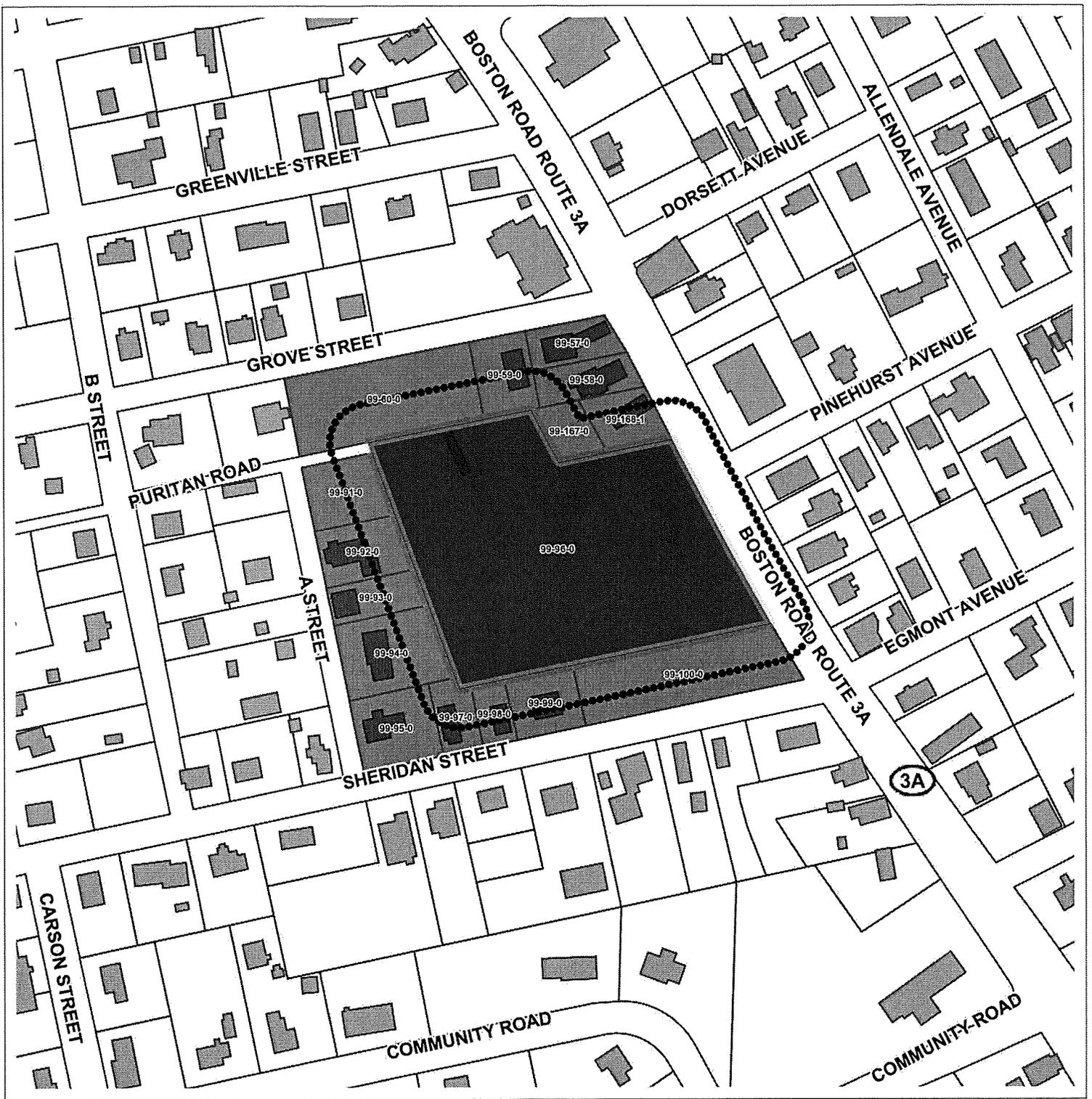
Abutters list for parcel 99-96-0 using direct abutters

PARCEL ID	LOCATION	OWNER 1	OWNER 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
99-100-0	BOSTON RD	TOWN OF BILLERICA	OLD DITSON SCHOOL (PART OF)	365 BOSTON RD		BILLERICA	MA	01821
99-167-0	REAR BOSTON RD	TOWN OF BILLERICA	OLD DITSON SCHOOL (PART OF)	365 BOSTON RD		BILLERICA	MA	01821
99-168-1	791 BOSTON RD	NTECH LLC		8 CRANE ST		BILLERICA	MA	01821-6165
99-57-0	787 BOSTON RD	GOLDEN LEAF REALTY LLC		787 BOSTON ROAD		BILLERICA	MA	01821-6243
99-58-0	789 BOSTON RD	SAVAGE JOHN R	FINLAY SHANNON R	789 BOSTON RD		BILLERICA	MA	01821-5811
99-59-0	4 GROVE ST	HARRELL JOSHUA S	JONES GREGORY	4 GROVE ST		BILLERICA	MA	01821
99-60-0	GROVE ST	TOWN OF BILLERICA	OLD DITSON SCHOOL (PART OF)	365 BOSTON RD		BILLERICA	MA	01821
99-91-0	A ST	TOWN OF BILLERICA	OLD DITSON SCHOOL (PART OF)	365 BOSTON RD		BILLERICA	MA	01821
99-92-0	4 A ST	MCDOWELL WESLEY		4 A ST		BILLERICA	MA	01821
99-93-0	6 A ST	SEVOV FAMILY TRUST	SEVOV HRISTO K TR	6 A ST		BILLERICA	MA	01821
99-94-0	8 A ST	SUN JIANHUA	QIU SHUMEI	8 A ST		BILLERICA	MA	01821
99-95-0	11 SHERIDAN ST	SEE JUAN		11 SHERIDAN ST		BILLERICA	MA	01821-5841
99-96-0	793 BOSTON RD	TOWN OF BILLERICA	OLD DITSON SCHOOL (PART OF)	365 BOSTON RD		BILLERICA	MA	01821
99-97-0	9 SHERIDAN ST	CONROY JOHN J, JR.	CONROY MARIANNE C.	9 SHERIDAN ST		BILLERICA	MA	01821
99-98-0	7 SHERIDAN ST	PALUMBO JOHN L.	PALUMBO CAROL ANN	7 SHERIDAN ST		BILLERICA	MA	01821
99-99-0	5 SHERIDAN ST	SEKAR ALAGUMEEENATCHI		5 SHERIDAN ST		BILLERICA	MA	01821-5841

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 made to ensure 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
 January 28, 2026

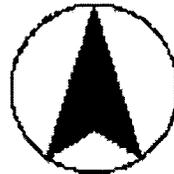


Abutters map for parcel 99-96-0 using direct abutters

Printed on 01/28/2026 at 12:14 PM

Legend

-  Parcel Boundary Selection
-  Parcel Boundary



The data shown on this site are provided for informational and tracing purposes only. The town and its consultants are not responsible for the misuse or

0 380 760 ft

**TOWN OF BILLERICA
NOTICE OF OUTDOOR ENTERTAINMENT
365 BOSTON RD
TOWN HALL
CONWAY HEARING ROOM (205) and VIA ZOOM
BILLERICA, MA
FEBRUARY 23, 2026 @ 6:00 PM**

Notice is hereby given that the Select Board will hold a discussion under the Select Board Policies and Procedure, Attachment I. Licensing Public Hearing Requirements on February 23, 2026 at 6:00 PM to act on an application from the Billerica Farmer's Market, concerning the property located at 793 Boston Road (old Ditson School), for various outside entertainment during the Billerica Farmer's Markets on Monday's from 12:00 PM - 9:00 PM (Operating Hours 2:00 PM to 7:00 PM) starting June 15, 2026 to September 28, 2026. The Select Board meeting will be hybrid and can be accessed in person or via the Zoom link provided
<https://us02web.zoom.us/j/83477138002>
A map has been provided to show the layout.

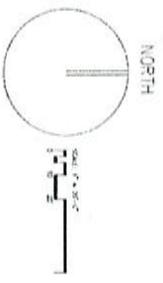
Cert. Mail on 2.4.26



- Legend:**
- A. Full Size Basketball Court
 - B. 2 Half Basketball Courts
 - C. Fitness Zone
 - D. Community Garden
 - E. Wiffle Ball
 - F. Parking
 - G. New Swings
 - H. Existing Playground
 - I. Pavilion + Benches

FORMER DITSON SCHOOL SITE - PARK CONCEPT

- 36 Vendors along the walkway
- 6 FT along the parking lot
- 2 Community Tables
- Parking inside the field behind vendors-
- vendors facing outwards



**PARK
CONCEPT**
AUGUST 12, 2024



option 1

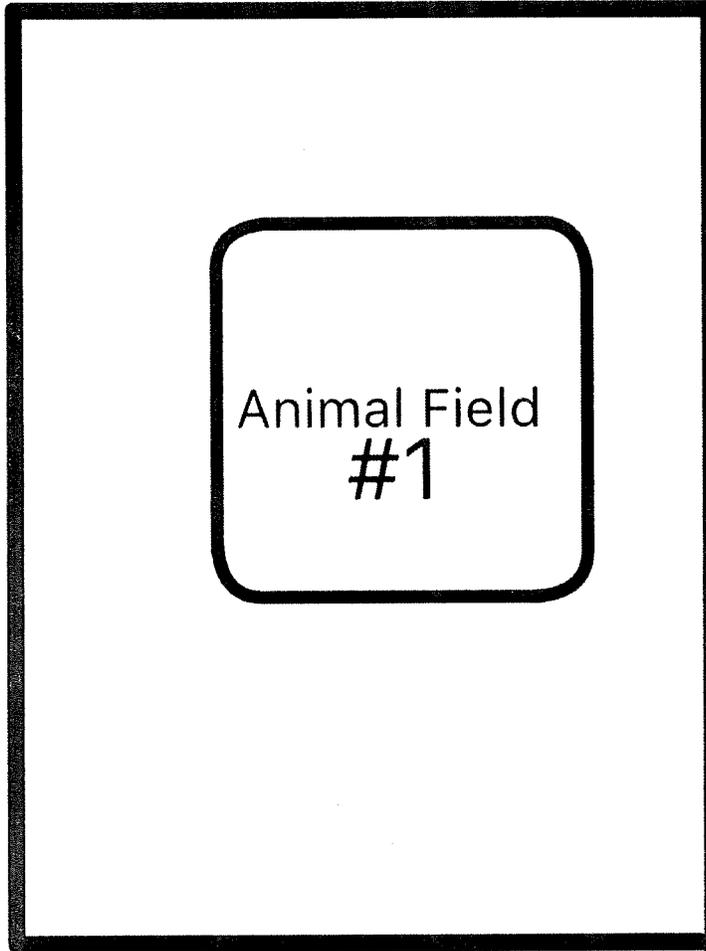
Nr Nr1

Ft4 Ft3 Ft2 Ft1

22 21 20 19 18 17

16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Pavillion



23

24

25

26

27

28

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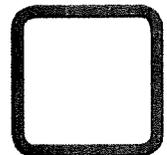
38

39

40

41 42

Emergency Egress



Market Entrance Via Grove



Animal Field #2



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/10/2025

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 J P INSURANCE, LLC 130 Main St Unit 1A Northborough, MA 01532	CONTACT NAME: JEFFREY PICHIERRI	
	PHONE (A/C, No, Ext): (508)393-9327	FAX (A/C, No): (508) 393-0001
E-MAIL ADDRESS: jeff.pichierri@american-national.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: FARM FAMILY CASUALTY INS CO		13803
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED
 MASS FEDERATION OF FARMERS AND GARDNERS
 200 FRIBERG PARKWAY, SUITE 3000B
 WESTBOROUGH, MA 01581

COVERAGES **CERTIFICATE NUMBER:** **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
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		2009L6291	5/10/2025	5/10/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y		2009E1257	4/18/2025	4/18/2026	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

BILLERICA COMMUNITY FARMERS MARKET, 793 BOSTON ROAD, BILLERICA, MA 01821
 LISTED AS ADDITIONAL INSURED AS REQUIRED BY WRITTEN AGREEMENT WITHIN THE PARAMETERS OF CG2010

CERTIFICATE HOLDER BILLERICA COMMUNITY FARMERS MARKET 793 BOSTON ROAD BILLERICA, MA 01821	CANCELLATION 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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SELECT BOARD

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

*Public Hearing
Complete Packet
K. Rufo*

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: Kerri Rufo
SUBJECT: 2/23/26-Public Hearing-NGRID WO#31235419
DATE: February 23, 2026

1. Filing & Petition Materials

- A complete joint petition and plan (WO #31235419) was submitted by National Grid and Verizon.
- Location plans and construction details were provided and included in the meeting packet.

2. Public Hearing Notice

- The public hearing has been properly scheduled and posted in accordance with the Open Meeting Law.
- Abutter notification was completed using a certified abutters list obtained from the Assessor's Office.
- Written notice was mailed to abutters within the required statutory timeframe.

3. Departmental Review

Comments were requested and received from the appropriate Town departments, including:

- **Department of Public Works** – reviewed and provided comments;
- **Electrical Inspector** – reviewed the plan and indicated no objections;
- **Public Safety / Police / Fire review** – no safety concerns identified.

Contractor Liability-Confirmation of Water and Sewer Markings From DPW is signed by National Grid on 2/5/26

MOTION

Secretary Darris-O'Conner made a motion to approve the petition WO# 31235419 as presented in the packet.

_____ seconded.

Documents:

NGrid application 1/14/26
Abutters List-1/14/26
Meeting Notice sent to abutters on 1/15/26
Memo to DPW, Police, Electrical for request from KR-1/15/26
Comment from DPW- 1/28/26
Comment from Safety Office-1/28/26
Comment from Electrical Insp. 1/21/26

Public Hearing wo# 31235419
Complete packet

nationalgrid

December 8, 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:

Nikolaos Konstantinou – Nikolaos.konstantinou@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 – Nikolaos Konstantinou – Nikolaos.konstantinou@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:

French Street - National Grid to install 1 JO pole on French Street beginning at a point approximately 171 feet East of the centerline of the intersection of Middlesex Turnpike. National Grid will install 45ft class HI mis-span pole between P17 & P18 French Street, Billerica, MA. Pole will be located on town property intersected by Middlesex Turnpike and Clermore Road. Pole to be labeled P17-50.

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 – French Street - Billerica, Massachusetts.

No.# 31235419

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.

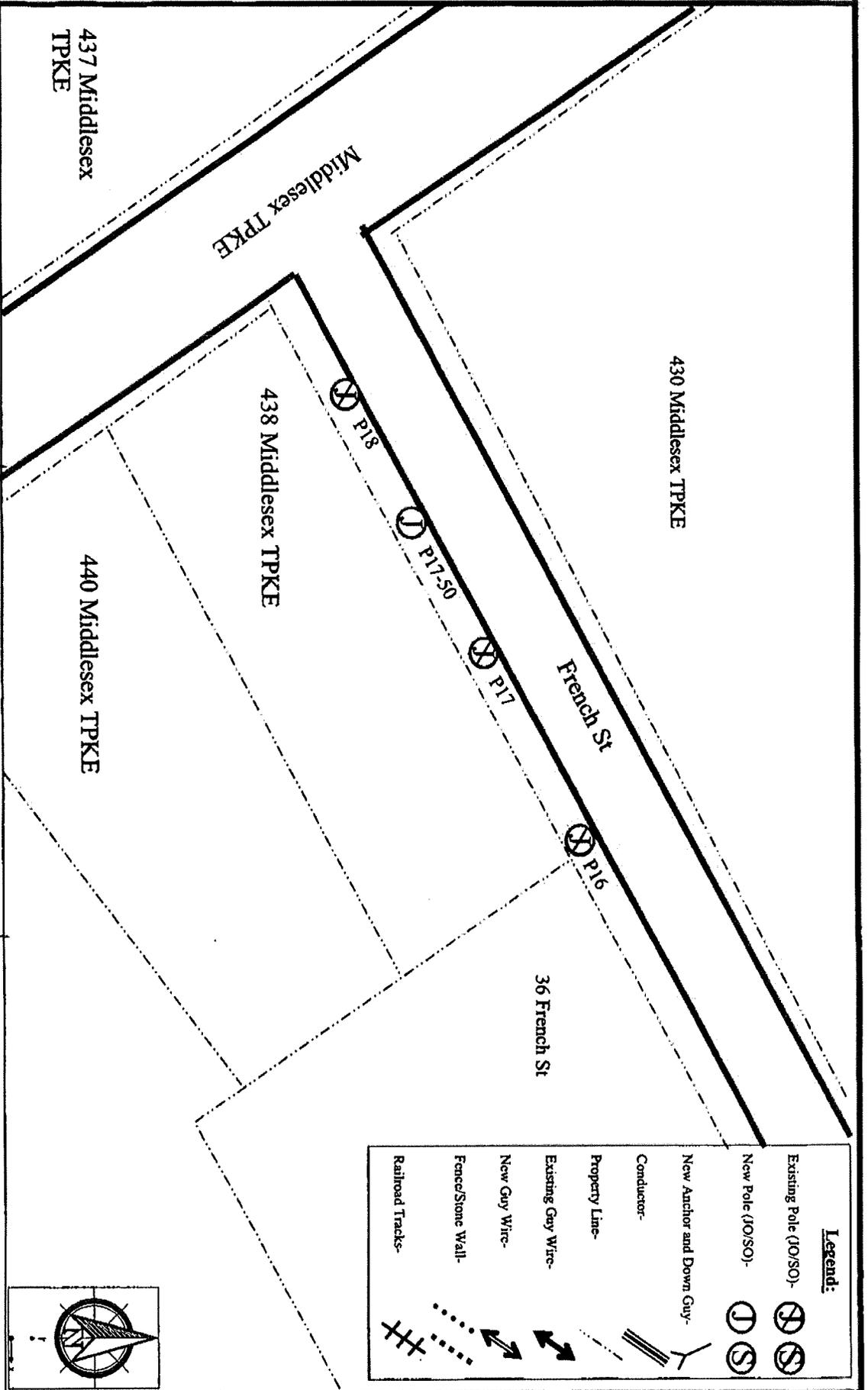
Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

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

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *AB* _____
Manager / Right of Way



Petition #:

Designer: Nikolaos Konstantinou

Date: 10/29/2025

Work Order #: 31235419

Town: Billerica, MA

Petition Sketch

CONSTRUCTION DETAILS:

Install 45ft Class HI mid-span pole between P17 and P18 French St, Billerica. Pole will be located on town property intersected by Middlesex Turnpike and Clermore Rd. Pole to be labeled 17-50.

national grid

Exhibit A-Not to Scale

The Exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof

December 8, 2025

Questions contact Design – Nikolaos Konstantinou – Nikolaos.konstantinou@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 29th day of October, 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 – Pollard Street - Billerica, Massachusetts.

No.# 31235419

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:

French Street - National Grid to install 1 JO pole on French Street beginning at a point approximately 171 feet East of the centerline of the intersection of Middlesex Turnpike. National Grid will install 45ft class H1 mis-span pole between P17 & P18 French Street, Billerica, MA. Pole will be located on town property intersected by Middlesex Turnpike and Clermore Road. Pole to be labeled P17-50.

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 .

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

Kerri Rufo

From: Kerri Rufo
Sent: Thursday, January 15, 2026 8:16 AM
To: Steve Robertson; Mike Ballou; Glen M. Magnan
Subject: FW: National Grid/Verizon WO#31235419-Request for comments by 2/1/26
Attachments: Public Hearing-National Grid wo#31235419.pdf

Sorry,

I need to add to this request for comments..

Project Location: French Street,

And also, permission to lay and maintain underground laterals, cable, and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purpose

From: Kerri Rufo
Sent: Thursday, January 15, 2026 7:38 AM
To: Steve Robertson <srobertson@billerica.gov>; Mike Ballou <mballou@billerica.gov>; Glen M. Magnan <gmagnan@billericapolice.org>
Subject: National Grid/Verizon WO#31235419-Request for comments by 2/1/26

Public Hearing Date: 2/23/26
Need Comments by: 2/1/26

Project Location: French Street,

Description: Installation of one (1) new 45-foot Class H1 mid-span utility pole on town-owned property on French Street, approximately 171 feet east of the centerline of the intersection with Middlesex Turnpike, near the intersection of Middlesex Turnpike and Clermore Road.

The new pole will be installed between existing poles P17 and P18 and will be designated as Pole P17-50. The pole will carry wires and related utility equipment for National Grid and Verizon.

Mike B.-a hard copy will be in the mailbox

Kerri Rufo
Executive Confidential Assistant to the Billerica Select Board

This e-mail notice is provided for informational purposes only and any discussion should take place at a properly posted meeting.



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

DPW

Location of Pole/Conduit:	French Street
Reason of Pole/Conduit:	<p>Installation of one new utility pole approximately 171 feet east of the intersection of French Street and Middlesex Turnpike, near the intersection of Middlesex Turnpike and Clermore Road, on town-owned property, between existing utility poles.</p> <p>And also, permission to lay and maintain underground laterals, cable, and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purpose</p>
Plan #:	31235419
Comments on Plan:	
<p>French Street roadway and sidewalk are under moratorium until 9/28/27. No pavements cuts in street or sidewalk allowed during moratorium. New pole must be placed behind sidewalk and must not obstruct existing sidewalk width. Care must be made to avoid sidewalk damage.</p> <p>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.</p> <p><u>DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.</u></p> <p>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.</p> <p>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).</p> <p>Contractor Acknowledgement Form is attached for signature.</p>	
Signature:	<i>Stephen Robertson</i> DPW Representative
Date:	1/28/26
Please return to the Select Board Office by: February 2, 2026	



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

CONTRACTOR ACKNOWLEDGEMENT FORM

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

Location of Pole/Conduit:	French Street
Reason of Pole/Conduit:	Installation of one new utility pole approximately 171 feet east of the intersection of French Street and Middlesex Turnpike, near the intersection of Middlesex Turnpike and Clermore Road, on town-owned property, between existing utility poles. And also, permission to lay and maintain underground laterals, cable, and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purpose
Plan #:	31235419
Comments on Plan: French Street roadway and sidewalk are under moratorium until 9/28/27. No pavements cuts in street or sidewalk allowed during moratorium. New pole must be placed behind sidewalk and must not obstruct existing sidewalk width. Care must be made to avoid sidewalk damage. 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).	

Dave Johnson

Signature - Utility Company Representative

2/5/26

Date

DAVID 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:	French Street
Purpose of Pole/Conduit:	Installation of one new utility pole approximately 171 feet east of the intersection of French Street and Middlesex Turnpike, near the intersection of Middlesex Turnpike and Clermore Road, on town-owned property, between existing utility poles. And also, permission to lay and maintain underground laterals, cable, and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purpose
Plan #:	31235419
Comments on Plan:	<i>No Comments</i>
Any Interference with line of sight?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Markings for Fire Hydrant Needed?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Resident's Complaints?	<i>NO KNOWN COMPLAINTS</i>
Signature:	<i>SGP. [Signature] #58</i>
Date:	<i>28 JAN 2026</i>
Please return to the Select Board Office By: February 2, 2025	



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

DPW

Electrical Inspector

Safety Officer, Police

Location of Pole/Conduit:	French Street
Purpose of Pole/Conduit:	Installation of one new utility pole approximately 171 feet east of the intersection of French Street and Middlesex Turnpike, near the intersection of Middlesex Turnpike and Clermore Road, on town-owned property, between existing utility poles. And also, permission to lay and maintain underground laterals, cable, and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purpose
Plan #:	31235419
Comments on Plan:	No
Any Interference with line of sight?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Markings for Fire Hydrant Needed?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Resident's Complaints?	No
Signature:	<i>Mr. Ballou</i>
Date:	1-21-26
Please return to the Select Board Office By: February 2, 2025	



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

Billerica Town Manager PM2:33
RCID JAN 14 9:26

JAN 14 2026

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 *K. Rufo - National Grid* Date January 14, 2026

Address of Property: 36 French Street PI _____

Telephone Number _____

I request one copy of the following abutters list and three copies of this service shall be \$2.00 per name. The list shall be available requested date or earlier.

Signature of applicant _____

Types of Abutters

There are four types of abutters lists which may be required in the event you are seeking approval from and the particular request you are making. Please contact the applicable board or commission to determine which type of list you need.

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

A. Direct Abutters - Direct Abutters to Parcel

This list contains direct abutters only. Properties across the street that have not been discontinued, are not included. (This list should be improved if road construction is involved.)

B. Abutters Within 100 Feet

This list contains all abutters within 100 feet of the parcel, including ways, municipal borders or bodies of water.

C. Abutter to Abutter Within 300 Feet

This list contains abutters to direct abutters within 300 feet between the subject parcel and the abutting property within 300 feet.

D. All Property Owners Within 300 Feet (Cell Tower)

This list contains all properties within 300 feet of the subject parcel. All rules apply.

Assessor's Signature John B. Speidel Date 1/14/26

TOWN OF BILLERICA
Billerica, Massachusetts 01821

Date 1/14/26

Payee National Grid (Kerru Rufo)

the sum of \$ 4.00

For Abutters List

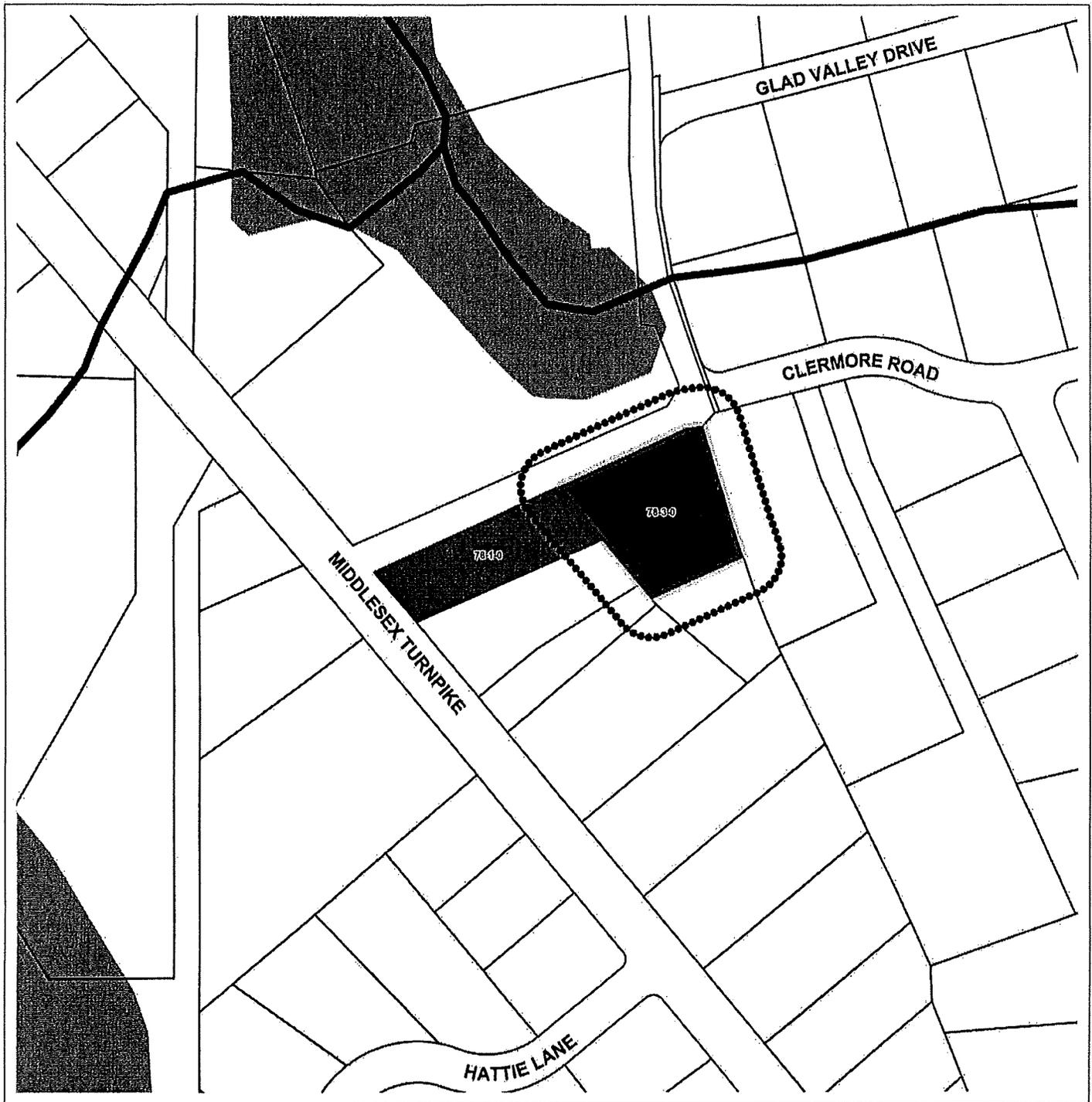
Account # 11-118-13225
36 French St (A)

<input type="checkbox"/> BOARD OF HEALTH	<input type="checkbox"/> LIBRARY
<input type="checkbox"/> BUILDING	<input type="checkbox"/> POLICE
<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> SELECTMEN
<input type="checkbox"/> FIRE DEPT.	<input type="checkbox"/> TOWN CLERK
<input type="checkbox"/> D. P. W.	<input type="checkbox"/> TREASURER
<input type="checkbox"/> ASSESSORS	<input type="checkbox"/> ELECTRICAL
<input type="checkbox"/> RECREATION	<input type="checkbox"/> PLUMBING
<input type="checkbox"/> DOG OFFICER	<input type="checkbox"/> SCHOOL
<input type="checkbox"/> BOARD OF APPEALS	<input type="checkbox"/> PLANNING BOARD

CASH CHECK MONEY ORDER

2 x 10.40

Amount \$4.00

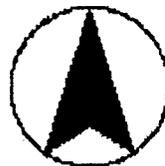


Abutters map for parcel 78-3-0 using direct abutters

Printed on 01/14/2026 at 03:03 PM

Legend

-  Parcel Boundary Selection
-  Parcel Boundary



The data shown on this site are provided for informational and planning purposes only. The town and its consultants are not responsible for the reliance on information shown on this site.



PARCEL ID	LOCATION	OWNER 1	OWNER 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
78-1-0	438 MIDDLESEX TP 36 FRENCH ST	MCCARTHY FAMILY REVOCABLE TRUS BABINEAU DAVID C	MCCARTHY DENNIS J TR BABINEAU DINA L	438 MIDDLESEX TP 36 FRENCH ST		BILLERICA BILLERICA	MA MA	01821-9522 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 made to ensure 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
 January 14, 2026



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*

NOTICE OF HEARING

To: Owner(s) of Property Abutting or Opposite French Street, Billerica, MA

Please take notice that the Billerica Select Board will hold a hearing on the petition of Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. requesting permission to install and maintain a utility pole, wires, and related equipment in the public way, as follows:

Location of Proposed Work:

French Street, Billerica, MA

Installation of one new utility pole approximately 171 feet east of the intersection of French Street and Middlesex Turnpike, near the intersection of Middlesex Turnpike and Clermore Road, on town-owned property, between existing utility poles.

And also, permission to lay and maintain underground laterals, cable, and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purpose

WO# 31235419

Date: February 23, 2026

Time: 6:05 PM

Place: Billerica Town Hall, Thomas Conway Room #205, located on the 2nd floor (Hybrid Meeting)

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

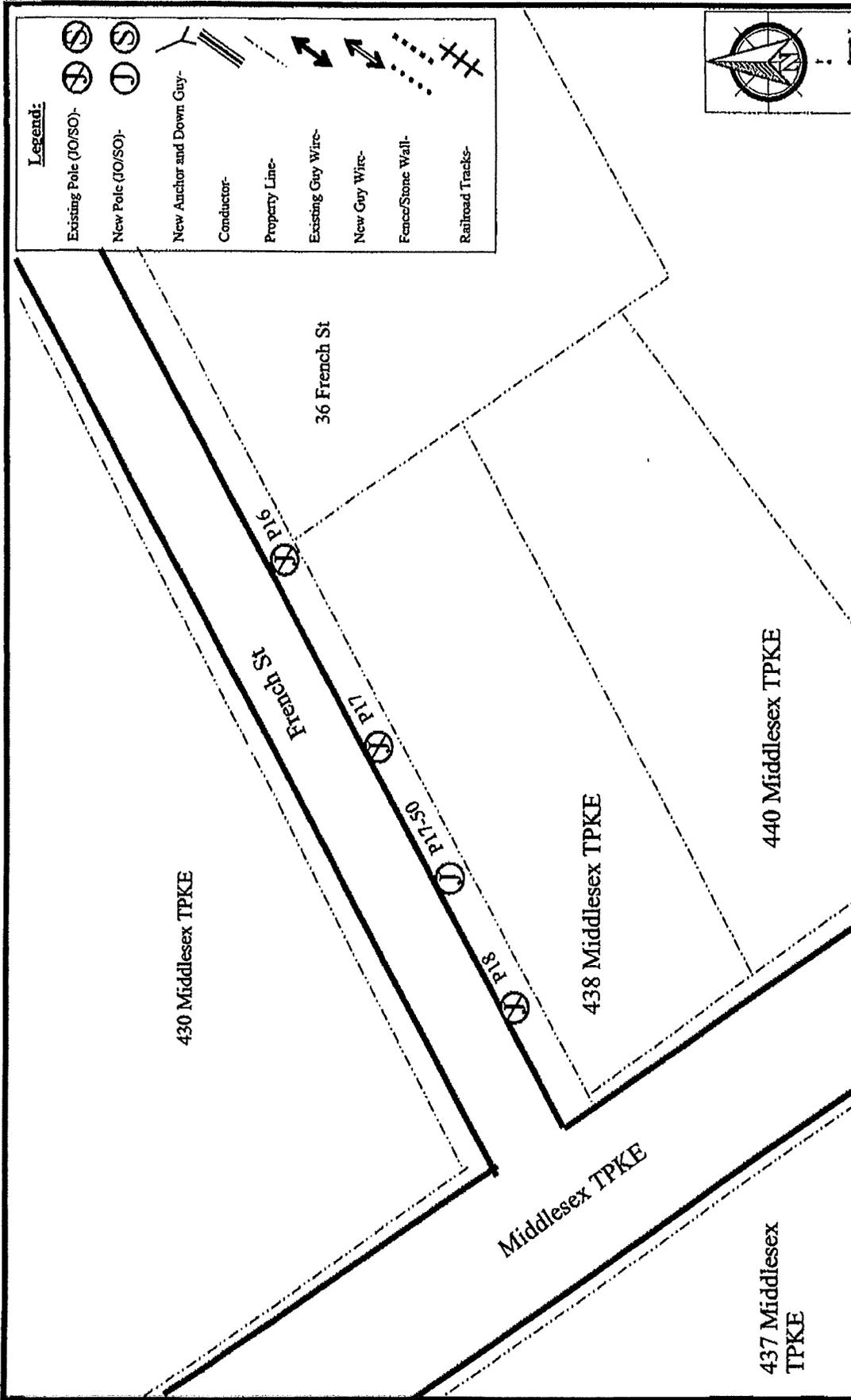
Phone: 1-929-205-6099

All interested parties are invited to be heard.

Any Questions on this hearing contact

Nikolas Konstantinou at Nikolaos.konstantinou@ntionalgrid.com

By order of the Billerica Select Board



<p>Petition #:</p> <p>Designer: Nikolaos Konstantinou Date: 10/29/2025 Work Order #: 31235419 Town: Billerica, MA</p>	<p>Petition Sketch</p> <p>CONSTRUCTION DETAILS: Install 45ft Class H1 mid-span pole between P17 and P18 French St, Billerica. Pole will be located on town property intersected by Middlesex Turnpike and Clermore Rd. Pole to be labeled 17-50.</p>	<p>nationalgrid</p> <p>Exhibit A-Not to Scale The Exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof</p>
---	---	--

EVERY

5960[®]

MCCARTHY FAMILY REVOCABLE TRUS
MCCARTHY DENNIS J TR
438 MIDDLESEX TP
BILLERICA, MA 01821-3522

BABINEAU DAVID C
BABINEAU DINA L
36 FRENCH ST
BILLERICA, MA 01821

Easy Peel[®] Address Labels
Bend along line to expose Pop-up Edge[®]

BABINEAU DAVID C
BABINEAU DINA L
36 FRENCH ST
BILLERICA, MA 01821

MCCARTHY FAMILY REVOCABLE TRUS
MCCARTHY DENNIS J TR
438 MIDDLESEX TP
BILLERICA, MA 01821-3522

Go to avery.com/templates
Use Avery Template 5160

MCCARTHY FAMILY REVOCABLE TRUS
MCCARTHY DENNIS J TR
438 MIDDLESEX TP
BILLERICA, MA 01821-3522

BABINEAU DAVID C
BABINEAU DINA L
36 FRENCH ST
BILLERICA, MA 01821

Pat: avery.com/patents

Étiquettes d'adresse Easy Peel[®]
Repliez à la hachure afin de révéler le rebord Pop-up[®]

Allez à avery.ca/gabarits
Utilisez le Gabarit Avery 5160



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: Chair Jillian Pavidis
SUBJECT: 2/23/26-Creation of a Select Board Policy Review Committee
DATE: February 18, 2026

Purpose

The purpose of this memorandum is to propose the creation of a temporary Select Board Policies Review Committee to conduct a comprehensive review of existing Select Board policies and procedures.

Background

Over time, Select Board policies and procedures may become outdated, inconsistent, or unclear due to changes in law, practice, or governance needs. A focused review will help ensure that the Board's policies remain current, internally consistent, transparent, and aligned with best municipal governance practices.

Charge of the Committee

The proposed committee would be tasked with:

- Reviewing existing Select Board policies and procedures
- Identifying policies that are outdated, unclear, duplicative, or inconsistent
- Recommending revisions, consolidations, or new policies as appropriate
- Reporting findings and recommendations back to the full Select Board for consideration

The committee shall serve in an **advisory capacity only** and shall have **no independent decision-making authority**.

Composition and Duration

The Select Board shall determine the committee's membership, structure, and duration. The committee shall exist only for the period necessary to complete its review and present recommendations to the Board.

Action Requested

That the Select Board discuss and consider a vote to establish a **Select Board Policies Review Committee** as outlined above.

Optional Motion Language (for the agenda)

_____ *move to establish a temporary Select Board Policies Review Committee for the purpose of reviewing existing Select Board policies and procedures, identifying outdated, unclear, or inconsistent provisions, and making advisory recommendations to the full Select Board.* _____ *Seconded.*

MEMO

Shawsheen Valley Technical High School



TO: Town Officials
FROM: Tony McIntosh
SUBJECT: Warrant Article Request
DATE: January 29, 2026

Dear Town Officials,

The Shawsheen Valley Regional Vocational Technical School District is moving forward in the Massachusetts School Building Authority (MSBA) process and is now preparing to secure funding for the required Feasibility Study. This study is a critical step in evaluating facility needs, exploring potential solutions, and determining the most cost-effective path forward for the District's long-term infrastructure planning.

While the District is actively pursuing opportunities to offset a portion of the study's cost, it is prudent—out of an abundance of caution—to request authorization for the full estimated amount. The current projected cost of the Feasibility Study is approximately \$1.5 million.

To ensure that the financial responsibility is shared equitably among the five sending communities, the District's School Committee voted to allocate each town's contribution based on its number of enrolled students. Using October 1, 2025, enrollment numbers, and applying the estimated total study cost of \$1.5 million, the per-student assessment is calculated at \$1,159. Each town's contribution would therefore be determined by multiplying its enrollment count by this per-student amount.

In order to move this process forward in a timely manner, the District respectfully requests that a warrant article be added to your Annual Town Meeting agenda to allow residents to vote on the proposed funding for the MSBA Feasibility Study. Your support in placing this item on the warrant is essential to maintaining progress within the MSBA timeline.

I look forward to continued collaboration as we advance this important initiative for our students and communities.

Sincerely,

Tony McIntosh
Superintendent-Director



BUILDING FOR THE FUTURE OF SHAWSHEEN TECH

WHY MEMBER TOWNS ARE BEING ASKED TO FUND A REQUIRED FEASIBILITY STUDY



THE CHALLENGES FACING THE CURRENT BUILDING



OVERCROWDED

Built for 1,000, now serving 1,300 students



AGING SYSTEMS

Infrastructure limits opportunity for modern learning



COST OF UPKEEP

Cost of maintaining an aging facility continues to increase

UNDERSTANDING THE MSBA PROCESS

The Massachusetts School Building Authority (MSBA) works with local communities to create affordable, sustainable, and energy efficient schools across Massachusetts.

Shawsheen Tech has been invited into the MSBA's 270-day Eligibility Period, an early step toward potential state funding for renovations or a new building.

DEADLINE:

Funding must be secured by **May 28, 2026** to remain in the MSBA pipeline.

THE FEASIBILITY STUDY: WHAT IS AT STAKE

What the Feasibility Study Does

- Assesses current building conditions
- Compares options: renovate or rebuild
- Identifies cost & funding scenarios

If Funding is Not Approved

- ✗ The project stops
- ✗ Shawsheen loses eligibility for state funding
- ↪ The district remains in a cycle of costly repairs to keep the building operational

COST OF THE FEASIBILITY STUDY

Total: **\$1,498,587**

Town-by-Town Cost Breakdown *(based on Oct 1, 2025 enrollment numbers)*

Town	Cost (not to exceed)
Bedford	\$61,427
Billerica	\$554,002
Burlington	\$165,737
Tewksbury	\$405,650
Wilmington	\$311,771



This vote does not decide a building. It decides whether the district can fully explore its options and stay eligible for state funding.

Shawsheen Valley Regional Vocational Regional School District

Massachusetts School Building Authority (MSBA)

Building Project

MSBA Building Process

Steps primarily for:

Districts

Construction Professionals

ELIGIBILITY PERIOD

FORMING THE PROJECT TEAM

FEASIBILITY STUDY

SCHEMATIC DESIGN

FUNDING THE PROJECT

DETAILED DESIGN

CONSTRUCTION

COMPLETING THE PROJECT

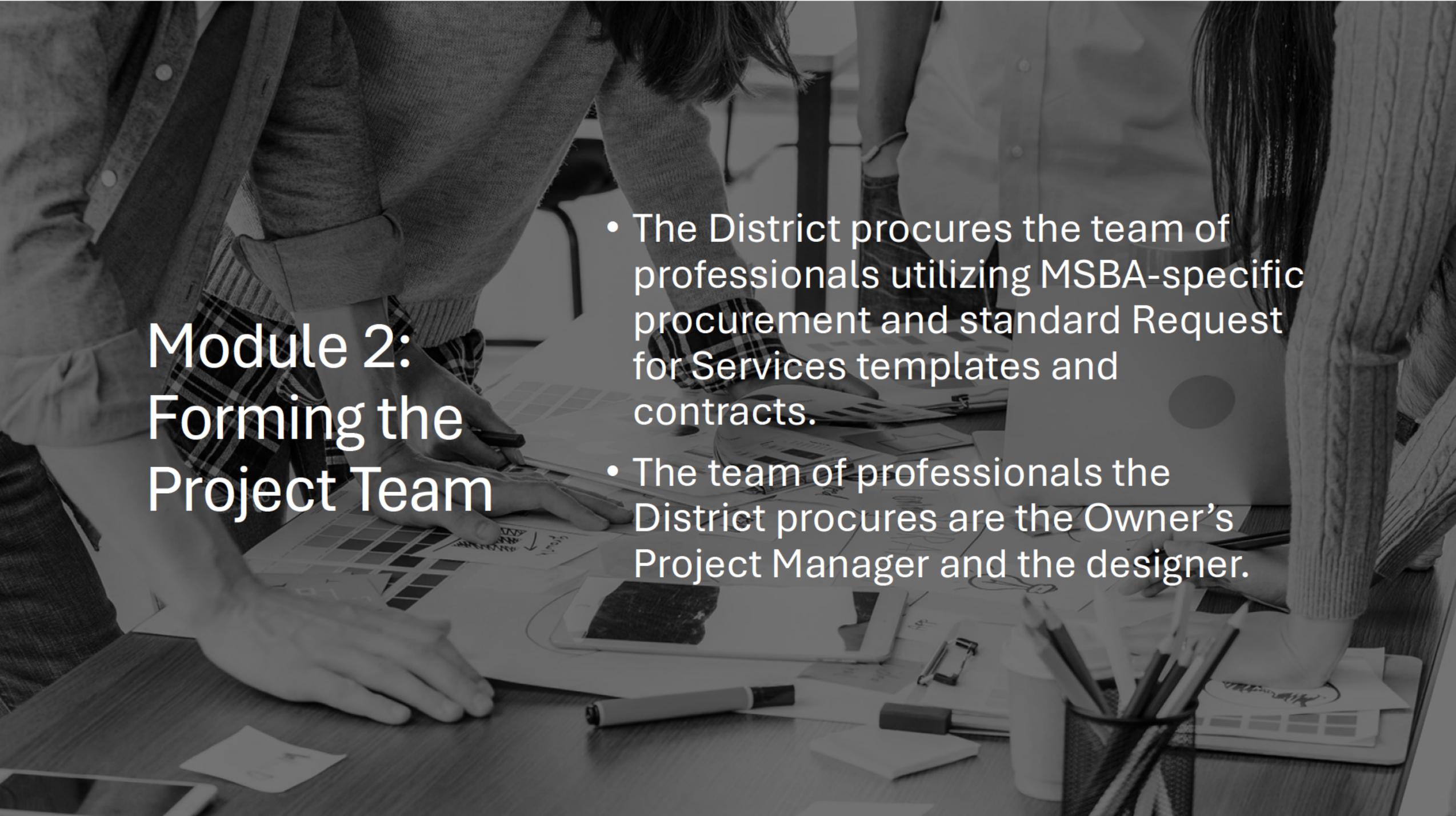
POST OCCUPANCY EVALUATION

Module 1: Eligibility Period

Eligibility Period

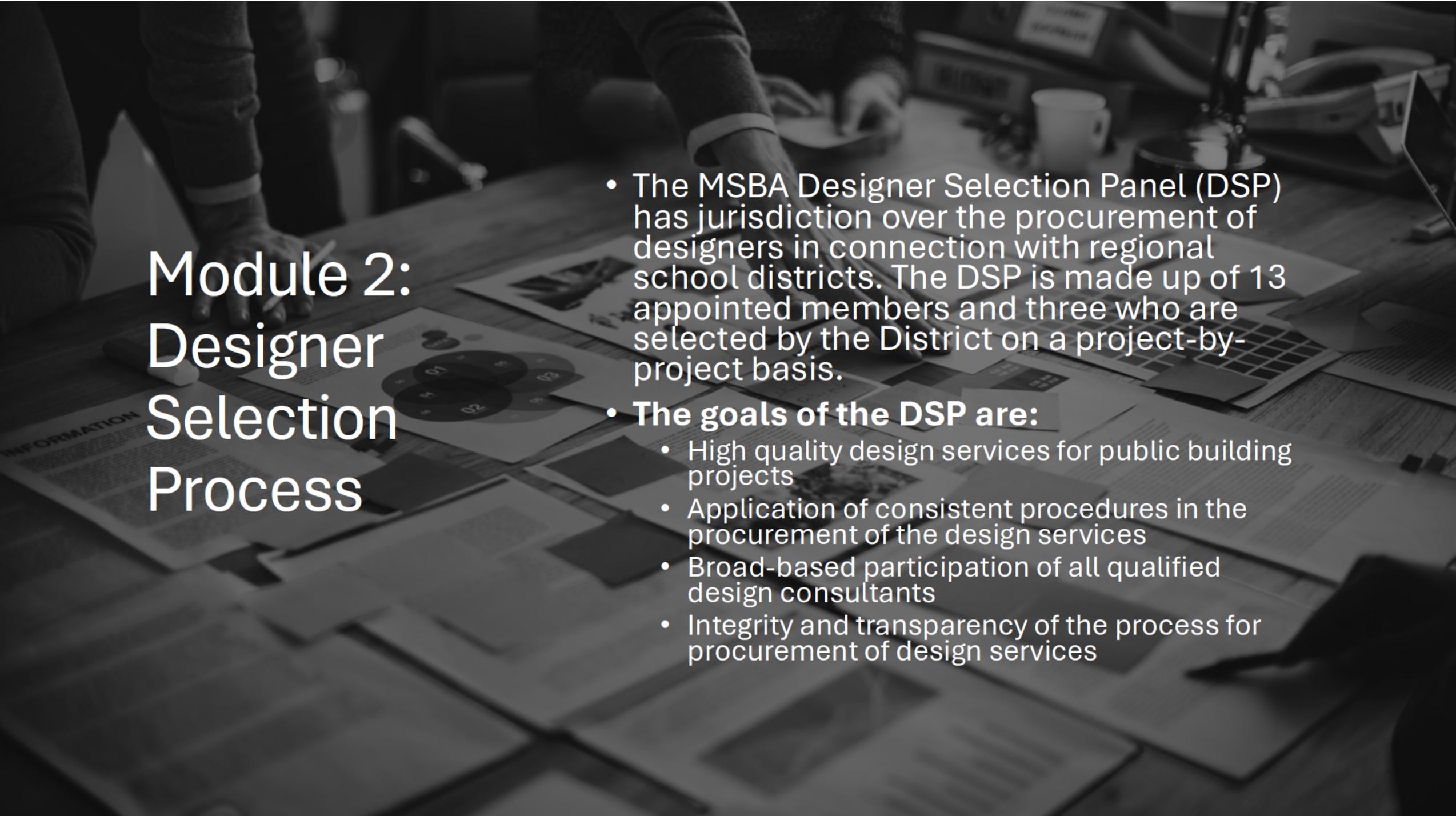
Up to 270 Days





Module 2: Forming the Project Team

- The District procures the team of professionals utilizing MSBA-specific procurement and standard Request for Services templates and contracts.
- The team of professionals the District procures are the Owner's Project Manager and the designer.



Module 2: Designer Selection Process

- The MSBA Designer Selection Panel (DSP) has jurisdiction over the procurement of designers in connection with regional school districts. The DSP is made up of 13 appointed members and three who are selected by the District on a project-by-project basis.
- **The goals of the DSP are:**
 - High quality design services for public building projects
 - Application of consistent procedures in the procurement of the design services
 - Broad-based participation of all qualified design consultants
 - Integrity and transparency of the process for procurement of design services

Module 3: Feasibility Study

The purpose of the Feasibility Study is for the District, its OPM, Designer, and the MSBA to explore potential solutions that meet the requirements of the District's Educational Program, Chapter 74 Viability Report, and to determine the most cost effective and educationally appropriate solution for the MSBA Board of Directors' consideration.

Module 3: Feasibility Study

The District and its team collaborate with the MSBA to document:

Educational programs.

Generate an initial space
summary.

Document existing conditions.

Establish design parameters.

Develop and evaluate
alternatives.

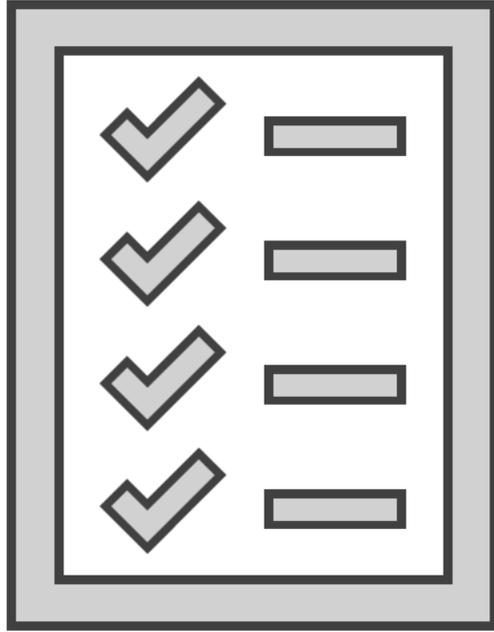
Recommend the most cost
effective and educationally
appropriate preferred solution
to the MSBA Board of
Directors for their
consideration.

Module 4: Schematic Design

The District and its team, in collaboration with the MSBA, develop a robust schematic design of sufficient detail to establish the scope, budget and schedule for the Proposed Project.

The MSBA generates a Project Scope and Budget Agreement that documents the project scope, budget, schedule and MSBA financial participation to forward to the MSBA Board of Directors for their consideration.

Module 5: Funding the Project



- The District and MSBA establish and document the project scope, budget, schedule, and MSBA financial participation to forward to the MSBA Board of Directors for their approval.
- Upon Board approval of a proposed project, the District and the MSBA may enter into a Project Scope and Budget Agreement that defines the project scope, budget, schedule, and potential MSBA participation in the project.
- Module 5 provides guidance on MSBA vote language and outlines steps necessary to be completed by the District to enter into a Project Scope and Budget Agreement and a Project Funding Agreement with the MSBA.
- Once the District secures community authorization and financial support, the MSBA and the District enter into a Project Funding Agreement, which also defines the scope, budget and schedule for the project.
- Once a Project Funding Agreement is executed, the District can begin submitting requests for reimbursement to the MSBA for project costs beyond the feasibility study.

Module 7: Construction

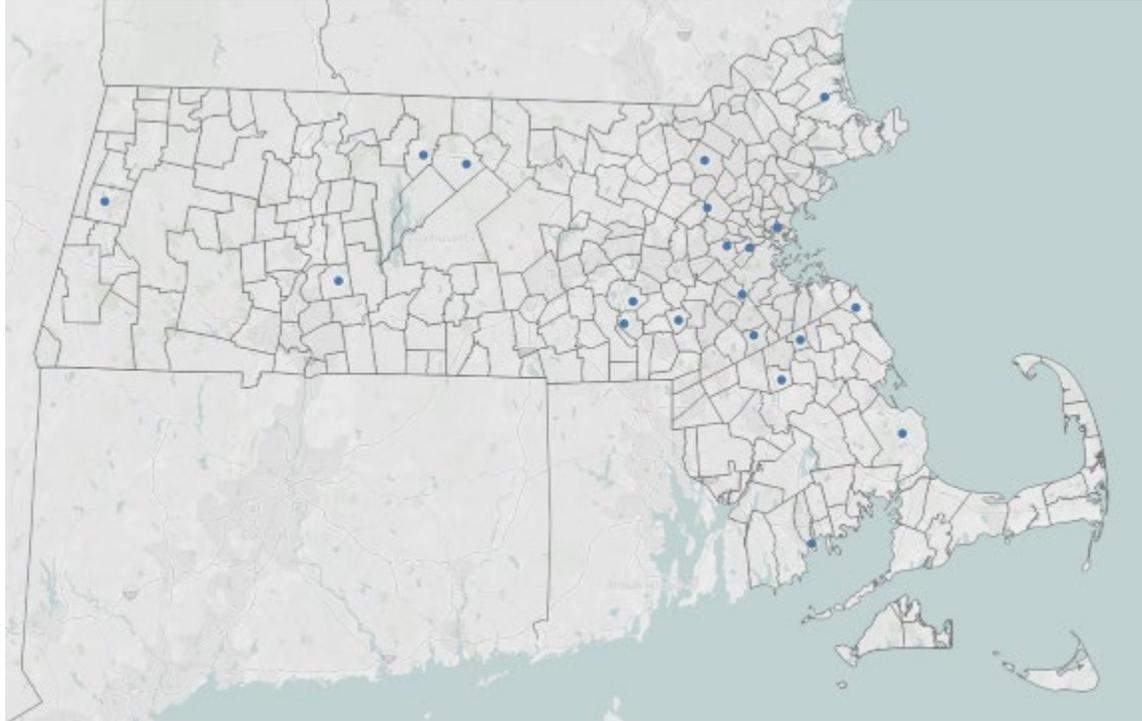
- The District and its team continue to collaborate with the MSBA to report on the progress of the project and to confirm that it remains on schedule, within budget, and meets the expectation of both the District and the MSBA as defined in the Project Funding Agreement.
- Module 7 provides information districts will need to:
 - Process Reimbursement Requests System
 - Reconcile its Total Project Budget in an Amendment to the PFA to account for the actual construction costs based on executed bid/Guaranteed Maximum Price
 - Submit change orders and Guaranteed Maximum Price Contingency Expenditures consideration for eligibility



Module 8 : Completing the Project

Once the MSBA has reimbursed the district up to 95% of the estimated grant, the MSBA will place the remaining payments to the district on hold until the district has submitted all materials required, and an audit has been completed and approved by the Board of Directors.

Module 9: Post Occupancy Evaluation



The data and feedback collected as part of the Post Occupancy Evaluation process enables the MSBA, school districts, and the consultant community to apply lessons learned to future school building projects.

The value of the MSBA's POE process is the cumulative data it gathers and the trends it compiles. It is not intended to single out the performance of individual designers, owners, project managers, contractors, or school districts.



Questions?

NMCOG Annual Report for the Town of Billerica

BILLERICA SELECT BOARD MEETING

January 23, 2026



**NORTHERN
MIDDLESEX
COUNCIL OF
GOVERNMENTS**
SERVING THE REGION SINCE 1963

ABOUT US

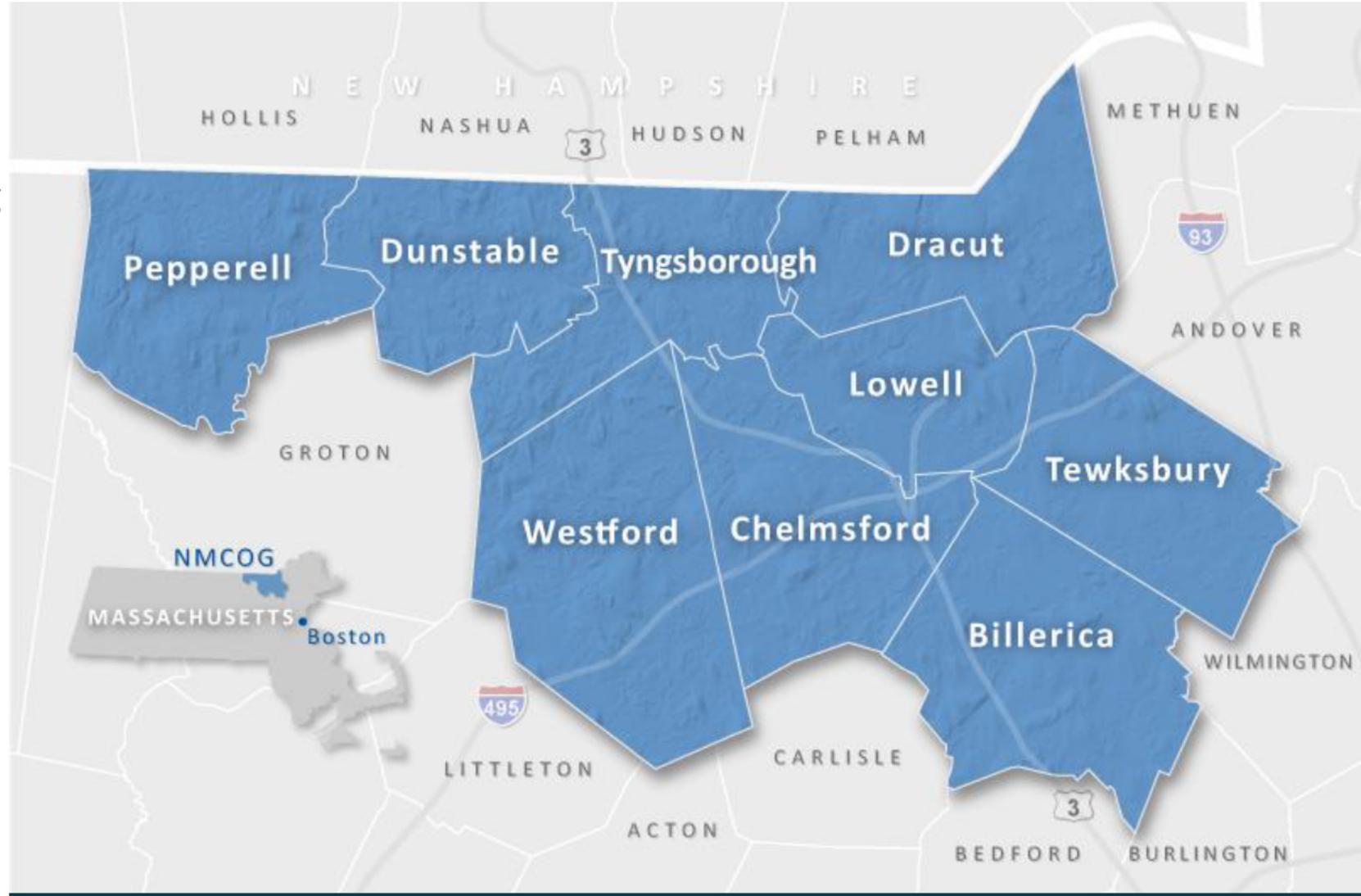
Regional planning agency established in 1963 to increase municipal capacity, foster regional cooperation and coordination, and provide local and regional planning services to member communities

Governed by an 18-member Council with representation from nine municipalities in Greater Lowell

Strategic Plan 2025-2028

Strategic Priorities

- Mobilize and accelerate local and regional plan attainment and goals
- Lead regional collaboration, advocacy, and engagement
- Ensure the ongoing health and growth of the agency



LOCAL DESIGNEES



Dina Favreau
Select Board
Representative



Christopher Tribou
Planning Board
Representative

- Also served as Assistant
Clerk beginning November
2025



Alternate
Mary McBride

-Also served as Clerk

OUR WORK WITH THE TOWN

- MBTA Communities Technical Assistance
- ADU Bylaw Update
- Site Plan Review
- Guidance Memo on updating the Master Plan
- Digital Equity implementation
- Green Communities compliance and support
- Regional Housing Services Office pilot
- LRTA Jobs Accessibility Analysis
- Transportation Improvement Program (TIP)
(Yankee Doodle Bike Path Phases 1 and 2; intersection improvements at Boston Road (Route 3A), Lexington Street, and Glad Valley Road; and the rehabilitation on Boston Road (Route 3A) from Billerica Town Center to Floyd Street)
- Regional traffic counting program
- LRTA capital and operational support

REGIONAL COLLABORATION

- [Northern Middlesex Stormwater Collaborative](#)
- [Greater Lowell Stronger Together 2025-2030 Comprehensive Economic Development Strategy](#)
- [At Home in Greater Lowell: regional housing strategy](#)

- [Envision 2050](#)
- [Greater Lowell Vision Zero Plan](#)
- [Greater Lowell Bicycle and Pedestrian Plan](#)
- [LRTA Bus Stop Inventory](#)
- [Regional Digital Equity Plan](#)
- Northern Middlesex CEO Group



WHAT'S NEXT

- Support Site Plan Review Amendments through Town Meeting
- Next Steps in Master Plan process
- Digital Equity implementation
- Update to Subdivision Rules and Regulations
- Trail Map booklet
- [At Home in Greater Lowell Phase 2](#)
- [Northern Middlesex Comprehensive Watershed Study – Merrimack River Revive](#)
- [Green Communities](#) regional support
- [Pilot of TIP Funding Programs](#)





NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS

SERVING THE REGION SINCE 1963

Jenny Raitt
Executive Director
jraitt@nmcog.org
(978) 454-8021 ext 120

Kelly Lynema, AICP
Deputy Director
klynema@nmcog.org
(978) 454-8021 ext 116



MEMORANDUM

Date: February 13, 2026
To: Members of the Billerica Select Board
From: Jennifer Raitt, Executive Director and Kelly Lynema, AICP, Deputy Director
Re: NMCOG Annual Report Presentation

On behalf of the Northern Middlesex Council of Governments (NMCOG), we appreciate the opportunity to attend your upcoming Select Board meeting on March 23, 2026, to present our annual update to the Town.

Our presentation will provide a comprehensive overview of NMCOG's work over the past year, with particular emphasis on projects completed in partnership with the Town in 2025 and the initiatives planned for the current calendar year. We will also highlight broader regional planning efforts and initiatives underway across the region, as well as progress made in advancing the goals and priorities outlined in [our Strategic Plan](#).

We value our continued partnership with the Town and look forward to discussing our work, answering the Board's questions, and exploring how we can continue to support Billerica's priorities in the year ahead.

Dina Favreau

From: Dina Favreau
Sent: Tuesday, March 18, 2025 11:11 AM
To: mkm7262@comcast.net; Mark LaLumiere
Cc: Clancy Main; Dawn McDowell
Subject: RE: Historic Districts Commission

Hi Mary,

Thank you for this info. It's very helpful. Looks like the word I was looking for last night was the certificate noted in the section you referenced here in your email.

In reviewing the bylaws, I note the following provisions and believe they take precedence over Article 7:

Section 5: Powers and Duties of the Commission

(11) *To serve in an advisory capacity to the Selectmen of said town*, planning board of said town, director of planning of said town, Massachusetts Historical Commission, and other public agencies, in matters pertaining to or affecting any historical structures, sites, or areas or assets of archaeological interest in said town.

Section 9: Ordinary Maintenance Exemption

Nothing in this By-Law shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material, color or the outward appearance thereof, subject to the application requirements of Section 12(c) of this By-Law, nor to prevent landscaping with plants, trees or shrubs, nor to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of this By-Law.

I can appreciate that the HDC's declination, but I believe that the request was made on three separate occasions. In the interest of transparency, I believe it best serves the town to take place in an open session meeting, so I am concerned about the refusal to meet. Especially since the condition of the Gazebo continues to pose a liability to the town and continues to worsen.

What would help me understand the HDC's deliberations and discussion on this matter would be a copy of the meeting minutes where these decisions not to attend the Select Board meeting were made. Can you please send me the meeting minutes and meeting recordings, so I can review?

I appreciate your time in this matter and thank you again for sending the bylaws.

Kind regards,
Dina M. Favreau
Vice Chair
Billerica Select Board

From: mkm7262@comcast.net <mkm7262@comcast.net>

Sent: Monday, March 17, 2025 8:35 PM

To: Mike Rosa <mrosa@town.billerica.ma.us>; Dina Favreau <dfavreau@town.billerica.ma.us>; Mark LaLumiere <mlalumiere@town.billerica.ma.us>

Cc: Clancy Main <cmain@town.billerica.ma.us>; Dawn McDowell <selectboard@town.billerica.ma.us>

Subject: Historic Districts Commission

[EXTERNAL EMAIL]

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

Good evening,

I'm writing as the Secretary of the Billerica Historic Districts Commission to try to help figure out the impasse which exists re the Gazebo on the Common.

I am attaching the ByLaws of the HDC which I have also sent to the entire Select Board twice previously. I think that Article 7 especially is relevant in this instance.

It is not true that HDC members can't decide what to do. At the last meeting that we discussed the Gazebo we were pretty much on the same page.

The HDC members would be happy to meet IN A JOINT SESSION with the Select Board to discuss the Gazebo. This was suggested at least twice at Select Board meetings, and when I reached out to Dawn to try to schedule this promised meeting, she had been told we could instead be an agenda item at one of your meetings. That is not the same as a Joint Meeting of two Boards, and we declined. The topic needs to be discussed in a professional manner, face to face, not with one committee's members sitting in the audience.

I think scheduling that Joint Meeting would be beneficial to all. Just let me know a couple of possible dates and we will discuss and get right back to Dawn.

Thank you for your cooperation.

Mary

Mary K. McBride, Secretary
Billerica Historic Districts Commission
mkm7262@comcast.net
508-380-9607

Dina Favreau

From: Dina Favreau
Sent: Thursday, February 19, 2026 12:12 PM
To: 'David Gagliardi'
Cc: Kerri Rufo; Mary McBride; Mark LaLumiere; Jillian Pavidis; Christopher Dillon
Subject: RE: Follow Up: Monday Feb. 23rd Select Board Meeting - RE: Gazebo Repairs

Hi Dave,

Thank you for your response. While I appreciate your reply, I am surprised to hear that my earlier emails went to spam. I am curious as to whether Mary McBride's email, which copied you, may have been filtered similarly?

As this matter involves an important public asset, timely and direct communication between our boards is essential. I would like to call your attention to the HDC Bylaws, Section 5: Powers and Duties of the Commission, which states:

“(11) **To serve in an advisory capacity to the Selectmen of said town**, planning board of said town, director of planning of said town, Massachusetts Historical Commission, and other public agencies, in matters pertaining to or affecting any historical structures, sites, or areas or assets of archaeological interest in said town.”

The needed repairs to the gazebo clearly fall within this scope. Participation in a joint discussion with the Select Board is not merely optional collaboration; it is consistent with the Commission's stated advisory role under its governing bylaws.

This is now the fourth time a request for the HDC to appear before the Select Board to work collaboratively toward a resolution has been declined. Repeated refusals to engage raise concerns about the Commission's fulfillment of its advisory responsibilities and hinder our ability to address the repair needs in a transparent and coordinated manner.

It is imperative that the HDC attend the Select Board meeting, so that we may collectively fulfill our governance obligations and move forward in the best interest of the Town.

Kind regards,
Dina M. Favreau
Billerica Select Board

From: David Gagliardi <mdx254@hotmail.com>
Sent: Thursday, February 19, 2026 11:40 AM
To: Dina Favreau <dfavreau@billerica.gov>
Cc: Kerri Rufo <selectboard@billerica.gov>; Mary McBride <mkm7262@comcast.net>; Mark LaLumiere <mlalumiere@billerica.gov>; Jillian Pavidis <jpavidis@billerica.gov>; Christopher Dillon <cdillon@billerica.gov>
Subject: Re: Follow Up: Monday Feb. 23rd Select Board Meeting - RE: Gazebo Repairs

[EXTERNAL EMAIL]

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

Hi Dina,

Your emails were diverted to my junk mail so I didn't know about them until someone informed me about them. Unfortunately, we won't be able to attend. The Commission doesn't work that way. We receive applications from those needing to appear before us and we hold meetings to discuss then approve/deny their applications. We do allow applicants to appear informally to discuss what they want to do and seek our input. This has worked very well for both us and the applicants as they know in advance what our parameters are saving them from having to coming before us several times to get our approval. You are welcome to go this route if you wish.

Regards,
Dave Gagliardi- Chair

From: Dina Favreau <dfavreau@billerica.gov>
Sent: Thursday, February 19, 2026 9:36 AM
To: Dave Gagliardi <mdx254@hotmail.com>
Cc: Kerri Rufo <selectboard@billerica.gov>; Mary McBride <mkm7262@comcast.net>; Mark LaLumiere <mlalumiere@billerica.gov>; Jillian Pavidis <jpavidis@billerica.gov>
Subject: Follow Up: Monday Feb. 23rd Select Board Meeting - RE: Gazebo Repairs

Hi Dave,

I hope you are well.

I am writing to follow up on my previous invitation for you or another HDC Rep to attend the Select Board meeting on Monday to discuss the status of repairs to the gazebo. Participation from the HDC would be extremely valuable as the Board considers the next steps.

I look forward to your response.

Kind regards,
Dina M. Favreau
Billerica Select Board

Dina Favreau

From: Dina Favreau
Sent: Friday, February 6, 2026 5:40 AM
To: Kerri Rufo
Cc: Jillian Pavidis
Subject: Feb.23rd Agenda Request: Status of Gazebo Repairs

Hi Kerri,

Please add this to our upcoming agenda for 2/23/26. Kindly request the Building Inspector's attendance to provide the board with an update on the status of the gazebo repair plans. At the end of the month, it will be a year since the last update was provided.

Thank you.

Kind regards,
Dina M. Favreau
Billerica Select Board

BY-LAW TO ESTABLISH BILLERICA HISTORIC DISTRICTS COMMISSION

Section 1: Purpose

The purpose of this By-Law is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history and architectural heritage of the Town of Billerica, through the maintenance and improvement of settings for such buildings and places, through the encouragement of design compatible therewith, and through the prevention of development which would impair or be unduly detrimental to the locally or nationally significant structures of the districts.

Therefore, there is hereby established under Chapter 40C of the General Laws of the Commonwealth of Massachusetts a Billerica Historic Districts Commission.

Section 2: Definitions

Altered: Includes the words “rebuilt”, “reconstructed” “restored”, “removed” and “demolished”.

Application: Application for a certificate of appropriateness, a certificate of hardship or a certificate of non-applicability.

Building: A combination of materials forming a shelter for persons, animals, or property.

Commission: Billerica Historic Districts Commission.

Constructed: Includes the words “built”, “erected”, “installed”, “enlarged”, and “moved”.

Development: The erection, demolition, reconstruction, or alteration of any exterior architectural features of any building or structure, including, but not limited to, alteration of the site topography or general architectural arrangement of such portion of the exterior of any building or structure as is designed to be open view from any street, canal or way open to public or private vehicular or pedestrian travel. The use or change of use of any building or structure shall not be considered “development”.

Exterior Architectural Feature: Such portion of the exterior of a building or structure as is open to view from a public street, public way, public park, or public body of water, including but not limited to the architectural style and general arrangement and setting thereof: the kind, color and texture of exterior building materials; the color of the paint or other materials applied to exterior surfaces; and the type and style of windows, doors, lights, signs, and other appurtenant exterior features, but does not include items excluded under Section 8 of this by-law.

Minor Development: Shall be defined in the Commission’s regulations, and shall include, but not be limited to: cleaning of a building, repairing or replacing architectural elements according to historically compatible plans, placement or removal of signs, and reconstruction in kind of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

Major Development: Shall be defined in the Commission’s regulations, and shall include, but not be limited to: alterations to exterior facades, construction of additions to existing buildings, new construction and demolition of any structure or building.

Person: Natural person, corporation, trust, partnership, incorporated or unincorporated association, town, department, officer, employee, or agency thereof, and any other legal entity.

Person Aggrieved: The applicant, an owner of adjoining property, an owner of property within the same historic district or property within one hundred feet of said district, or any charitable corporation in which one of its purposes is the preservation of historic structures or districts.

Standards: Historic preservation standards applicable to the historic districts and promulgated by the Commission as part of its regulations.

Structure: Combination of materials other than a building, including but not limited to a sign, fence, wall, terrace, walk or driveway.

Section 3: Membership

The Billerica Historic Districts Commission shall consist of seven (7) Members and such alternate members as shall be deemed necessary, all of whom shall be appointed by the Board of Selectmen within 60 days after the effective date of this act as follows:

- (a) Two of the regular members shall be residents of, or owners of property in, the historic districts administered by the Commission.
- (b) One of the regular members shall be an attorney.
- (c) One of the regular members shall be chosen from two nominees submitted by the Billerica Historical Society.
- (d) One of the regular members shall be chosen from two nominees submitted by the Board of Realtors.
- (e) Two of the regular members shall be chosen from at least three nominees submitted by the local chapter of the American Institute of Architects.
- (f) The Town Planner shall also serve as a non-voting ex officio member.

If nominees are not submitted or available for any of the above categories, the Selectmen may appoint other Billerica residents to the remaining vacancies.

The initial appointments to the Commission shall be as follows: Two members appointed for a one-year term each; two members appointed for a two-year term each; three members appointed for a three-year term each; and the terms of the alternate members shall be staggered in a similar manner. The successors of members and alternate members shall be appointed for terms of three years.

In the case of the absence, inability to act or unwillingness to act because of self-interest on the part of a member of the Commission, such member's place shall be taken by an alternate member to be chosen by the chairperson from among the appointed alternate members.

Vacancies shall be filled in the same manner as the original appointment within sixty days after creation of the vacancy. Any Commission member, who fails to attend three consecutive regular or special meetings of the Commission, without good cause approved by the chairman of the Commission, shall be subject to dismissal by a vote of five members of the Commission. The chairman shall give written notice to such Commission member at least ten days prior to the meeting at which said vote is to be taken, and said Commission shall meet, upon the Commission member's request, within said ten day period, to consider any relevant information justifying such failure to attend.

The members of the Commission shall serve without compensation. Members of the Commission are hereby deemed special municipal employees for purposes of chapter two hundred and sixty-eight A of the General Laws.

Section 4: Boundaries of Local Historic Districts

There are hereby established the Town Center Historic District, the Billerica Mills Historic District and the Corner Historic District which shall initially consist of that property and buildings thereon located in the Town of Billerica, being shown on a map on file with the Town Clerk's Office and attached herein.

An historic district may be enlarged or reduced or an additional historic district created by adoption of a by-law on a two-thirds vote of a town meeting subject to the requirements of section 3 of Chapter 40C of the Massachusetts General Laws, as amended. No by-law creating an historic district, or changing the boundaries of an historic district, shall become effective until a map or maps setting forth the boundaries of the historic district, or the change on the boundaries thereof, has been filed with the town clerk and has been recorded in the registry of deed for Middlesex County.

Section 5: Powers and Duties of the Commission

Subject to such appropriations as are necessary, the Commission shall have such powers and duties as are reasonably necessary to carry out the purposes of this By-Law, including the following and those provided under chapter 40C of the Massachusetts General Laws, as amended:

- (1) To promulgate, amend, and enforce the standards, which shall apply to all development, by any person, within the historic districts and to promulgate and enforce any interim standards. The Commission may amend such standards as may be necessary, which amendment shall be in the same manner as original adoption. The Commission shall provide in its regulations for modification of the otherwise applicable standards in certain hardship cases.
- (2) To promulgate and enforce any other rules and regulations to carry out the purpose of this By-Law and Chapter 40C of the Massachusetts General Laws.
- (3) To grant, grant with conditions, or deny certificates of appropriateness or hardship or certificates of nonapplicability for development within the districts. Conditions to the grant of such certificates may include, without limitation, imposition of perpetual historic preservation restrictions or easements.
- (4) To determine an amount reasonable for application fees and to collect such fees, to accept gifts, appropriations and grants, and to disburse all such monies in order to further the purposes of this By-Law.
- (5) To propose to the Town Meeting of Billerica changes in the boundaries of the districts and to propose new districts.
- (6) To sue or be sued.
- (7) To publish in cooperation with other interested agencies, guides, maps and other materials to document and highlight the historic resources of the Town of Billerica and to explain the standards and procedures for development within the districts.
- (8) To accept, purchase, or require, as a condition to the grant of a certificate, historic preservation restrictions or easements.
- (9) To conduct studies of the historic and archaeological assets of said town.
- (10) To conduct training sessions for the Commission members on technical subjects related to their duties as Commission members.

(11) To serve in an advisory capacity to the Selectmen of said town, planning board of said town, director of planning of said town, Massachusetts Historical Commission, and other public agencies, in matters pertaining to or affecting any historical structures, sites, or areas or assets of archaeological interest in said town.

(12) To hire such technical staff or consultants as may be required to carry out its responsibilities, subject to appropriation. Such technical and consulting services may include, but are not limited to, experts in the fields of architecture, planning, law, engineering and historical or archaeological research. Administrative, clerical, and other necessary support staff may also be hired by the Commission. The director of the Town's planning department shall, whenever possible, provide assistance to the Commission.

(13) To delegate authority to such members, subcommittees, or staff as it deems necessary to carry out the purpose of this By-Law.

(14) Such other powers, authority and duties as may be delegated or assigned to it from time to time by vote of the Board of Selectmen or Town Meeting.

Section 6: Standards

Standards applicable to development within the districts shall be adopted by two-thirds majority vote of the Commission, after notice and public hearing as provided in section ten. Until the final standards are adopted, the Commission may adopt and use interim standards, after notice and hearing as provided in section ten, except that no notice is required to abutters.

Specific standards may be adopted to apply only to certain districts or portions of districts, such as commercial streets, major thoroughfares, or buffer zones to historic buildings.

The standards shall set forth, at minimum: acceptable materials, techniques, height, massing, setback, and architectural detailing for the exteriors of buildings; standards for signage, design of open spaces and parking areas. The Commission may amend the standards as it deems necessary. Any such amendments shall be made in the same manner as original adoption of the standards.

Section 7: Alteration, etc. Forbidden in Absence of Certificate of Appropriateness, Non-Applicability, or Hardship; No Permit to be issued without Certificate.

Except as this By-Law may otherwise provide, no person shall alter or construct any building or structure within an historic district in any way that affects exterior architectural features unless the Commission shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

No building permit for construction of a building or structure or for alteration of an exterior architectural feature and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by any Town department until the certificate required by this section has been issued by the Commission.

Section 8: Exclusion of Certain Structures from Review by Commission

The authority of the Commission shall not extend to the review of the following categories of treatments to buildings, structures or exterior architectural features located within the historic district:

(a) Storm windows, window screens and window air conditioners.

(b) The color of paint on buildings used exclusively as residences (but not the color of roofing materials.)

(c) Signs of not more than one square foot in connection with use of a residence for a customary home occupation or for more professional purposes, provided only one such sign is displayed in connection with each residence, and if illuminated, is illuminated only indirectly.

Section 9: Ordinary Maintenance Exemption

Nothing in this By-Law shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material, color or the outward appearance thereof, subject to the application requirements of Section 12(c) of this By-Law, nor to prevent landscaping with plants, trees or shrubs, nor to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of this By-Law.

Section 10: Public Hearings

All hearings required by this By-Law shall be held by the Commission only after notice of the time, place and sufficient identification of the subject matter of such hearing shall have been given by the Commission by advertisement in a newspaper of general circulation in the Town of Billerica not less than fourteen days before the day of such hearing, and by posting such notice in a conspicuous place in the office of the town clerk of said Town and the office of the director of the planning department for a period of not less than fourteen days before the day of such hearing. Notice for a hearing on an application shall be given at the expense of the applicant and shall also require mailing a copy of such notice to the applicant and to all owners of land abutting the land included in the application as appear on the most recent town tax list.

Section 11: Factors to Be Considered in Making Determination Upon Application for Certificate

In passing upon matters before it the Commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangements, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures the Commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the Commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable by-laws. The Commission shall not consider interior arrangements or architectural features not subject to public view.

Section 12: Certificates

(a) Applications

Any person may apply for a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship, as the case may be, by filing with the Commission in such form as the Commission may reasonably determine, together with such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the Commission to enable it to make a determination on the application.

Within fourteen days after receipt of an application, the Commission, its chairman or staff to whom such duty is delegated, shall render a determination, based upon the standards, whether the development proposed by the application is a major development or minor development. If the Commission or its designee determines that a proposed development is a minor development, it shall grant, grant with conditions or deny a certificate within the same fourteen days after receipt of the application. If the Commission or its designee determines that a proposed development is a major development, the application for such development shall be placed on the agenda and discussed at a meeting of the Commission. A proposed development will be deemed minor, and to have been granted a certificate of appropriateness, unless the Commission sends the applicant its written decision to the contrary, within twenty-one days of receipt of the completed application.

Certificates for major developments shall be issued by the Commission by a majority vote of those members or alternates present at a meeting of the Commission where a quorum is present.

Within thirty days after receipt by the Commission of a completed application for a major development, the Commission shall conduct a public hearing on the application after providing notice pursuant to section ten. A written decision on the application, granting, granting with conditions, or denying a certificate and setting forth the reasons for the Commission's decision, shall be rendered by the Commission and filed with the town clerk of said Town within sixty days after such hearing. Failure by the Commission to file its decision with said town clerk within sixty days after the hearing on the application shall be deemed to be approval of the application. A copy of the decision shall also be mailed to the applicant by certified mail within sixty days after such hearing. All certificates for major development (including any certificate of compliance) shall be recorded by the applicant in the registry of deeds within ten days after the expiration of the period of appeal provided in section fourteen.

All time requirements contained within this section, except the requirements of section ten referred to herein; may be modified by written agreement of the Commission and an applicant for a certificate of appropriateness or hardship or certificate of non-applicability.

(b) Certificate of Appropriateness

If the Commission determines that the construction or alteration for which an application has been filed will be appropriate for or compatible with the preservation or protection of the historic district, the Commission shall issue a Certificate of Appropriateness.

If the Commission disapproves an application for a certificate of appropriateness, it shall state the reasons for such determination and shall send a notice of determination, which will include the reasons for its decision, to the applicant.

(1) Prior to the issuance of any disapproval, the Commission may notify the applicant of its proposed action and may make recommendations of changes in the proposal which, if made, would make the application acceptable to the Commission. The recommendations may include appropriateness of design, arrangement, texture, material and similar features.

(2) If within fourteen (14) days of the receipt of such notice, the applicant files a written modification of the application in conformity with the recommended changes of the Commission, the Commission shall promptly issue a Certificate of Appropriateness.

(c) Certificate of Non-applicability

Within fourteen (14) days of the filing of an application to the Commission, the Commission or its designee shall determine whether the application involves any exterior architectural features which are subject to approval by the Commission. If the Commission determines that the application does not involve any exterior feature, or involves an exterior architectural feature which is not subject to review by the Commission in accordance with Section 8, the Commission shall issue a Certificate of Non-Applicability.

(d) Certificates of Hardship

If the Commission determines that, owing to conditions specific to a particular building or structure, failure to approve an application will result in substantial hardship, whether financial or otherwise, to the applicant, and that granting the application will not involve substantial detriment to the public welfare or substantial derogation from the intent and purpose of this By-Law, the Commission shall grant a Certificate of Hardship.

(e) Recordkeeping

(1) Each certificate issued by the Commission shall be dated and signed by either its chairperson, vice-chairperson, secretary or such other person designated by the Commission.

(2) The Commission shall file notice of all certificates and determinations of disapproval with the Town Clerk and the Building Department.

(3) The Commission shall keep a permanent record of its resolutions, transactions, and determinations and of the vote of each member participating therein.

(f) Certificates of Compliance

The Commission shall issue a certificate of compliance in recordable form upon determination that the development has been completed in accordance with the certificate of appropriateness, non-applicability or hardship.

Section 13: Officers, Meetings, Quorum, Majority Vote

(a) Officers:

The Commission shall elect annually a chairperson and a vice-chairperson from its own number and a secretary from within or without its number.

(b) Meetings:

Meetings of the Commission shall be held at the call of the chairman and shall be called at the request of two members of the Commission and in such a manner as the Commission shall determine in its rules.

(c) Quorum:

A majority of the members of a Commission shall constitute a quorum.

(d) Majority Vote:

The concurring vote of a majority of the members of the Commission shall be necessary to issue:

1. A certificate of appropriateness
2. A certificate of non-applicability
3. A certificate of hardship, or
4. To take any other action on the business properly before the Commission

(e) Two- thirds Vote

A two-thirds concurring vote of the Commission members shall be necessary to adopt standards under Section 6.

Section 14: Appeals

Any person aggrieved by a determination of the Commission may, within twenty days after the filing of the notice of such determination with the town clerk, file a written request with the Commission for a review by a person or persons of competence and experience in such matters, designated by the Northern Middlesex Area Commission.

The finding of the person or persons making such review shall be filed with the town clerk within forty five days after the request, and shall be binding on the applicant and the Commission, unless a further appeal is sought in the superior court.

Any person aggrieved by a determination of the Commission or by the finding of a person or persons making a review, may, within twenty days after the filing of the notice of such determination or such finding with the town clerk, appeal to the superior court sitting in equity for Middlesex County. In accordance with Chapter 40C, Section 12A, the court shall hear all pertinent evidence and shall annul the determination of the Commission if it finds the decision of the Commission to be unsupported by the evidence or to exceed the authority of the Commission, or may remand the case for further action by the Commission or make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive but the parties shall have all rights of appeal and exception as in other equity cases. In accordance with Chapter 40C, Section 12A, costs shall not be allowed against the Commission unless it shall appear to the court that the Commission acted with gross negligence, in bad faith or with malice in the matter from which the appeal was taken. Costs shall not be allowed against the party appealing from such determination of the Commission unless it shall appear to the court that such party acted in bad faith or with malice in making the appeal to the court.

Section 15: Enforcement, Jurisdiction of Superior Court: Injunction, Violations, Penalties

Upon determination by the Commission that any person is in violation of this act or regulations promulgated hereunder, the Commission shall issue an order requiring that such violation be corrected and that any development in violation of this act cease and desist.

In accordance with Chapter 40C, Section 13, the superior court sitting in equity for Middlesex County shall have jurisdiction to enforce the provisions of this by-law and the determinations, rulings and regulations issued pursuant thereto and may, upon the petition of the board of Selectmen or of the Commission, restrain by injunction violations thereof; and, without limitation, such court may order the removal of any building, structure or exterior architectural feature constructed in violation thereof, or the substantial restoration of any building, structure or exterior architectural feature altered or demolished in violation thereof, and may issue such other orders for relief as may be equitable.

Whoever violates any of the provisions of this by-law shall be punished by a fine of not less than ten dollars nor more than five hundred dollars. Each day during any portion of which a violation continues to exist shall constitute a separate offense.

Section 16: Severability

If any section, paragraph or part of this By-Law be for any reason determined invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph or part shall continue in full force and effect.

June 7, 1990



**TOWN OF BILLERICA
SELECT BOARD MINUTES
MARCH 17, 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, Assistant Town Manager Robert Maynard and Recording Secretary Dawn McDowell

5:30 PM

Presentation and Proclamation for Kimberly J. Conway

Presentation and Proclamation for Michael A. Riley

Secretary Rosa presented Member Conway and Member Riley chairs and proclamations.

Call to Order 6:00 PM

The Pledge of Allegiance was recited.

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

1. Open Microphone

Grace Tucci of 7 Carson Street – Ms. Tucci stated that she applied for the Board of Registrars but was unaware of the requirement that it come from the Republican party. She didn't find out until she received a phone call from Ms. McDowell. It's not fair.

Daniel Darris-O'Connor of 14 Forest Park – Mr. Darris-O'Connor thanked both Member Conway and Riley for their service. He is concerned about the Town of Billerica. We have not made much progress and there has been chaos. There is a lack of support for the schools and pedestrian safety.

Mary Leach of 7 William Road – Ms. Leach invited the public to the League of Women Voters Debate on Thursday at 7:00 PM at BATV.

Michael Parker of 11 Gov. Endicott Road – Mr. Parker stated that Beautify Billerica Clean Up Green Up Day is going to be held on April 26th from 10:00 AM to Noon.

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

4. Select Board Members Conway and Riley Farewell Messages

Members Conway and Member Riley each read their farewell messages.

Proclamation and Public Recognition

5. Proclamation for World Down Syndrome Day – March 21, 2025

Secretary Rosa read the proclamation for World Down Syndrome Day.

6. Presentation of the 2025 Community Funds Grant

The Board presented the 2025 Community Funds Grant to all the recipients.



**TOWN OF BILLERICA
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Public Hearings

New Business (Quick Items)

7. Approval of a One Day Special Alcohol License for the Friends of the Billerica Council on Aging – Annual Black-Tie Bingo on Friday, March 28, 2025 from 6:00 PM – 10:00 PM at 25 Concord Road – Request Waiver of All Fees

Wayne Smith appeared for the one-day special alcohol license for the Friends of the Billerica Council on Aging.

MOTION - Secretary Rosa made a motion to approve the one-day special alcohol license for the Friends of the Billerica Council on Aging Annual Black-Tie Bingo on Friday March 28, 2025 from 6:00 PM to 10:00 PM at 25 Concord Road. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

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

8. Application for a Change of Manager and Change of Officers/Directors for the VFW Solomon Post #8819 located at 12 Phinney Street – New Manager Deanna Follis

Larry Kelleher and Deanna Follis appeared for the Change of Manager and Change of Officers for the VFW Solomon Post. Mr. Kelleher stated that we applied for the change of manager a while ago but the ABCC needed the Change of Officers so this application is for both.

MOTION - Secretary Rosa made a motion to approve the Change of Manager and Change of Officers for the VFW Solomon Post #8819 located at 12 Phinney Street with the new manager Deanna Follis. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

9. Discussion and Possible Vote on Gift Acceptance – Council of Aging - \$50 Cash Donation for AARP Tax Service

MOTION - Secretary Rosa made a motion to accept the \$50 cash donation per MGL, Chapter 44, Section 53A for the Council of Aging. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion that the Select Board authorize expenditure of the gift to be used for AARP tax services. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

10. Discussion and Possible Vote on Gift Acceptance – Billerica Public Library – (2) e-ink Author Clocks to be used in the Library for Display

MOTION - Secretary Rosa made a motion to accept the (2) e-ink author clocks donation per MGL, Chapter 44, Section 53A for the Council of Aging. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion that the Select Board authorizes use of the gift to be used in the library for display. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

11. Discussion and Possible Vote on Gift Acceptance – Veteran’s Services – (1) POW Stadium Chair to be Installed at the BMHS Stadium

MOTION - Secretary Rosa made a motion to accept the POW Stadium Chair per MGL, Chapter 44, Section 53A. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion that the Select Board authorize use of the gift to be installed at the BMHS stadium. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

12. New Common Victualler License – Anjakin Inc. dba 29 Bistro located at 700 Boston Road, Unit 300

Vichaiapol Chantasirivet appeared for the new common victualler license for 29 Bistro located at 700 Boston Road.



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MOTION - Secretary Rosa made a motion to approve the common victualler license for Anjakin Inc. dba 29 Bistro located at 700 Boston Road with the hours of operation of Monday-Sunday 11:00 AM to 9:00 PM and subject to the conditions of the ZBA Permit 1-7 and subject to the Board of Health food permit. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

13. Discussion and Possible Vote on Gift Acceptance – Billerica Public Library - \$300 Cash Donation to be used for Programming by the Children’s Department

MOTION - Secretary Rosa made a motion to accept the \$300 cash donation per MGL, Chapter 44, Section 53A for the Billerica Public Library. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion that the Select Board authorize expenditure of the gift to be used for programming by the Children’s Department. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

14. Discussion and Possible Vote on Gift Acceptance – Billerica Public Library – Giant Legos Donation to be Used in Children’s Programs

MOTION - Secretary Rosa made a motion to accept the giant Legos donation per MGL, Chapter 44, Section 53A. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion that the Select Board authorize use of the gift to be used in the children’s programs. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

15. Discussion and Possible Vote on Gift Acceptance – Council on Aging - \$25 Cash Donation for Programming and Events

MOTION - Secretary Rosa made a motion to accept the \$25 cash donation gift per MGL, Chapter 44, Section 53A for the Council on Aging. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

MOTION - Secretary Rosa made a motion that the Select Board authorize expenditure of the to be used for programming and events. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

16. Discussion and Possible Vote on Letter of Support for Middlesex 3 Coalition’s MA TechHubs Strategic Development Grant Application (NOFO No. 2025-JAIL-06)

MOTION - Secretary Rosa made a motion to sign the letter of support for Middlesex 3 Coalition’s MA TechHubs Strategic Development Grant Application. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Appointments

17. Board of Registrars – Republican Nominee

- a. Donald Lovegrove
- b. Grace Tucci

Secretary Rosa stated that based on the legal opinion, we only have one valid candidate.

Vice Chair Favreau stated that she did not get a copy of the legal opinion, and she did look at MGL that the Chairman has and the Town Committee is supposed to submit a list of three candidates, not a letter of recommendation and I do have some comments about concerns that I have for Mr. Lovegood’s appointment here, but if we’re going to table it she would be happy to address it then, but I would like to address it here.

Chair Burrows read the MGL.

Vice Chair Favreau stated that the letter of recommendation does not meet the statute. Even the newspaper article doesn’t state that the applicants have to come from the Town Committee.



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Donna McCoy, Town Clerk joined the meeting. Ms. McCoy called the Secretary of State. The nomination needs to come from the party, whether it's Democrat or Republican. They can submit one, two or three names. If the party did not submit a name within the designated time frame, then the Select Board could pick another candidate. Vice Chair Favreau stated that we have nothing in writing and she hasn't seen a legal opinion because this happened 20 minutes before our meeting started..

Secretary Rosa stated that we have only one accepted name submitted by the Republican Town Committee.

Vice Chair Favreau stated that there has been references to an opinion from counsel that she did not receive. Secretary Rosa stated that this is the first time that we have ever received more than one applicant. Member Conway stated that this is not usually a controversial appointment. Vice Chair Favreau stated that we do have an applicant that is here tonight that did not receive notice until after 5 pm so I think it would be proper to table it to get the confirmation to the entire board so we can make the appointment correctly. Chair Burrows asked if the letter would have to come from RTC, correct. Donna McCoy stated yes, or the Secretary of State. This is an MGL, this isn't something that we want to just decide to do something else. Vice Chair stated that MGL says that a list of 3 names has to be submitted to us. Donna McCoy stated, feel free to call the Secretary of State tomorrow. Vice Chair Favreau stated that tomorrow is too late, so I am going to make a motion to table this.

MOTION - Vice Chair Favreau made a motion to table the vote. There was no second to the motion.

Secretary Rosa stated that the law states that you need to be a member of the Town Committee to be nominated. He doesn't believe that Ms. Tucci is a member of the Republican Town Committee. Vice Chair Favreau stated that we do not have that in writing or a copy of Town Counsel's opinion and that is contrary to the statute. Vice Chair Favreau stated that the Town Charter states that the Select Board is required to uphold all statutes within the Commonwealth of Massachusetts and without clarification on MGL Ch 51 section 15 where it states that a list of 3 candidates has to be submitted to this board then it would be improper to move forward with the vote.

Member Conway stated that the Town Clerk checked with the Secretary of State, so we should move forward with the nominated applicant from the Republican Party. Vice Chair Favreau stated that it is improper to move forward.

Member Riley stated that if they had submitted two names, that it still would not be valid, it doesn't make sense.

Grace Tucci – Ms. Tucci stated that she didn't know that her name had to be submitted by the Republican Party. She filled out an application and it didn't say she had to be a member of the Republican Party and neither do the newspaper ad.

Vice Chair Favreau stated that she appreciates the time that Mr. Lovegrove has served in this role, but in reviewing the applicants I note that Mr. Lovegrove's attendance record at the Board of Registrars meetings is about 50% and as shown in the June 20, 2023 minutes provided, unlike the opinion from counsel that is not available to me, he openly admitted to not reviewing the meeting materials provided, which included sworn affidavits to the courts under oath and videos of the Pelham Planning Board when the material question of an Examination of Residency of a well-known developer who is in fact a Pelham NH resident was allowed to remain on our active voter rolls. In reviewing the 2024 active voter registration list, this person continues to remain actively registered to vote in Billerica and I will not be supporting the recommendation to appoint Mr. Lovegrove. Donna McCoy stated that Vice Chair Favreau was reading from minutes that were not approved yet. Vice Chair Favreau stated June 20, 2023 minutes were approved and are available online. I'm reading from those minutes.

MOTION - Secretary Rosa made a motion to appoint Donald Lovegrove to the Board of Registrars as the Republican Nominee. The motion was seconded by Vice Chair Favreau and voted 4-1-0. Vice Chair Favreau voted against.

Presentation

Committee Reports

Old Business



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18. Town Managers' Update

• **Iron Horse Park Fire**

Mr. Main would like to thank the Fire and Water Department for their efforts last week at the Iron Horse Park Fire. The Town is extremely grateful for everyone's safety and their swift actions that put out the fire. The Water Department maintains all Town Hydrants but not privately owned hydrants – it is the responsibility of the property owner. There are roughly 200 privately owned hydrants across Town. In addition, the Town Hydrant outside of Iron Horse Park is attached to a ten-inch main, where the privately owned hydrants are on a six-inch main. Using the Town Hydrant provided the necessary water pressure without any issues to extinguish the fire.

Member Conway thanked the Fire Department for a great response as well as the surrounding towns. This was a 7-alarm fire and we should send a letter to all the towns that helped. Mr. Main replied that Chief Cole has already done that as well as letters to the individuals involved.

Secretary Rosa also commended the Fire Department and the other communities that helped especially the commanding officers Captains Packewicz and Batcock.

Vice Chair Favreau also thanked the Fire Department and surrounding communities and she also thanked Fred Russell and Todd Melanson and their teams for the work they have done to maintain the water pressure needed. She is concerned with the limitation of the hydrants. Our Fire Department had to run ¼ mile of line. Vice Chair Favreau stated that she was wondering if we should reach out to the EPA and owners to address infrastructure needs. Mr. Main stated that the problem is the Fire Department does not trust private hydrants, he trusts the hydrants that the water department maintains. Vice Chair Favreau asked if we could move the town hydrants closer.

Member Riley stated that the Fire Department and mutual aid did a great job. It shows what training does.

Chair Burrows stated that he went down the next day and there were smoke points and the Fire Department were right there. The problem is the State property on this site do not require any permits through the town.

Diana Saunders – Ms. Saunders asked if the State was on site. Chair Burrows replied that they were on Saturday but they don't report to us.

• **FY26 Budget**

Mr. Main stated as of this time the FY26 Budget has been ratified by the Finance Committee. All department heads have presented their budgets and received approval on their presented budget numbers. For Town Systemwide (page 114 of FY26 Budget Book) the ratified Select Board submitted budget number for FY26 was \$2,991,640. This number included an increase to the legal line of the budget. The Finance Committee ratified \$2,898,640 for Town Systemwide, almost \$93,000 less than what was submitted.

Member Conway stated that the Finance Committee has reduced the budget by \$93,000. Mr. Main replied yes, they reduced the legal line item by \$93,000.

Secretary Rosa stated that even though the Finance Committee reduced it, we can still go forward with our original budget. Mr. Main replied yes, it will start with the Finance Committee and amend it.

Vice Chair Favreau asked if the reduction in the legal budget had anything to do with her recommendation for in-house legal department to offset the legal costs, which Amit agreed would be a good idea. Mr. Main replied no, he will let the Finance Committee explain it. Vice Chair as was it from the legal line item. Mr. Main stated that it was strictly from the legal line item.

• **North Billerica Fire Station**

Mr. Main stated that the owner of 176 Boston Road has taken down the old Macs Two Building, the Town will ensure that the site is being left in satisfactory condition.



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Vice Chair Favreau stated that it is great news with the Fire Station, Kohlraush, Skate Park and Rec. Vice Chair Favreau stated that she is very excited about these initiatives finally getting underway as they highlight the work that this board has been engaged in for improving our community over the last year and she is really eager for the youth of Billerica and families to start enjoying these new upgrades in the coming summer months. Vice Chair Favreau stated that she cannot stress the importance of having places for our kids to enjoy that contribute to their development and overall health and wellness enough.

Member Riley asked when does the Town take control of the site. Mr. Main replied when the demolition is done.

- **Billerica Library Update from the Library Director**

Mr. Main stated that getting a library card has never been easier! To start, click the ‘Get an E-Card’ option on the library’s homepage and follow the prompts. Your library card will give you access to a breadth of digital resources, including full access to the Lowell Sun Online, Consumer Reports, e-content from Libby and Hoopla, digital music from Freegal Music+, streaming media from Kanopy, and so much more.

- **Kohlrausch & Skate Park Project Update from the Recreation Director**

Mr. Main stated that with spring weather arriving, The Town is working together with the DPW to get the Kohlrausch site prepped for our upcoming improvement project. We will soon be installing new swings, zipline, and pavilion. Our selected contractor, Pacqon, is scheduled to start mobilizing on-site around April 7th, with project completion expected near the end of April. The Skate Park Project is scheduled to begin the first week of June. Our selected Contractor, Spohn Ranch, is busy building the pre-cast ramps off-site and will be delivering them to the site in early June.

Secretary Rosa stated that this is good news for these projects.

- **One Stop Grant**

Mr. Main stated that the Expression of Interest for the One Stop Grant is available until March 26, 2025. The Expression of Interest (EOI) is a short form that allows prospective Community One Stop for Growth applicants the opportunity to understand whether their project idea is a fit for the One Stop program. Participants enter high-level information about their organization and project idea to receive a Feedback Report. If the feedback report views the project idea favorably the Town will move forward with submitting a full application by the June 4th deadline.

Member Conway asked how many grants have we applied for. Mr. Main stated that we have applied for 10 grants. The Mass Works is the big one and we can apply for planning grants.

Secretary Rosa stated that we should keep applying for grants and contrary to one of the speakers at Open Mic, there are a lot of good things going on.

Vice Chair Favreau stated that there are two new subcategories that address vacant store fronts and transformative development initiative. Mr. Main stated that they will be looking at this and this is not the catalyst fund. Vice Chair Favreau asked if they are individual applications. Mr. Main replied yes. Vice Chair Favreau stated that the Mass Works grant and Downtown initiatives require the Select Board vote before you submit any application, so she recommends double checking any of the grant applications to make sure we have a proper vote recorded for you to proceed.

- **Rec Center Project Update**

Mr. Main stated that in recent weeks the project team has been working with Conservation, Board of Health, and Planning Board. Mark LaLumiere and Dave Grubb introduced this project to the Planning Board at their recent meeting and received very positive remarks from the Board. This project is scheduled to go back in front of the Planning Board and Conservation Commission on April 14th. The project recently passed the 60% CD milestone and is out for the next round of cost estimation.



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Vice Chair Favreau asked if there were outstanding ask since Rocco Longo was Town Manager. Mr. Main replied he would have to look at it because he was not aware of it.

19. Discussion and Possible Vote on Town Center Improvements

Mr. Main stated that he is not sure if the Federal money will be available. They are proposing to update the lights, sidewalks improvements, and repaving with the \$2.1 million we have. We would defer the left of River Street right now.

Vice Chair Favreau stated that the brick crosswalks are difficult to traverse for anyone in a non-motorized wheelchair that could become a dangerous situation for handicapped individuals. Vice Chair Favreau asked how much funding is available from free cash. Mr. Main stated we have \$2.1 million from free cash. Vice Chair Favreau recommends that we should look at the black decorative lighting to match Boston Road.

Member Riley stated that the lights need to be replaced. Mr. Main stated that we are replacing the lights so they communicate and are timed appropriately. Member Riley stated that underground utilities would be great.

Secretary Rosa stated that he agrees with the crosswalks at the signals. The lights at Charmstaffe and Boston Road intersection are set up for two-way traffic on Charmstaffe. We should make sure the lights are two-way so when we add the left turn out of River Steet they are ready to go.

Member Conway asked if you were physically replacing the lights. Mr. Main replied yes. Member Conway agrees that we need to make the crosswalks safer. The left turn off of River Road is more important than decorative lights and this should be a vote of the Select Board.

Vice Chair Favreau asked if Mr. Main needed a vote from the Select Board to start working on making the changes.

Mr. Main stated that we will get the estimates and come back. Secretary Rosa asked if we are applying for grant money for this. Mr. Main stated that they will apply for a Mass Works grant that will require Select Board approval.

Member Riley asked if traffic analysis was done. Mr. Main replied BETA will have to traffic counts.

Kelley Sardina – Ms. Sardina stated that in 2012, Town Meeting approved \$1 million and there maybe more money.

20. Discussion and Possible Vote on Issues at the Mall Project, 480 Boston Road – Requested by Chair Burrows

Chair Burrows stated that there are still issues with the mall including snow storage, flooding, and the fence. They have had repetitive behavior. There still has been water and debris flowing down Tower Farm Road. There are reports of them being caught removing asbestos. On September 22, 2022 there was a study on the watershed and ground water is percolating on site. He could not find a fee being collected on the foundation. They have caused problems for the Town and have wasted the time of the DPW, the Building Commission. There are still flooding issues. They are supposed to remove the snow, but they are pushing back into the retaining pond. Something needs to be done.

Secretary Rosa stated that this project has been a disaster since day one and has affected the downstream residents. On their special permit, #9, states that any damage done is the responsibility of the owner. If you compare this site vs. 700 Boston Road, it is the difference between night and day. They were both being worked on at the same time and 700 Boston Road kept the dirt contained. On the mall site, the drains are still above grade and the water runs around them. Something needs to be done and we need to hold them accountable. Special Condition #9 should be used to have them pay for the residents that got flooded.

Member Riley stated that he doesn't disagree but we are not the authority. This is for the Planning Board, Building Commissioner, Board of Health and DPW.

Vice Chair Favreau stated she is not sure what is being asked of us here, but as I have stated before, numbers 5 and 9 of the orders of conditions govern whether or not the project should continue under the current permitting. I think we can all agree that the project has been a major disappointment and has caused a lot of problems for the town and the residents, especially the Treble Cove Rd residents. I just don't know what if anything we can do and whether or not



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that falls within the Select Board's purview for enforcement purposes. I would like to hear from Mr. LaLumiere on that point. Additionally, I would point out that number 27 of the orders of conditions says that the \$5K allocation for ADA upgrades to the Gazebo states that the money was to be paid prior to the issuance of the permitting, so I would like to know where that money is.

Member Conway asked who enforces the conditions. She supports the Building Commissioner going through all the conditions and each Board and we should talk with legal counsel.

Secretary Rosa stated that we as the Select Board should vote.

MOTION - Secretary Rosa made a motion that the Select Board under Section 3-2(b) of the Town Charter issues a policy directive and guidelines to ensure that all the rules and conditions placed on the Billerica Mall, 480 Boston Road by the Planning Board and any other permitting agency of the Town of Billerica are being adhere to. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Mark LaLumiere, Building Commissioner joined the meeting. Mr. LaLumiere stated that this has been a very difficult project. Promises were made and not kept. Amazon still holds the lease in the empty pot. We have permits for a Chase bank, Starbucks and a small restaurant. They have been held up due to ground issues. RMD was supposed to submit new plans for the apartments and start the residential building in April. The DPW and Water department are there every day. He is also on site with the Project Manager almost every day. There is water percolating on Tower Farm Road. They need to fix the water issues that are spilling out of the site. The Planning Board is the SPGA. They would have to vote to recall, hold a public hearing and have the owners defend the project. He doesn't see any violations of the conditions and the owners have been responsive. He has not received complaints from residents and asked what are why trying to achieve. Are we trying to shut it down?

Chair Burrows asked if they paid a fee for the foundation. Mr. LaLumiere replied yes, they paid. Chair Burrows stated that if the drainage swales are not maintained then it fails. They are actively changing grades and the water is flowing off site and that causes an issue. Mr. LaLumiere stated that they did a site walk and told them to come up with a timeline.

Secretary Rosa stated that the mindset needs to change. He wants this to be successful but there are residents downstream with \$100,000 of damage. If they controlled the water on site we would not have had all that damage two years ago. They still have sediment flowing downhill. Maybe we should stop them until they fix their drainage issues. They should pay the residents and Town for all the damages that they have caused. They need to be held accountable.

Member Conway stated that the residents that had damage should litigate against them.

Member Riley stated that he supports the directive but it should be handled by the Planning Board.

21. Town Center Gazebo Update – Requested by Vice Chair Favreau

Vice Chair Favreau stated she asked that this be put back on as she has had multiple residents reach out, first with concerns about our original vote, so she doesn't believe they were aware that we had been trying for a joint meeting with the Historic District Commission or that the last time it was discussed, we agreed that Mr. LaLumiere would work with Mr. Johnson at a proposed solution; and, second, she also received several calls since the windstorm we had earlier this month that damaged the gazebo even further by residents raising concerns over the safety risks the current condition imposes. Vice Chair Favreau stated that there have been reports of kids climbing on the gazebo in its current condition and she believes the time has come that we act before it collapses or worse, hurts someone. Continuing to keep it in abeyance over whether or not it is a decorative feature to the common is irresponsible. Vice Chair Favreau stated that she would like Mr. LaLumiere to tell us whether or not there has been any progress made since November.

Mr. LaLumiere stated that there has been no progress made. The overall issue is there is no agreement. There needs to be a direction given. Vice Chair Favreau stated at the last meeting she asked if you would condemn it if it was private property. Mr. LaLumiere stated that he would post it unsafe to use. If it was accessible, it would need to be fixed. If it is only ornamental, it can be rebuilt as it is but the intent was to make it accessible. Vice Chair Favreau stated that



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she believed it was the November 18th meeting, and she would like to review the minutes and have an opportunity to come back to the comments once the other members have commented.

Secretary Rosa thanked Mr. LaLumiere for all his time trying to make the gazebo usable but members of the HDC can't decide what they want. Everything is ornamental on the gazebo in the common, there is nothing original except the finial. We now are building a new recreation center that concerts could be held at. The Select Board has care, custody and control of the gazebo. We can rebuild it as it is but it would not be accessible. Mr. LaLumiere stated that if work is done that reaches 80% of the assessed value of the structure, then you need to be ADA compliant, unless it is not accessible to the public, then this does not apply.

Member Conway stated that we shouldn't make it ornamental, it should be usable. We should also talk with Town Counsel.

Mr. Main stated that he cannot find where it says that the Select Board has care, custody and control of the gazebo. We need direction on how to proceed.

Mr. LaLumiere stated that the Commission of Disability has also agreed with Option 3. He can go back to the HDC and just ask for a vote. If they vote it down, then it would go to NMCOG for an appeal.

Secretary Rosa asked to try to go back to the HDC and request a vote and then move on.

Vice Chair Favreau stated that she wants a date so this just does not just continue on. Mr. LaLumiere replied that he can get on the next HDC meeting and then come back to discuss after.

New Business

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

Mr. Main presented the preliminary Town Meeting warrant articles. This will be discussed in detail at the next meeting.

MOTION - Secretary Rosa made a motion that the Select Board place the articles on the Preliminary Warrant as presented. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Approval of Meeting Minutes

23. January 6, 2025

MOTION - Secretary Rosa made a motion to approve the Select Board minutes of January 6, 2025 as presented. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

24. January 27, 2025

MOTION - Secretary Rosa made a motion to approve the Select Board minutes of January 27, 2025 as presented. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

Meeting Schedule

April 7, 2025 and April 28, 2025

MOTION - Secretary Rosa made a motion to adjourn the regular meeting of March 17, 2025 at 8:18 PM. The motion was seconded by Vice Chair Favreau and unanimously voted 5-0-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*



**TOWN OF BILLERICA
SELECT BOARD MINUTES
MARCH 17, 2025**

Exhibits for the Select Board Meeting – March 17, 2025

5:30 PM

Presentation and Proclamation for Kimberly J. Conway– No Exhibits

Presentation and Proclamation for Michael A. Riley– No Exhibits

Call to order 6:00 PM

1. Open Microphone – No Exhibits

Announcements

2. Vacancies on Boards and Committees – Vacancy List dated 03/12/25

3. All other announcements may be viewed on the Town of Billerica website – No Exhibits

4. Select Board Members Conway and Riley Farewell Messages – No Exhibits

Proclamation and Public Recognition

5. Proclamation for World Down Syndrome Day – March 21, 2025 – Proclamation undated

6. Presentation of the 2025 Community Funds Grant – Memo from D. McDowell 03/12/25

Public Hearings

New Business (Quick Items)

7. Approval of a One Day Special Alcohol License for the Friends of the Billerica Council on Aging – Annual Black-Tie Bingo on Friday, March 28, 2025 from 6:00 PM – 10:00 PM at 25 Concord Road – Request Waiver of All Fees – Billerica Application dated 02/24/25, Memo from Lt. Coffey dated 02/24/25

8. Application for a Change of Manager and Change of Officers/Directors for the VFW Solomon Post #8819 located at 12 Phinney Street – New Manager Deanna Follis – Memo from D. McDowell dated 03/12/25, Billerica Application dated 08/08/24, Memo from Lt. Coffey dated 08/07/24

9. Discussion and Possible Vote on Gift Acceptance – Council of Aging - \$50 Cash Donation for AARP Tax Service – Gift Acceptance Form undated

10. Discussion and Possible Vote on Gift Acceptance – Billerica Public Library – (2) e-ink Author Clocks to be used in the Library for Display– Gift Acceptance Form undated

11. Discussion and Possible Vote on Gift Acceptance – Veteran’s Services – (1) POW Stadium Chair to be Installed at the BMHS Stadium– Gift Acceptance Form undated

12. New Common Victualler License – Anjakin Inc. dba 29 Bistro located at 700 Boston Road, Unit 300 – Billerica Application dated 03/10/25, ZBA Decision #25-06

13. Discussion and Possible Vote on Gift Acceptance – Billerica Public Library - \$300 Cash Donation to be used for Programming by the Children’s Department – Gift Acceptance Form undated

14. Discussion and Possible Vote on Gift Acceptance – Billerica Public Library – Giant Legos Donation to be Used in Children’s Programs– Gift Acceptance Form undated

15. Discussion and Possible Vote on Gift Acceptance –Council on Aging - \$25 Cash Donation for Programming and Events– Gift Acceptance Form undated

16. Discussion and Possible Vote on Letter of Support for Middlesex 3 Coalition’s MA TechHubs Strategic Development Grant Application (NOFO No. 2025-JAIL-06) – Letter dated 03/17/25 Joint Letter of Support for Middlesex 3 Coalition’s MA TechHubs Strategic Development Grant Application



**TOWN OF BILLERICA
SELECT BOARD MINUTES
MARCH 17, 2025**

Appointments

17. **Board of Registrars – Republican Nominee** - Minutes for Board of Registrars 06/20/23, 06/28/23,
c. **Donald Lovegrove** – Application dated 03/10/25, Memo from Billerica Republican Town Committee dated 03/02/25
d. **Grace Tucci** – Application dated 03/12/25

Presentation

Committee Reports

Old Business

18. **Town Managers' Update** – Town Manager's Report dated 03/14/25
19. **Discussion and Possible Vote on Town Center Improvements** – Town Center River Street at Boston Road Preliminary Design dated February 2025
20. **Discussion and Possible Vote on Issues at the Mall Project, 480 Boston Road – Requested by Chair Burrows** – PUD dated 09/10/21, PB Plans 04/21/21, ZBA SP 01/26/24, SWM dated 04/05/21, PB Plans dated 11/16/21, Memo from PB dated 07/11/23, PB Plans 05/18/22
21. **Town Center Gazebo Update – Requested by Vice Chair Favreau** – Gazebo Design undated, pages from SB minutes of 11/18/24

New Business

22. **Preliminary Town Meeting Warrant Articles – Discussion and Possible Vote** – Preliminary Warrant undated, Zoning Bylaw Recodification undated

Approval of Meeting Minutes

23. **January 6, 2025**– SB Minutes of 01/06/25
24. **January 27, 2025** – SB Minutes of 01/27/25

Meeting Schedule

April 7, 2025 and April 28, 2025

Approved On: June 16, 2025

From: [Donna McCoy, Town Clerk](#)
To: [OpenMeeting \(AGO\)](#)
Subject: RE: Billerica official posting location
Date: Wednesday, August 27, 2025 12:15:10 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Natalie,

I understand. We have listed all three places as official.

With the situation at hand, I will say the Town's Website is our official.

Thank you.

Donna

From: OpenMeeting (AGO) <openmeeting@mass.gov>
Sent: Wednesday, August 27, 2025 11:54 AM
To: Donna McCoy, Town Clerk <townclerk@town.billerica.ma.us>
Subject: RE: Billerica official posting location

[EXTERNAL EMAIL]

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

Hi Donna,

The Open Meeting Law requires that every municipality have one official location where it always posts meeting notices for all public bodies within the municipality. That can be either the municipal website, or a physical posting in or on the municipal building where the clerk's office is located that is accessible 24/7. The official posting location cannot be at the police department, if that is a separate building.

Therefore, if the notice postings at the municipal building are not accessible to the public 24/7, then the city should consider adopting the municipal website as the official notice posting location. Notices can still be posted in additional locations, but there needs to be one designated, official notice posting location that complies with the Open Meeting Law.

Please let me know if you have any questions.

Thank you,

Natalie Reyes (she/her/hers)

Paralegal

Division of Open Government

Massachusetts Office of the Attorney General

From: Donna McCoy, Town Clerk <townclerk@town.billerica.ma.us>

Sent: Wednesday, August 27, 2025 10:44 AM

To: OpenMeeting (AGO) <openmeeting@mass.gov>

Subject: RE: Billerica official posting location

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Natattie,

The official posting place is the clerk's office. We have a bulletin board on the wall with the meeting notices. Our building is locked for the weekends so that is the reason for the Police Dept. next door also being utilized as a posting place. They have a clipboard in the main entrance where we put copies of all meetings. The Town's website is available 24-7, but I understand not everybody is comfortable with computers.

Donna

From: OpenMeeting (AGO) <openmeeting@mass.gov>

Sent: Wednesday, August 27, 2025 10:36 AM

To: Donna McCoy, Town Clerk <townclerk@town.billerica.ma.us>

Subject: RE: Billerica official posting location

[EXTERNAL EMAIL]

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

Hi Donna,

Although public bodies are welcome to post notice of their meetings in additional locations if they choose, a municipality has only one official notice posting location for purposes of complying with the Open Meeting Law and we review the notice posted in

that location when evaluating compliance with the Law. See 940 CMR 29.03(2)(c); OML 2023-36; OML 2022-228; OML 2021-94; OML 2020-20.

Can you please advise which one we should use as Billerica's official notice location?

Thank you,

Natalie Reyes (she/her/hers)

Paralegal

Division of Open Government

Massachusetts Office of the Attorney General

From: Donna McCoy, Town Clerk <townclerk@town.billerica.ma.us>

Sent: Wednesday, August 27, 2025 10:31 AM

To: OpenMeeting (AGO) <openmeeting@mass.gov>

Subject: RE: Billerica official posting location

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

We post in the Town Clerk's office, over at the Police Dept. next door and on the Town's Website under Agendas

Regards,

Donna McCoy

From: OpenMeeting (AGO) <openmeeting@mass.gov>

Sent: Wednesday, August 27, 2025 10:30 AM

To: Donna McCoy, Town Clerk <townclerk@town.billerica.ma.us>

Subject: Billerica official posting location

[EXTERNAL EMAIL]

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

Hello,

Could you please advise what the town's official notice posting location on? Our records indicate that the town's official posting location is "Conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located." Can you please confirm whether this is correct?

Thank you,

Natalie Reyes (she/her/hers)

Paralegal

Division of Open Government

Massachusetts Office of the Attorney General

Part I	ADMINISTRATION OF THE GOVERNMENT
Title I	JURISDICTION AND EMBLEMS OF THE COMMONWEALTH, THE GENERAL COURT, STATUTES AND PUBLIC DOCUMENTS
Chapter 4	STATUTES
Section 7	DEFINITIONS OF STATUTORY TERMS; STATUTORY CONSTRUCTION

Section 7. In construing statutes the following words shall have the meanings herein given, unless a contrary intention clearly appears:

First, "Aldermen", "board of aldermen", "mayor and aldermen", "city council" or "mayor" shall, in a city which has no such body or officer, mean the board or officer having like powers or duties.

Second, "Annual meeting", when applied to towns, shall mean the annual meeting required by law to be held in the month of February, March or April.

Second A, "Appointing authority", when used in connection with the operation of municipal governments shall include the mayor of a city and the board of selectmen of a town unless some other local office is designated as the appointing authority under the provisions of a local charter.

Third, "Assessor" shall include any person chosen or appointed in accordance with law to perform the duties of an assessor.

Third A, "Board of selectmen", when used in connection with the operation of municipal governments shall include any other local office which is performing the duties of a board of selectmen, in whole or in part, under the provisions of a local charter.

[There is no clause Fourth.]

Fifth, "Charter", when used in connection with the operation of city and town government shall include a written instrument adopted, amended or revised pursuant to the provisions of chapter forty-three B which establishes and defines the structure of city and town government for a particular community and which may create local offices, and distribute powers, duties and responsibilities among local offices and which may establish and define certain procedures to be followed by the city or town government. Special laws enacted by the general court applicable only to one city or town shall be deemed to have the force of a charter and may be amended, repealed and revised in accordance with the provisions of chapter forty-three B unless any such special law contains a specific prohibition against such action.

Fifth A, "Chief administrative officer", when used in connection with the operation of municipal governments, shall include the mayor of a city and the board of selectmen in a town unless some other local office is designated to be the chief administrative officer under the provisions of a local charter.

Fifth B, "Chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the board of selectmen in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

Sixth, "City solicitor" shall include the head of the legal department of a city or town.

Sixth A, "Coterminous", shall mean, when applied to the term of office of a person appointed by the governor, the period from the date of appointment and qualification to the end of the term of said governor; provided that such person shall serve until his successor is appointed and qualified; and provided, further, that the governor may remove such person at any time, subject however to the condition that if such person receives notice of the termination of his appointment he shall have the right, at his request, to a hearing within thirty days from receipt of such notice at which hearing the governor shall show cause for such removal, and that during the period following receipt of such notice and until final determination said person shall receive his usual compensation but shall be deemed suspended from his office.

Seventh, "District", when applied to courts or the justices or other officials thereof, shall include municipal.

Eighth, "Dukes", "Dukes county" or "county of Dukes" shall mean the county of Dukes county.

Ninth, "Fiscal year", when used with reference to any of the offices, departments, boards, commissions, institutions or undertakings of the commonwealth, shall mean the year beginning with July first and ending with the following June thirtieth.

Tenth, "Illegal gaming", a banking or percentage game played with cards, dice, tiles, dominoes, or an electronic, electrical or mechanical device or machine for money, property, checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the state lottery commission under sections 24, 24A and 27 of chapter 10; (ii)

a game conducted under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) pari-mutuel wagering on horse races under chapters 128A and 128C; (v) a game of bingo conducted under chapter 271; and (vi) charitable gaming conducted under said chapter 271.

Eleventh, "Grantor" may include every person from or by whom a freehold estate or interest passes in or by any deed; and "grantee" may include every person to whom such estate or interest so passes.

Twelfth, "Highway", "townway", "public way" or "way" shall include a bridge which is a part thereof.

Thirteenth, "In books", when used relative to the records of cities and towns, shall not prohibit the making of such records on separate leaves, if such leaves are bound in a permanent book upon the completion of a sufficient number of them to make an ordinary volume.

Fourteenth, "Inhabitant" may mean a resident in any city or town.

[There is no clause Fifteenth.]

Sixteenth, "Issue", as applied to the descent of estates, shall include all the lawful lineal descendants of the ancestor.

Seventeenth, "Land", "lands" and "real estate" shall include lands, tenements and hereditaments, and all rights thereto and interests therein; and "recorded", as applied to plans, deeds or other instruments affecting land, shall, as affecting registered land, mean filed and registered.

Eighteenth, "Legal holiday" shall include January first, June nineteenth, July fourth, November eleventh, and Christmas Day, or the day following when any of said days occurs on Sunday, and the third Monday in January, the third Monday in February, the third Monday in April, the last Monday in May, the first Monday in September, the second Monday in

October, and Thanksgiving Day. "Legal holiday" shall also include, with respect to Suffolk county only, Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, or the day following when said days occur on Sunday; provided, however, that all state and municipal agencies, authorities, quasi-public entities or other offices located in Suffolk county shall be open for business and appropriately staffed on Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, and that section forty-five of chapter one hundred and forty-nine shall not apply to Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, or the day following when said days occur on Sunday.

Eighteenth A, "Commemoration day" shall include March fifteenth, in honor of Peter Francisco day, May twentieth, in honor of General Marquis de Lafayette and May twenty-ninth, in honor of the birthday of President John F. Kennedy. The governor shall issue a proclamation in connection with each such commemoration day.

Eighteenth B, "Legislative body", when used in connection with the operation of municipal governments shall include that agency of the municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled a city council, board of aldermen, town council, town meeting or by any other title.

Nineteenth, "Month" shall mean a calendar month, except that, when used in a statute providing for punishment by imprisonment, one "month" or a multiple thereof shall mean a period of thirty days or the corresponding multiple thereof; and "year", a calendar year.

Nineteenth A, "Municipality" shall mean a city or town.

Twentieth, "Net indebtedness" shall mean the indebtedness of a county, city, town or district, omitting debts created for supplying the inhabitants with water and other debts exempted from the operation of the law limiting their indebtedness, and deducting the amount of sinking funds available for the payment of the indebtedness included.

Twenty-first, "Oath" shall include affirmation in cases where by law an affirmation may be substituted for an oath.

Twenty-second, "Ordinance", as applied to cities, shall be synonymous with by-law.

Twenty-third, "Person" or "whoever" shall include corporations, societies, associations and partnerships.

Twenty-fourth, "Place" may mean a city or town.

Twenty-fifth, "Preceding" or "following", used with reference to any section of the statutes, shall mean the section last preceding or next following, unless some other section is expressly designated in such reference.

Twenty-sixth, "Public records" shall mean all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency, executive office, department, board, commission, bureau, division or authority of the commonwealth, or of any political subdivision thereof, or of any authority established by the general court to serve a public purpose, or any person, corporation, association, partnership or other legal entity which receives or expends public funds

for the payment or administration of pensions for any current or former employees of the commonwealth or any political subdivision as defined in section 1 of chapter 32, unless such materials or data fall within the following exemptions in that they are:

- (a) specifically or by necessary implication exempted from disclosure by statute;
- (b) related solely to internal personnel rules and practices of the government unit, provided however, that such records shall be withheld only to the extent that proper performance of necessary governmental functions requires such withholding;
- (c) personnel and medical files or information and any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy; provided, however, that this subclause shall not apply to records related to a law enforcement misconduct investigation.
- (d) inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the agency; but this subclause shall not apply to reasonably completed factual studies or reports on which the development of such policy positions has been or may be based;
- (e) notebooks and other materials prepared by an employee of the commonwealth which are personal to him and not maintained as part of the files of the governmental unit;
- (f) investigatory materials necessarily compiled out of the public view by law enforcement or other investigatory officials the disclosure of which materials would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest;

(g) trade secrets or commercial or financial information voluntarily provided to an agency for use in developing governmental policy and upon a promise of confidentiality; but this subclause shall not apply to information submitted as required by law or as a condition of receiving a governmental contract or other benefit;

(h) proposals and bids to enter into any contract or agreement until the time for the opening of bids in the case of proposals or bids to be opened publicly, and until the time for the receipt of bids or proposals has expired in all other cases; and inter-agency or intra-agency communications made in connection with an evaluation process for reviewing bids or proposals, prior to a decision to enter into negotiations with or to award a contract to, a particular person;

(i) appraisals of real property acquired or to be acquired until (1) a final agreement is entered into; or (2) any litigation relative to such appraisal has been terminated; or (3) the time within which to commence such litigation has expired;

(j) the names and addresses of any persons contained in, or referred to in, any applications for any licenses to carry or possess firearms issued pursuant to chapter one hundred and forty or any firearms identification cards issued pursuant to said chapter one hundred and forty and the names and addresses on sales or transfers of any firearms, rifles, shotguns, or machine guns or ammunition therefor, as defined in said chapter one hundred and forty and the names and addresses on said licenses or cards;

[There is no subclause (k).]

(l) questions and answers, scoring keys and sheets and other materials used to develop, administer or score a test, examination or assessment instrument; provided, however, that such materials are intended to be used for another test, examination or assessment instrument;

(m) contracts for hospital or related health care services between (i) any hospital, clinic or other health care facility operated by a unit of state, county or municipal government and (ii) a health maintenance organization arrangement approved under chapter one hundred and seventy-six I, a nonprofit hospital service corporation or medical service corporation organized pursuant to chapter one hundred and seventy-six A and chapter one hundred and seventy-six B, respectively, a health insurance corporation licensed under chapter one hundred and seventy-five or any legal entity that is self insured and provides health care benefits to its employees.

(n) records, including, but not limited to, blueprints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety of persons or buildings, structures, facilities, utilities, transportation, cyber security or other infrastructure located within the commonwealth, the disclosure of which, in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection (c) of section 10 of chapter 66, is likely to jeopardize public safety or cyber security.

(o) the home address, personal email address and home telephone number of an employee of the judicial branch, an unelected employee of the general court, an agency, executive office, department, board,

commission, bureau, division or authority of the commonwealth, or of a political subdivision thereof or of an authority established by the general court to serve a public purpose, in the custody of a government agency which maintains records identifying persons as falling within those categories; provided that the information may be disclosed to an employee organization under chapter 150E, a nonprofit organization for retired public employees under chapter 180, or a criminal justice agency as defined in section 167 of chapter 6.

(p) the name, home address, personal email address and home telephone number of a family member of a commonwealth employee, contained in a record in the custody of a government agency which maintains records identifying persons as falling within the categories listed in subclause (o).

(q) Adoption contact information and indices therefore of the adoption contact registry established by section 31 of chapter 46.

(r) Information and records acquired under chapter 18C by the office of the child advocate.

(s) trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities

making, selling or distributing electric power and energy; provided, however, that this subclause shall not exempt a public entity from disclosure required of a private entity so licensed.

(t) statements filed under section 20C of chapter 32.

(u) trade secrets or other proprietary information of the University of Massachusetts, including trade secrets or proprietary information provided to the University by research sponsors or private concerns.

(v) records disclosed to the health policy commission under subsections (b) and (e) of section 8A of chapter 6D.

[Subclause (w) of first paragraph of clause Twenty-sixth added by 2024, 363, Sec. 1 effective April 8, 2025.]

(w) photographs and other personal identifying information collected under chapter 90K.

Any person denied access to public records may pursue the remedy provided for in section 10A of chapter sixty-six.

Twenty-seventh, "Salary" shall mean annual salary.

Twenty-eighth, "Savings banks" shall include institutions for savings.

[There is no clause Twenty-ninth.]

Thirtieth, "Spendthrift" shall mean a person who is liable to be put under guardianship on account of excessive drinking, gaming, idleness or debauchery.

Thirty-first, "State", when applied to the different parts of the United States, shall extend to and include the District of Columbia and the several territories; and the words "United States" shall include said district and territories.

Thirty-second, "State auditor" and "state secretary" shall mean respectively the auditor of the commonwealth and the secretary of the commonwealth. "State treasurer" or "treasurer of the commonwealth" shall mean the treasurer and receiver general as used in the constitution of the commonwealth, and shall have the same meaning in all contracts, instruments, securities and other documents.

Thirty-third, "Swear" shall include affirm in cases in which an affirmation may be substituted for an oath. When applied to public officers who are required by the constitution to take oaths therein prescribed, it shall refer to those oaths; and when applied to any other officer it shall mean sworn to the faithful performance of his official duties.

Thirty-fourth, "Town", when applied to towns or officers or employees thereof, shall include city.

Thirty-fifth, "Valuation", as applied to a town, shall mean the valuation of such town as determined by the last preceding apportionment made for the purposes of the state tax.

Thirty-sixth, "Water district" shall include water supply district.

Thirty-seventh, "Will" shall include codicils.

Thirty-eighth, "Written" and "in writing" shall include printing, engraving, lithographing and any other mode of representing words and letters; but if the written signature of a person is required by law, it shall always be his own handwriting or, if he is unable to write, his mark.

Thirty-ninth, "Annual election", as applied to municipal elections in cities holding such elections biennially, shall mean biennial election.

Fortieth, "Surety" or "Sureties", when used with reference to a fidelity bond of an officer or employee of a county, city, town or district, shall mean a surety company authorized to transact business in the commonwealth.

Forty-first, "Population", when used in connection with the number of inhabitants of a county, city, town or district, shall mean the population as determined by the last preceding national census.

[There is no clause Forty-second.]

Forty-third, "Veteran" shall mean (1) any person, (a) whose last discharge or release from his wartime service as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States, or on full time national guard duty under Titles 10 or 32 of the United States Code or under sections 38, 40 and 41 of chapter 33 for not less than 90 days active service, at least 1 day of which was for wartime service; provided, however, than any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 90 days of active service; (2) a member of the American Merchant Marine who served in armed conflict between December 7, 1941 and December 31, 1946, and who has received honorable discharges from the United States Coast Guard, Army, or Navy; (3) any person (a) whose last discharge from active service was under honorable conditions, and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than 180 days active service; provided, however, that any person who so served and was awarded a service-connected disability or who died in such

service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 180 days of active service.

"Wartime service" shall mean service performed by a "Spanish War veteran", a "World War I veteran", a "World War II veteran", a "Korean veteran", a "Vietnam veteran", a "Lebanese peace keeping force veteran", a "Grenada rescue mission veteran", a "Panamanian intervention force veteran", a "Persian Gulf veteran", or a member of the "WAAC" as defined in this clause during any of the periods of time described herein or for which such medals described below are awarded.

"Spanish War veteran" shall mean any veteran who performed such wartime service between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two.

"World War I veteran" shall mean any veteran who (a) performed such wartime service between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or (b) has been awarded the World War I Victory Medal, or (c) performed such service between March twenty-fifth, nineteen hundred and seventeen and August fifth, nineteen hundred and seventeen, as a Massachusetts National Guardsman.

"World War II veteran" shall mean any veteran who performed such wartime service between September 16, 1940 and July 25, 1947, and was awarded a World War II Victory Medal, except that for the purposes of chapter 31 it shall mean all active service between the dates of September 16, 1940 and June 25, 1950.

"Korean veteran" shall mean any veteran who performed such wartime service between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive, and any person who has received the Korea Defense Service Medal as established in the Bob Stump National Defense Authorization Act for fiscal year 2003.

"Korean emergency" shall mean the period between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive.

"Vietnam veteran" shall mean (1) any person who performed such wartime service during the period commencing August fifth, nineteen hundred and sixty-four and ending on May seventh, nineteen hundred and seventy-five, both dates inclusive, or (2) any person who served at least one hundred and eighty days of active service in the armed forces of the United States during the period between February first, nineteen hundred and fifty-five and August fourth, nineteen hundred and sixty-four; provided, however, that for the purposes of the application of the provisions of chapter thirty-one, it shall also include all active service between the dates May seventh, nineteen hundred and seventy-five and June fourth, nineteen hundred and seventy-six; and provided, further, that any such person who served in said armed forces during said period and was awarded a service-connected disability or a Purple Heart, or who died in said service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete one hundred and eighty days of active service.

"Lebanese peace keeping force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing August twenty-fifth, nineteen hundred and eighty-two and ending when the President of the United States shall have withdrawn armed forces from the country of Lebanon.

"Grenada rescue mission veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing October twenty-fifth, nineteen hundred and eighty-three to December fifteenth, nineteen hundred and eighty-three, inclusive.

"Panamanian intervention force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing December twentieth, nineteen hundred and eighty-nine and ending January thirty-first, nineteen hundred and ninety.

"Persian Gulf veteran" shall mean any person who performed such wartime service during the period commencing August second, nineteen hundred and ninety and ending on a date to be determined by presidential proclamation or executive order and concurrent resolution of the Congress of the United States.

"WAAC" shall mean any woman who was discharged and so served in any corps or unit of the United States established for the purpose of enabling women to serve with, or as auxiliary to, the armed forces of the United States and such woman shall be deemed to be a veteran.

None of the following shall be deemed to be a "veteran":

(a) Any person who at the time of entering into the armed forces of the United States had declared his intention to become a subject or citizen of the United States and withdrew his intention under the provisions of the act of Congress approved July ninth, nineteen hundred and eighteen.

(b) Any person who was discharged from the said armed forces on his own application or solicitation by reason of his being an enemy alien.

(c) Any person who has been proved guilty of wilful desertion.

(d) Any person whose only service in the armed forces of the United States consists of his service as a member of the coast guard auxiliary or as a temporary member of the coast guard reserve, or both.

(e) Any person whose last discharge or release from the armed forces is dishonorable.

"Armed forces" shall include army, navy, marine corps, air force and coast guard.

"Active service in the armed forces", as used in this clause shall not include active duty for training in the army national guard or air national guard or active duty for training as a reservist in the armed forces of the United States.

Forty-fourth, "Registered mail", when used with reference to the sending of notice or of any article having no intrinsic value shall include certified mail.

Forty-fifth, "Pledge", "Mortgage", "Conditional Sale", "Lien", "Assignment" and like terms, when used in referring to a security interest in personal property shall include a corresponding type of security interest under chapter one hundred and six of the General Laws, the Uniform Commercial Code.

Forty-sixth, "Forester", "state forester" and "state fire warden" shall mean the commissioner of environmental management or his designee.

Forty-seventh, "Fire fighter", "fireman" or "permanent member of a fire department", shall include the chief or other uniformed officer performing similar duties, however entitled, and all other fire officers of a fire department, including, without limitation, any permanent crash crewman, crash boatman, fire controlman or assistant fire controlman employed at the General Edward Lawrence Logan International Airport, members of the 104th fighter wing fire department, members of the Devens fire department established pursuant to chapter 498 of the acts of 1993 or members of the Massachusetts military reservation fire department.

Forty-eighth, "Minor" shall mean any person under eighteen years of age.

Forty-ninth, "Full age" shall mean eighteen years of age or older.

Fiftieth, "Adult" shall mean any person who has attained the age of eighteen.

Fifty-first, "Age of majority" shall mean eighteen years of age.

Fifty-second, "Superior court" shall mean the superior court department of the trial court, or a session thereof for holding court.

Fifty-third, "Land court" shall mean the land court department of the trial court, or a session thereof for holding court.

Fifty-fourth, "Probate court", "court of insolvency" or "probate and insolvency court" shall mean a division of the probate and family court department of the trial court, or a session thereof for holding court.

Fifty-fifth, "Housing court" shall mean a division of the housing court department of the trial court, or a session thereof for holding court.

Fifty-sixth, "District court" or "municipal court" shall mean a division of the district court department of the trial court, or a session thereof for holding court, except that when the context means something to the contrary, said words shall include the Boston municipal court department.

Fifty-seventh, "Municipal court of the city of Boston" shall mean the Boston municipal court department of the trial court, or a session thereof for holding court.

Fifty-eighth, "Juvenile court" shall mean a division of the juvenile court department of the trial court, or a session thereof for holding court.

Fifty-ninth, "Gender identity" shall mean a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held as part of a person's core identity; provided, however, that gender-related identity shall not be asserted for any improper purpose.

Sixtieth, "Age of criminal majority" shall mean the age of 18.

Sixty-first, "Offense-based tracking number" shall mean a unique number assigned by a criminal justice agency, as defined in section 167 of chapter 6, for an arrest or charge; provided, however, that any such

designation shall conform to the policies of the department of state police and the department of criminal justice information services.

Sixty-second, "Race", as applied to a prohibition on discrimination based on race, shall include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

Sixty-third, "Protective hairstyle", shall include, but not be limited to, braids, locks, twists, Bantu knots, hair coverings and other formations.

Municipality	Official Posting Location	Last Updated with the Attorney General
Abington	Physical Notice	
Acton	http://www.acton-ma.gov	12/2/2010
Acushnet	Physical Notice	
Adams	http://www.town.adams.ma.us/	4/6/2023
Agawam	Physical Notice	
Alford	Physical Notice	
Amesbury	http://www.amesburyma.gov/	11/14/2017
Amherst	www.amherstma.gov	1/29/2019
Andover	http://www.andoverma.gov	2/28/2011
Aquinnah	Physical Notice	
Arlington	http://www.arlingtonma.gov/boards	10/22/2010
Ashburnham	http://www.ashburnham-ma.gov	1/18/2011
Ashby	Physical Notice	
Ashfield	www.ashfield.org	6/9/2021
Ashland	http://www.ashlandmass.com	11/12/2013
Athol	http://www.athol-ma.gov	2/3/2011
Attleboro	www.cityofattleboro.us	12/29/2021
Auburn	http://www.auburnguide.com	9/28/2017
Avon	Physical Notice	
Ayer	Physical Notice	
Barnstable	http://www.town.barnstable.ma.us	10/22/2010
Barre	http://www.mytowngovernment.org	10/4/2010
Becket	Physical Notice	
Bedford	www.bedfordma.gov	12/1/2025
Belchertown	http://www.belchertown.org	11/30/2017
Bellingham	Physical Notice	
Belmont	www.belmont-ma.gov	3/16/2020
Berkley	https://townofberkleyma.gov/	5/9/2025
Berlin	https://mytowngovernment.org/01503	5/21/2025
Bernardston	http://www.townofbernardston.org/	9/15/2016
Beverly	http://www.beverlyma.gov	6/28/2016

Billerica	https://www.town.billerica.ma.us/	8/27/2025
Blackstone	http://www.townofblackstone.org	12/5/2017
Blandford	Physical Notice	
Bolton	http://www.townofbolton.com	10/26/2010
Boston	http://www.boston.gov/public-notices	11/1/2016
Bourne	http://www.townofbourne.com	3/16/2015
Boxborough	http://www.boxborough-ma.gov	3/18/2015
Boxford	http://www.town.boxford.ma.us	10/24/2013
Boylston	http://www.boylston-ma.gov	3/16/2022
Braintree	Physical Notice	
Brewster	http://www.brewster-ma.gov/calendar	8/27/2025
Bridgewater	http://www.bridgewaterma.org	8/11/2016
Brimfield	www.brimfieldma.org	4/4/2024
Brockton	http://www.brockton.ma.us/	12/12/2014
Brookfield	http://www.mytowngovernment.org	1/25/2013
Brookline	https://www.brooklinema.gov	8/12/2025
Buckland	Bulletin board outside Town Hall	7/1/2010
Burlington	http://www.burlington.org	7/1/2010
Cambridge	http://www.cambridgema.gov	8/8/2025
Canton	https://www.town.canton.ma.us/	1/25/2023
Carlisle	https://www.carlislema.gov/	3/6/2019
Carver	http://www.carverma.gov	10/4/2017
Charlemont	Physical Notice	
Charlton	www.townofcharlton.net	11/13/2019
Chatham	http://www.chatham-ma.gov	1/26/2012
Chelmsford	http://www.townofchelmsford.us	11/27/2012
Chelsea	http://www.chelseama.gov/	10/13/2010
Cheshire	https://www.cheshire-ma.gov/	2/8/2023
Chester	Physical Notice	
Chesterfield	http://www.townofchesterfieldma.com	12/2/2017
Chicopee	http://www.chicopeema.gov	3/3/2011
Chilmark	http://www.chilmarkma.gov	3/30/2011
Clarksburg	Clarksburgma.gov	3/27/2020

Clinton	Physical Notice	
Cohasset	https://www.cohassetma.org/	4/2/2020
Colrain	colrain-ma.gov	7/1/2025
Concord	http://www.concordma.gov	7/15/2010
Conway	https://conwayma.gov/	10/8/2024
Cummington	Physical Notice	
Dalton	MyTownGovernment.org	2/5/2015
Danvers	www.danversma.gov	2/27/2023
Dartmouth	https://www.town.dartmouth.ma.us/AgendaCenter	5/11/2023
Dedham	Bulletin boards outside Town Hall	6/30/2010
Deerfield	Physical Notice	
Dennis	http://www.town.dennis.ma.us/	10/13/2010
Dighton	Bulletin board outside Town Hall	7/1/2010
Douglas	Physical Notice	
Dover	http://doverma.gov	8/27/2025
Dracut	http://www.dracutma.gov	2/13/2018
Dudley	Physical Notice	
Dunstable	http://www.dunstable-ma.gov	10/7/2010
Duxbury	http://www.town.duxbury.ma.us	11/24/2015
East Bridgewater	http://www.Eastbridgewaterma.gov	7/25/2012
East Brookfield	https://www.eastbrookfieldma.us/town-clerk	1/18/2022
East Longmeadow	Physical Notice	
Eastham	http://www.eastham-ma.gov	12/21/2017
Easthampton	www.easthamptonma.gov	10/6/2020
Easton	http://www.easton.ma.us	9/26/2017
Edgartown	Physical Notice	
Egremont	www.egremont-ma.gov	1/23/2024
Erving	Physical Notice	
Essex	https://www.essexma.org/	3/1/2024
Everett	Cityofeverett.com	9/27/2018
Fairhaven	http://www.Fairhaven-MA.gov	1/26/2017
Fall River	www.fallriverma.gov	11/28/2023
Falmouth	http://www.falmouthmass.us/AgendaCenter	4/7/2017

Fitchburg	http://www.ci.fitchburg.ma.us/	12/18/2020
Florida	Physical Notice	
Foxborough	http://foxboroughma.gov/	4/2/2020
Framingham	http://www.framinghamma.gov	10/22/2010
Franklin	Beginning January 1, 2020: http://www.franklinma.g	9/5/2019
Freetown	http://www.freetownma.gov/	7/20/2010
Gardner	Physical Notice	
Georgetown	https://www.georgetownma.gov/	8/24/2023
Gill	www.gillmass.org	6/4/2024
Gloucester	http://www.gloucester-ma.gov	4/27/2015
Goshen	Physical Notice	
Gosnold	Physical Notice	
Grafton	http://www.grafton-ma.gov	12/1/2010
Granby	Physical Notice	
Granville	Physical Notice	
Great Barrington	www.townofgb.org	12/17/2019
Greenfield	http://www.greenfield-ma.gov/	9/16/2013
Groton	www.grotonma.gov	6/17/2021
Groveland	http://www.grovelandma.com/	8/23/2010
Hadley	http://www.hadleyma.org	4/27/2012
Halifax	www.halifax-ma.org	9/28/2021
Hamilton	http://www.hamiltonma.gov	6/27/2013
Hampden	https://www.hampdenma.gov/	7/12/2022
Hancock	Physical Notice	
Hanover	http://www.hanover-ma.gov	10/29/2014
Hanson	Physical Notice	
Hardwick	http://www.mytowngovernment.org	9/16/2015
Harvard	harvard-ma.gov	8/21/2025
Harwich	http://www.town.harwich.ma.us	4/3/2012
Hatfield	http://www.townofhatfield.org	3/9/2012
Haverhill	http://www.ci.haverhill.ma.us/	1/12/2017
Hawley	Physical Notice	
Heath	Physical Notice	

Hingham	https://www.hingham-ma.gov/	3/26/2020
Hinsdale	http://www.hinsdalemass.com	3/29/2018
Holbrook	Physical Notice	
Holden	Physical Notice	
Holland	Physical Notice	
Holliston	townofholliston.us	11/30/2017
Holyoke	https://www.holyoke.org/calendar/	8/19/2024
Hopedale	Glass case affixed to Town Hall	8/12/2010
Hopkinton	http://www.hopkintonma.gov	1/28/2014
Hubbardston	http://www.hubbardstonma.us	3/23/2011
Hudson	http://www.townofhudson.org	7/2/2010
Hull	https://www.town.hull.ma.us/	4/8/2020
Huntington	huntingtonma.us/	9/21/2017
Ipswich	http://www.ipswichma.gov/	10/6/2010
Kingston	Physical Notice	
Lakeville	www.lakevillema.com	1/2/2018
Lancaster	http://www.ci.lancaster.ma.us/	2/18/2015
Lanesborough	https://www.lanesborough-ma.gov/minutes-and-ag	4/11/2022
Lawrence	http://www.cityoflawrence.com	9/21/2015
Lee	Shelf in the Town Hall entrance with a binder	7/12/2010
Leicester	http://www.leicesterma.org/	8/24/2017
Lenox	Enclosed bulletin board inside Town Hall	7/8/2010
Leominster	Physical Notice	
Leverett	Glass box at rear of Town Hall	8/12/2010
Lexington	http://www.lexingtonma.gov	11/17/2017
Leyden	www.townofleyden.com	9/11/2024
Lincoln	http://www.lincolntown.org/926/Open-Meeting-Acc	11/14/2017
Littleton	Physical Notice	
Longmeadow	https://www.longmeadowma.gov	12/6/2024
Lowell	Physical Notice	
Ludlow	The Town of Ludlow posting requirement is using the	6/24/2019
Lunenburg	Physical Notice	
Lynn	www.lynnma.gov/municipal_meetings.shtml	3/27/2020

Lynnfield	http://www.town.lynnfield.ma.us	
Malden	www.cityofmalden.org	7/8/2019
Manchester-by-the-Sea	www.manchester.ma.us	4/23/2020
Mansfield	www.mansfieldma.com	4/10/2020
Marblehead	Marbleheadma.gov	11/5/2025
Marion	http://www.marionma.gov	10/22/2010
Marlborough	http://www.marlborough-ma.gov/gen/index	7/23/2012
Marshfield	http://www.marshfield-ma.gov/	5/5/2014
Mashpee	Physical Notice	
Mattapoisett	Physical Notice	
Maynard	http://www.townofmaynard-ma.gov	8/15/2013
Medfield	http://town.medfield.net/	3/25/2020
Medford	Physical Notice	
Medway	www.medwayma.gov	3/3/2025
Melrose	https://www.cityofmelrose.org/129/Agendas-Minute	10/23/2025
Mendon	http://www.mendonma.gov	1/30/2018
Merrimac	https://townofmerrimac.com	10/12/2023
Methuen	Bulletin board outside City Hall	8/9/2010
Middleborough	https://www.middleboroughma.gov/	6/9/2022
Middlefield	Physical Notice	
Middleton	http://www.middletonma.gov	8/1/2024
Milford	http://www.milfordma.gov	12/5/2017
Millbury	https://www.millburyma.gov	9/4/2025
Millis	Physical Notice	
Millville	Physical Notice	
Milton	https://www.townofmilton.org/	9/24/2020
Monroe	Physical Notice	
Monson	monson-ma.gov	1/10/2018
Montague	Outdoor bulletin board at the Town Hall rear entrance	10/26/2010
Monterey	http://www.montereyma.gov	2/23/2015
Montgomery	Physical Notice	
Mount Washington	Physical Notice	
Nahant	www.Nahant.org	4/3/2020

Nantucket	http://www.nantucket-ma.gov	12/5/2017
Natick	http://www.natickma.gov/	9/20/2017
Needham	http://www.needhamma.gov	10/20/2010
New Ashford	https://NewAshford-ma.us	2/14/2023
New Bedford	http://www.newbedford-ma.gov/	6/10/2016
New Braintree	Physical Notice	
New Marlborough	Physical Notice	
New Salem	newsalemma.org	6/14/2022
Newbury	www.townofnewbury.org	9/20/2018
Newburyport	www.cityofnewburyport.com	5/1/2023
Newton	http://www.newtonma.gov/gov/aldermen/epb/default.aspx	10/12/2010
Norfolk	http://www.mytowngovernment.org/02056	1/18/2012
North Adams	Physical Notice	
North Andover	http://www.townofnorthandover.com	1/29/2015
North Attleborough	http://www.nattleboro.com/	1/16/2018
North Brookfield	Physical Notice	
North Reading	http://www.northreadingma.gov/node/166/events	9/25/2017
Northampton	http://www.northamptonma.gov/calendar.aspx?CID	9/9/2011
Northborough	http://www.town.northborough.ma.us	10/5/2010
Northbridge	http://www.northbridgemass.org	3/31/2015
Northfield	Physical Notice	
Norton	http://www.nortonma.org	1/5/2011
Norwell	http://www.townofnorwell.net	7/12/2012
Norwood	Glass-enclosed bulletin board outside Town Clerk's	10/14/2010
Oak Bluffs	https://www.oakbluffsma.gov/	12/13/2021
Oakham	https://www.oakham-ma.gov/	1/10/2024
Orange	http://www.townoforange.org	2/8/2011
Orleans	http://www.town.orleans.ma.us	7/26/2010
Otis	http://www.townofotisma.com	8/8/2011
Oxford	Computer monitor outside window at Town Hall entrance	7/22/2010
Palmer	Physical Notice	
Paxton	www.paxtonma.gov	8/27/2025
Peabody	Physical Notice	

Pelham	https://www.townofpelham.org/	4/26/2018
Pembroke	www.pembroke-ma.gov	4/24/2018
Pepperell	https://town.pepperell.ma.us/calendar.aspx?CID=1	9/24/2018
Peru	townofperuma.com	12/18/2018
Petersham	http://www.townofpetersham.org	3/25/2013
Phillipston	Physical Notice	
Pittsfield	Electronic bulletin board located in the window of th	1/21/2016
Plainfield	Physical Notice	
Plainville	http://www.plainville.ma.us	7/12/2012
Plymouth	Plymouth-ma.gov	1/17/2020
Plympton	http://www.town.plympton.ma.us	8/14/2017
Princeton	http://www.town.princeton.ma.us	6/28/2012
Provincetown	http://www.provincetown-ma.gov	10/23/2010
Quincy	http://www.quincyma.gov	7/13/2010
Randolph	Police Station	12/16/2013
Raynham	Physical Notice	
Reading	http://www.readingma.gov	3/10/2014
Rehoboth	http://www.town.rehoboth.ma.us	9/10/2013
Revere	Physical Notice	
Richmond	Physical Notice	
Rochester	www.townofrochestermass.com	8/4/2021
Rockland	Physical Notice	
Rockport	www.rockportma.gov	7/17/2020
Rowe	Bulletin Board at Town Hall	6/18/2021
Rowley	Physical Notice	
Royalston	http://www.royalston-ma.gov	1/31/2013
Russell	Physical Notice	
Rutland	http://www.townofrutland.org/Pages/index	12/4/2017
Salem	http://www.salem.com	7/9/2010
Salisbury	Bulletin board outside Town Hall	10/25/2010
Sandisfield	https://www.sandisfieldma.gov/	10/12/2023
Sandwich	www.sandwichmass.org	9/17/2018
Saugus	Physical Notice	

Savoy	Physical Notice	
Scituate	Physical Notice	
Seekonk	Front windows in Town Hall	6/30/2010
Sharon	Physical Notice	
Sheffield	Physical Notice	
Shelburne	Physical Notice	
Sherborn	http://www.sherbornma.org/Pages/index	10/26/2010
Shirley	http://www.shirley-ma.gov	2/24/2012
Shrewsbury	http://www.shrewsburyma.gov	11/21/2016
Shutesbury	http://www.shutesbury.org	3/16/2011
Somerset	http://www.townofsomerset.org	1/6/2016
Somerville	https://www.somervillema.gov	3/16/2020
South Hadley	http://www.southhadley.org/	2/4/2016
Southampton	http://www.mytowngovernment.org/01073	10/14/2014
Southborough	http://www.southboroughtown.com/	8/10/2010
Southbridge	http://www.ci.southbridge.ma.us	10/23/2017
Southwick	Physical Notice	
Spencer	http://www.spencerma.gov	6/3/2013
Springfield	http://springfieldcityma.igm2.com/Citizens/Default	2/16/2018
Sterling	http://www.sterling-ma.gov	2/18/2013
Stockbridge	Binder at rear entrance to Town Hall	7/1/2010
Stoneham	http://www.stoneham-ma.gov	5/3/2013
Stoughton	Physical Notice	
Stow	Physical Notice	
Sturbridge	http://www.town.sturbridge.ma.us/Public_Documen	8/27/2010
Sudbury	Physical Notice	
Sunderland	Information box in front of Town Hall	7/1/2010
Sutton	Physical Notice	
Swampscott	Physical Notice	
Swansea	www.swanseama.gov	6/6/2024
Taunton	https://www.taunton-ma.gov/	10/13/2020
Templeton	mytowngovernment.org	10/11/2013
Tewksbury	http://www.tewksbury-ma.gov	11/27/2015

Tisbury	Physical Notice	
Tolland	Physical Notice	
Topsfield	Labeled mailbox at side entrance to Topsfield Town H	8/3/2010
Townsend	Physical Notice	4/28/2020
Truro	Physical Notice	
Tyngsborough	http://www.Tyngsboroughma.gov	9/12/2017
Tyringham	Physical Notice	
Upton	http://www.uptonma.gov/	9/20/2017
Uxbridge	Physical Notice	
Wakefield	www.wakefieldma.gov	11/7/2025
Wales	www.townofwales.net	10/17/2017
Walpole	Physical Notice	
Waltham	Physical Notice	
Ware	http://www.townofware.com/	9/1/2010
Wareham	http://www.wareham.ma.us	10/28/2019
Warren	Physical Notice	
Warwick	Physical Notice	
Washington	Physical Notice	
Watertown	https://www.watertown-ma.gov/	11/26/2024
Wayland	https://www.wayland.ma.us/calendar	10/27/2022
Webster	Physical Notice	
Wellesley	http://www.wellesleyma.gov	10/22/2010
Wellfleet	http://www.wellfleet-ma.gov	6/12/2015
Wendell	www.wendellmass.us	8/3/2024
Wenham	http://www.wenhamma.gov	7/3/2014
West Boylston	https://www.westboylston-ma.gov/	1/4/2021
West Bridgewater	westbridgewaterma.org/calendar.php	7/1/2010
West Brookfield	Physical Notice	
West Newbury	Bulletin board in the foyer of the Town Office Building	7/15/2010
West Springfield	Under the covered stoop of the Municipal Office Building	7/15/2010
West Stockbridge	Physical Notice	
West Tisbury	Physical Notice	
Westborough	https://www.westboroughma.gov/	3/5/2025

Westfield	http://www.cityofwestfield.org	10/1/2014
Westford	Physical Notice	
Westhampton	Physical Notice	
Westminster	http://www.westminster-ma.gov	1/12/2012
Weston	http://www.weston.org	11/10/2010
Westover Metropolitan Airport	http://www.westovermetropolitandevlopmentcorp	3/17/2021
Westport	Physical Notice	
Westwood	http://www.townhall.westwood.ma.us/	12/3/2010
Weymouth	www.weymouth.ma.us	3/23/2020
Whately	http://www.whately.org/	10/22/2010
Whitman	http://www.whitman-ma.gov	2/14/2013
Wilbraham	Physical Notice	
Williamsburg	http://www.burgy.org	1/4/2018
Williamstown	Physical Notice	
Wilmington	www.wilmingtonma.gov	3/15/2022
Winchendon	http://www.townofwinchendon.com	8/1/2016
Winchester	http://www.winchester.us	3/23/2017
Windsor	windsormass.com	4/2/2020
Winthrop	Physical Notice	
Woburn	http://www.cityofwoburn.com	12/3/2010
Worcester	http://www.worcesterma.gov	5/3/2011
Worthington	Physical Notice	
Wrentham	www.wrentham.gov	8/26/2024
Yarmouth	http://www.yarmouth.ma.us/	10/27/2011

940 CMR: OFFICE OF THE ATTORNEY GENERAL

940 CMR 29.00: OPEN MEETINGS

Section

29.01: Purpose, Scope and Other General Provisions

29.02: Definitions

29.03: Notice Posting Requirements

29.04: Certification

29.05: Complaints

29.06: Investigation

29.07: Resolution

29.08: Advisory Opinions

29.09: Other Enforcement Actions

29.10: Remote Participation

29.11: Meeting Minutes

29.01: Purpose, Scope and Other General Provisions

(1) Purpose. The purpose of 940 CMR 29.00 is to interpret, enforce and effectuate the purposes of the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25.

(2) Severability. If any provision of 940 CMR 29.00 or the application of such provision to any person, public body, or circumstances shall be held invalid, the validity of the remainder of 940 CMR 29.00 and the applicability of such provision to other persons, public bodies, or circumstances shall not be affected thereby.

(3) Mailing. All complaints, notices (except meeting notices), and other materials that must be sent to another party shall be sent by one of the following means: first class mail, email, hand delivery, or by any other means at least as expeditious as first class mail.

29.02: Definitions

As used in 940 CMR 29.00, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

County Public Body means a public body created by county government with jurisdiction that comprises a single county.

District Public Body means a public body with jurisdiction that extends to two or more municipalities.

Emergency means a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.

Intentional Violation means an act or omission by a public body or a member thereof, in knowing violation of M.G.L. c. 30A, §§ 18 through 25. Evidence of an intentional violation of M.G.L. c. 30A, §§ 18 through 25 shall include, but not be limited to, that the public body or public body member: (a) acted with specific intent to violate the law; (b) acted with deliberate ignorance of the law's requirements; or (c) was previously informed by receipt of a decision from a court of competent jurisdiction or advised by the Attorney General, pursuant to 940 CMR 29.07 or 940 CMR 29.08, that the conduct violates M.G.L. c. 30A, §§ 18 through 25. Where a public body or public body member has made a good faith attempt at compliance with the law, but was reasonably mistaken about its requirements, such conduct will not be considered an intentional violation of M.G.L. c. 30A, §§ 18 through 25.

Person means all individuals and entities, including governmental officials and employees. Person does not include public bodies.

Post Notice means to place a written announcement of a meeting on a bulletin board, electronic display, website, or in a loose-leaf binder in a manner conspicuously visible to the public, including persons with disabilities, at all hours, in accordance with 940 CMR 29.03.

Public Body has the identical meaning as set forth in M.G.L. c. 30A, § 18, that is, a multiple-member board, commission, committee or subcommittee within the executive or legislative branch or within any county, district, city, region or town, however created, elected, appointed or otherwise constituted, established to serve a public purpose; provided, however, that the governing board of a local housing, redevelopment or other similar authority shall be deemed a local public body; provided, further, that the governing board or body of any other authority established by the general court to serve a public purpose in the commonwealth or any part thereof shall be deemed a state public body; provided, further, that "public body" shall not include the general court or the committees or recess commissions thereof, bodies of the judicial branch or bodies appointed by a constitutional officer solely for the purpose of advising a constitutional officer and shall not include the board of bank incorporation or the policyholders protective board; and provided further, that a subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

Qualification for Office means the election or appointment of a person to a public body and the taking of the oath of office, where required, and shall include qualification for a second or any subsequent term of office. Where no term of office for a member of a public body is specified, the member shall be deemed to be qualified for office on a biennial basis following appointment or election to office.

Regional Public Body means a public body with jurisdiction that extends to two or more municipalities.

Remote Participation means participation by a member of a public body during a meeting of that public body where the member is not physically present at the meeting location.

29.03: Notice Posting Requirements

(1) Requirements Applicable to All Public Bodies.

(a) Except in an emergency, public bodies shall file meeting notices sufficiently in advance of a public meeting to permit posting of the notice at least 48 hours in advance of the public meeting, excluding Saturdays, Sundays and legal holidays, in accordance with M.G.L. c. 30A, § 20. In an emergency, the notice shall be posted as soon as reasonably possible prior to such meeting.

(b) Meeting notices shall be printed or displayed in a legible, easily understandable format and shall contain the date, time and place of such meeting, and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. The list of topics shall have sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting.

(c) Notices posted under an alternative posting method authorized by 940 CMR 29.03(2) through (5) shall include the same content as required by 940 CMR 29.03(1)(b). If such an alternative posting method is adopted, the municipal clerk, in the case of a municipality, or the body, in all other cases, shall file with the Attorney General written notice of adoption of the alternative method, including the website address where applicable, and any change thereto, and the most current notice posting method on file with the Attorney General shall be consistently used.

(d) The date and time that a meeting notice is posted shall be conspicuously recorded thereon or therewith. If an amendment occurs within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended shall also be conspicuously recorded thereon or therewith.

(2) Requirements Specific to Local Public Bodies.

(a) The official method of posting notice shall be by filing with the municipal clerk, or other person designated by agreement with the municipal clerk, who shall post notice of the meeting in a manner conspicuously visible to the public at all hours in, on, or near the municipal building in which the clerk's office is located.

(b) Alternatively, the municipality may adopt the municipal website as the official method of notice posting.

1. The Chief Executive Officer of the municipality, as defined in M.G.L. c. 4, § 7, must authorize or, by a simple majority, vote to adopt the municipal website as the official method of posting notice. Any municipality that has adopted its website as the official method of posting notice by another method as of October 6, 2017 will have satisfied the adoption requirement.
2. If adopted, a description of the website as the notice posting method, including directions on how to locate notices on the website, shall be posted in a manner conspicuously visible to the public at all hours on or adjacent to the

main and handicapped accessible entrances to the municipal building in which the clerk's office is located.

3. Once adopted as the official method of notice posting, the website shall host the official legal notice for meetings of all public bodies within the municipality.
4. Notices must continue to be filed with the municipal clerk, or any other person designated by agreement with the municipal clerk.

(c) A municipality may have only one official notice posting method for the purpose of M.G.L. c. 30A, §§ 18 through 25, either 940 CMR 29.03(2)(a) or (b). However, nothing precludes a municipality from choosing to post additional notices via other methods, including a newspaper. Such additional notice will not be the official notice for the purposes of M.G.L. c. 30A, §§ 18 through 25.

(d) Copies of notices shall also be accessible to the public in the municipal clerk's office during the clerk's business hours.

(3) Requirements Specific to Regional or District Public Bodies.

(a) Notice shall be filed and posted in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

(b) As an alternative method of notice, a regional or district public body may, by majority vote, adopt the regional or district public body's website as its official notice posting method. A copy of each meeting notice shall be kept by the chair of the public body or the chair's designee in accordance with the applicable records retention schedules. The public body shall file and post notice of the website address, as well as directions on how to locate notices on the website, in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

(4) Requirements Specific to Regional School Districts.

(a) The secretary of the regional school district committee shall be considered to be its clerk. The clerk of the regional school district committee shall file notice with the municipal clerk of each city and town within such district and each such municipal clerk shall post the notice in the manner prescribed for local public bodies in that city or town.

(b) As an alternative method of notice, a regional school district committee may, by majority vote, adopt the regional school district's website as its official notice posting method. A copy of each meeting notice shall be kept by the secretary of the regional school district committee or the secretary's designee in accordance with the applicable records retention schedules. The regional school district committee shall file and post notice of the website address, as well as directions on how to locate notices on the

website, in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

(5) Requirements Specific to County Public Bodies.

(a) Notice shall be filed and posted in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for this purpose.

(b) As an alternative method of notice, a county public body may, by majority vote, adopt the county public body's website as its official notice posting method. A copy of the notice shall be kept by the chair of the county public body or the chair's designee in accordance with the applicable records retention schedules. The county public body shall file and post notice of the website address, as well as directions on how to locate notices on the website, in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for this purpose.

(6) Requirements Specific to State Public Bodies. Notice shall be posted on a website. A copy of each notice shall also be sent by first class or electronic mail to the Secretary of the Commonwealth's Regulations Division. The chair of each state public body shall notify the Attorney General in writing of its webpage for listing meeting notices and any change to the webpage location. The public body shall consistently use the most current website location on file with the Attorney General. A copy of the notice shall be kept by the chair of the state public body or the chair's designee in accordance with the applicable records retention schedules.

(7) Websites. Where a public body adopts a website as its method of noticing meetings, it must make every effort to ensure that the website is accessible to the public at all hours. If a website becomes inaccessible to members of the public within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, the municipal clerk or other individual responsible for posting notice to the website must restore the website to accessibility within six hours of the time, during regular business hours, when such individual discovers that the website has become inaccessible. In the event that the website is not restored to accessibility within six business hours of the website's deficiency being discovered, the public body must re-post notice of its meeting for another date and time in accordance with M.G.L. c. 30A, § 20(b).

29.04: Certification

(1) For local public bodies, the municipal clerk, and for all other public bodies, the appointing authority, executive director, or other appropriate administrator or their designees, shall, upon a public body member's qualification for office, either deliver to the public body member, or require the public body member to obtain from the Attorney General's website, the following educational materials:

(a) The Attorney General's Open Meeting Law Guide, which will include an explanation of the requirements of the Open Meeting Law; the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25; and the Attorney General's regulations, 940 CMR 29.00-29.11.

(b) A copy of each Open Meeting Law determination issued to that public body by the Attorney General within the last five years in which the Attorney General found a violation of M.G.L. c. 30A, §§ 18 through 25. Open Meeting Law determinations are available at the Attorney General's website.

(2) Educational materials may be delivered to public body members by paper copy or in digital form.

(3) Within two weeks after receipt of the educational materials, the public body member shall certify, on the form prescribed by the Attorney General, receipt of the educational materials. The municipal clerk, appointing authority, executive director or other appropriate administrator, or their designees, shall maintain the signed certification for each such person, indicating the date the person received the materials.

(4) An individual serving on multiple public bodies must sign a certification for each public body on which he or she serves. A public body member does not need to sign a separate certification when joining a subcommittee of the public body.

(5) A public body member must sign a new certification upon reelection or reappointment to the public body.

29.05: Complaints

(1) All complaints shall be in writing, using the form approved by the Attorney General and available on the Attorney General's website. A public body need not, and the Attorney General will not, investigate or address anonymous complaints. A public body need not address a complaint that is not signed by the complainant. A public body need not address a complaint that is not filed using the Attorney General's complaint form.

(2) Public bodies, or the municipal clerk in the case of a local public body, should provide any person, on request, with an Open Meeting Law Complaint Form. If a paper copy is unavailable, then the public body should direct the requesting party to the Attorney General's website, where an electronic copy of the form will be available for downloading and printing.

(3) For local public bodies, the complainant shall file the complaint with the chair of the public body, who shall disseminate copies of the complaint to the members of the public body. The complainant shall also file a copy of the complaint with the municipal clerk, who shall keep such filings in an orderly fashion for public review on request during regular business hours. For all other public bodies, the complainant shall file the complaint with the chair of the relevant public body, or if there is no chair, then with the public body.

(4) The complaint shall be filed within 30 days of the alleged violation of M.G.L. c. 30A, §§ 18 through 25, or if the alleged violation of M.G.L. c. 30A, §§ 18 through 25, could not reasonably have been known at the time it occurred, then within 30 days of the date it should reasonably have been discovered.

(5) Within 14 business days after receiving the complaint, unless an extension has been granted by the Attorney General as provided in 940 CMR 29.05(5)(b), the public body shall meet to review the complaint's allegations; take remedial action, if appropriate; and send to the complainant a response and a description of any remedial action taken. The public body shall simultaneously notify the Attorney General that it has sent such materials to the complainant and shall provide the Attorney General with a copy of the complaint, the response, and a description of any remedial action taken.

(a) Any remedial action taken by the public body in response to a complaint under 940 CMR 29.05(5) shall not be admissible as evidence that a violation occurred in any later administrative or judicial proceeding against the public body relating to the alleged violation.

(b) If the public body requires additional time to resolve the complaint, it may obtain an extension from the Attorney General by submitting a written request within 14 business days after receiving the complaint. A request may be submitted by the chair, the public body's attorney, or any person designated by the public body or the chair. The Attorney General will grant an extension if the request demonstrates good cause. Good cause will generally be found if, for example, the public body cannot meet within the 14 business day period to consider proposed remedial action. The Attorney General shall notify the complainant of any extension and the reason for it.

(6) If the public body needs additional information to resolve the complaint, then the chair may request it from the complainant within seven business days of receiving the complaint. The complainant shall respond within ten business days after receiving the request. The public body will then have an additional ten business days after receiving the complainant's response to review the complaint and take any remedial action pursuant to 940 CMR 29.05(5).

(7) If at least 30 days have passed after the complaint was filed with the public body, and if the complainant is unsatisfied with the public body's resolution of the complaint, the complainant may file a complaint with the Attorney General. When filing a complaint with the Attorney General, the complainant shall include a copy of the original complaint along with any other materials the complainant believes are relevant. The Attorney General shall decline to investigate complaints filed with the Attorney General more than 90 days after the alleged violation of M.G.L. c. 30A, §§ 18 through 25, or if the alleged violation of M.G.L. c. 30A, §§ 18 through 25, could not reasonably have been known at the time it occurred, then within 90 days of the date it should reasonably have been discovered. However, this time may be extended if the Attorney General grants an extension to the public body to respond to a complaint or if the complainant demonstrates good cause for the delay in filing with the Attorney General.

(8) The Attorney General shall acknowledge receipt of all complaints and will resolve them within a reasonable period of time, generally 90 days.

(9) Mediation to Resolve a Complaint.

(a) If a complainant files five complaints alleging violations of M.G.L. c. 30A, §§ 18 through 25, with the same public body or within the same municipality within 12 months, upon the fifth or subsequent complaint to that public body or a public body within that municipality within the 12-month period, the public body may request mediation with the complainant, at the public body's expense, to resolve the complaint. A mediator is defined by M.G.L. c. 233, § 23C, and will be selected by the Attorney General.

(b) A public body must request mediation prior to, or with, its response to the complaint. If the mediation does not produce an agreement, the public body will have ten business days from the last joint meeting with the mediator to respond to the complaint.

(c) A public body may participate in mediation in open session, in executive session through M.G.L. c. 30A, § 21(a)(9), or by designating a representative to participate on behalf of the public body.

(d) If the complainant declines to participate in mediation after a public body's request in accordance with 940 CMR 29.05(9)(a), the Attorney General may decline to review the complaint if it is thereafter filed with the Attorney General.

(e) If the mediation does not resolve the complaint to the satisfaction of both parties, then the complainant may file a copy of his or her complaint with the Attorney General and request the Attorney General's review. The complaint must be filed with the Attorney General within 30 days of the last joint meeting with the mediator.

(f) Any written agreement reached in mediation shall become a public record in its entirety and must be publicly disclosed at the next meeting of the public body following execution of the agreement.

(g) Nothing in this section shall prevent a complainant from filing subsequent complaints, however public bodies may continue to request mediation in an effort to resolve complaints in accordance with 940 CMR 29.05(9)(a).

(h) Nothing in this section shall prevent a public body or complainant from seeking mediation to resolve any complaint. However, only mediation requests that follow the requirements of 940 CMR 29.05(9)(a) will trigger the application of 940 CMR 29.05(9)(d).

29.06: Investigation

Following a timely complaint filed pursuant to 940 CMR 29.05, where the Attorney General has reasonable cause to believe that a violation of M.G.L. c. 30A, §§ 18 through 25, has occurred, then the Attorney General may conduct an investigation.

(1) The Attorney General shall notify the public body or person that is the subject of a complaint of the existence of the investigation within a reasonable period of time. The Attorney General shall also notify the public body or person of the nature of the alleged violation.

(2) Upon notice of the investigation, the subject of the investigation shall provide the Attorney General with all information relevant to the investigation. The subject may also submit a memorandum or other writing to the Attorney General, addressing the allegations being investigated.

If the subject of the investigation fails to voluntarily provide the necessary or relevant information within 30 days of receiving notice of the investigation, the Attorney General may issue one or more civil investigative demands to obtain the information in accordance with M.G.L. c. 30A, § 24(a), to:

(a) Take testimony under oath;

(b) Examine or cause to be examined any documentary material; or

(c) Require attendance during such examination of documentary material by any person having knowledge of the documentary material and take testimony under oath or acknowledgment in respect of any such documentary material.

Any documentary material or other information produced by any person pursuant to 940 CMR 29.06 shall not, unless otherwise ordered by a court of the Commonwealth for good cause shown, be disclosed without that person's consent by the Attorney General to any person other than the Attorney General's authorized agent or representative. However, the Attorney General may disclose the material in court pleadings or other papers filed in court; or, to the extent necessary, in an administrative hearing or in a written determination to resolve the investigation pursuant to 940 CMR 29.07.

29.07: Resolution

(1) No Violation. If the Attorney General determines, after investigation, that M.G.L. c. 30A, §§ 18 through 25, has not been violated, the Attorney General shall issue a written determination to the subject of the complaint and copy any complainant.

(2) Violation Resolved Without Hearing. If the Attorney General determines after investigation that M.G.L. c. 30A, §§ 18 through 25, has been violated, the Attorney General may resolve the investigation without a hearing. The Attorney General shall determine whether the relevant public body, one or more of its members, or both, were responsible. The Attorney General will notify, in writing, any complainant of the investigation's resolution. Upon finding a violation of M.G.L. c. 30A, §§ 18 through 25, the Attorney General may take one of the following actions:

(a) Informal Action. The Attorney General may resolve the investigation with a letter or other appropriate form of written communication that explains the violation and clarifies the subject's obligations under M.G.L. c. 30A, §§ 18 through 25, providing the subject with a reasonable period of time to comply with any outstanding obligations.

(b) Formal Order. The Attorney General may resolve the investigation with a formal order. The order may require:

1. immediate and future compliance with M.G.L. c. 30A, §§ 18 through 25;
2. attendance at a training session authorized by the Attorney General;
3. nullification of any action taken at the relevant meeting, in whole or in part;
4. that minutes, records or other materials be made public;
5. that an employee be reinstated without loss of compensation, seniority, tenure or other benefits; or
6. other appropriate action.

Orders shall be available on the Attorney General's website.

(3) Violation Resolved After Hearing. The Attorney General may conduct a hearing where the Attorney General deems appropriate. The hearing shall be conducted pursuant to 801 CMR 1.00, et seq., as modified by any regulations issued by the Attorney General. At the conclusion of the hearing, the Attorney General shall determine whether a violation of M.G.L. c. 30A, §§ 18 through 25, occurred and whether the public body, one or more of its members, or both, were responsible. The Attorney General will notify, in writing, any complainant of the investigation's resolution. Upon a finding that a violation occurred, the Attorney General may order:

- (a) immediate and future compliance with M.G.L. c. 30A, §§ 18 through 25;
- (b) attendance at a training session authorized by the Attorney General;
- (c) nullification of any action taken at the relevant meeting, in whole or in part;
- (d) imposition of a fine upon the public body of not more than \$1,000 for each intentional violation; however, a fine will not be imposed where a public body or public body member acted in good faith compliance with the advice of the public body's legal counsel, in accordance with M.G.L. 30A, § 23(g);
- (e) that an employee be reinstated without loss of compensation, seniority, tenure or other benefits;

- (f) that minutes, records or other materials be made public; or
- (g) other appropriate action.

Orders issued following a hearing shall be available on the Attorney General's website.

(4) A public body subject to an order of the Attorney General following a written determination issued pursuant to 940 CMR 29.07 shall notify the Attorney General in writing of its compliance with the order within 30 days of receipt of the order, unless otherwise indicated by the order itself. A public body need not notify the Attorney General of its compliance with an order requiring solely immediate and future compliance pursuant to 940 CMR 29.07(2)(b)(1) or 940 CMR 29.07(3)(a).

(5) A public body or any member of a body aggrieved by any order issued by the Attorney General under 940 CMR 29.07 may obtain judicial review of the order through an action in Superior Court seeking relief in the nature of certiorari. Any such action must be commenced in Superior Court within 21 days of receipt of the order.

29.08: Advisory Opinions

The Attorney General will generally not issue advisory opinions. However, the Attorney General may issue written guidance to address common requests for interpretation. Such written guidance will appear on the Attorney General's website.

29.09: Other Enforcement Actions

Nothing in 940 CMR 29.06 or 29.07 shall limit the Attorney General's authority to file a civil action to enforce M.G.L. c. 30A, §§ 18 through 25, pursuant to M.G.L. c. 30A, § 23(f).

29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating 940 CMR 29.10, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the M.G.L. c. 30A, §§ 18 through 25, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

- (a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, § 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, § 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(g) Local Commissions on Disability. In accordance with M.G.L. c. 30A, § 20(e), a local commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If a local commission on disability is authorized to utilize remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other, as required by M.G.L. c. 30A, § 20(d);

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, § 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, § 23D.

(5) Permissible Reason for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), only if physical attendance would be unreasonably difficult.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

i. telephone, internet, or satellite enabled audio or video conferencing;

ii. any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, § 22.

(8) Further Restriction by Adopting Authority. 940 CMR 29.10 does not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

29.11: Meeting Minutes

(1) A public body shall create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, 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 the actions taken at each meeting, including the record of all votes, in accordance with M.G.L. c. 30A, § 22(a).

(2) Minutes of all open and executive sessions shall be created and approved in a timely manner. 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. The Attorney General encourages public bodies to approve minutes at the next meeting whenever possible.

REGULATORY AUTHORITY 940 CMR 29.00: M.G.L. c. 30A, § 25(a) and (b).

Kerri Rufo

From: Dina Favreau
Sent: Tuesday, February 10, 2026 11:49 AM
To: Kerri Rufo
Cc: Jillian Pavidis
Subject: 2/23/26 Agenda Item Request: Executive Session: G.L. c. 30A, §21(a) - Conduct of Select Board Member Darris-O'Connor at the February 9, 2026 Planning Board Meeting

Kerri,

Please place this on the 2/23/26 agenda together with the attached corresponding complaint addressed to Chair Pavidis and video providing objective contemporaneous evidence to support this request.

Purpose of Executive Session:

Discussion and potential vote on Formal Complaint regarding the conduct of a Select Board member Darris-O'Connor during the open microphone portion of the Planning Board meeting held on February 9, 2026, and where the Board must determine appropriate remedial or disciplinary action. Discussion in executive session is requested pursuant to G.L. c. 30A, §21(a), as the matters involve complaints, allegations, or discipline of a public official.

Background:

During the open microphone portion of the February 9, 2026, Planning Board meeting, Select Board member Darris-O'Connor expressly identified himself in his official capacity and used the authority of his elected office to address a matter then pending before the Planning Board. In doing so, he presented information that was materially inaccurate and misleading, creating confusion regarding the factual and procedural position of the Select Board's approval of the BESS Moratorium matter that was under review.

Select Board Member Darris-O'Connor's remarks subsequently escalated into a personal attack directed at a duly elected Planning Board member, Anthony Ventresca, who was notably absent. These statements exceeded the bounds of permissible public comment and constituted the use of official position to publicly disparage, slander, and defame another elected official, outside of any legitimate governmental purpose.

Record Evidence:

Attached is a video clip of the relevant portion of the February 9, 2026, Planning Board meeting. The clip provides an objective and contemporaneous record of the remarks at issue, including the invocation of elected office, dissemination of inaccurate information, and personal attacks directed at Planning Board member Ventresca. [7974.mp4](#)

Applicable Standards:

The conduct implicates the Massachusetts Conflict of Interest Law, G.L. c. 268A, §23(b)(2) and §23(b)(3), concerning misuse of official position and the appearance of bias or improper influence. It is also inconsistent with the Billerica Select Board Code of Conduct, which requires members to act with integrity, professionalism, and civility, and to refrain from conduct that undermines public confidence in Town governance.

Requested Outcome for Executive Session Consideration:

That the Select Board, in executive session, to consider directing the member to issue a public apology to the Planning Board member Ventresca who was the subject of the remarks and to the public; and, in the event the member declines or refuses to do so, to proceed with a formal public censure condemning his conduct in open session consistent with the past practices of the Select Board.

Kind regards,
Dina M. Favreau
Billerica Select Board