



# BOARD OF SELECTMEN

TOWN HALL  
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Andrew N. Deslaurier, *Chairman*  
Edward J. Giroux, *Vice Chairman*  
Kimberly J. Conway, *Secretary*  
George J. Simolaris, Jr., *Member*  
Michael S. Rosa, *Member*

## MEETING MINUTES

FEBRUARY 26, 2018

A regular meeting of the Board of Selectmen was held on Monday, February 26, 2017 at 7:00 p.m. in the Conway Hearing Room. Present were Selectman Andrew Deslaurier, Chairman, Selectman Edward Giroux, Vice Chairman, Selectman Kimberly Conway, Secretary, Selectman George Simolaris, Member, Selectman Michael Rosa, Member, Town Manager John Curran, and Assistant Town Manager Cathleen O'Dea.

### CALL TO ORDER

Chairman Deslaurier called the meeting to order at 7:00 p.m.

### OPEN MICROPHONE

Bart Hogan, 11 Manning Road came to the podium regarding the Middlesex Turnpike Phase III Project.

David Johnson, 113 Gray Street, came to the podium regarding Medical Marijuana Rules and Regulations.

Dan Burns, 12 Nolte Road came to the podium regarding Electrical Aggregation. Mr. Burns also expressed his opinion on a plan for the Howe School

Roger Desahes came to the podium regarding Middlesex Turnpike Phase III Project.

### ANNOUNCEMENTS

Chairman Deslaurier called for a moment of silence and paid tribute to the late Katie Durand, Conservation Land Use Assistant.

*America's Yankee Doodle Town*

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Selectman Conway stated there were 4 openings on the Scholarship Foundation Committee and 4 openings on the Cable Advisory Committee. All other announcements may be viewed on the Town of Billerica website, Selectmen's Page.

Selectman Conway stated that the date for the Billerica Health and Wellness Fair is Saturday, April 14, 2018 from 10:00 a.m. to 1:00 p.m. at the Billerica Elks on Webb Brook Road.

Selectman Conway read a message from Town Clerk Shirley Schult

**ELECTION UPDATE**

From Town Clerk Shirley Schult

This is a reminder to all Billerica Residents that the ANNUAL TOWN ELECTION will be held on Saturday, April 7, 2018.

Polls will be open from 8:00 a.m. to 8:00 p.m.

The last day to register to vote in this Election is Friday, March 16<sup>th</sup>. The Registrar's Office will be open from 8:30 a.m. to 8:00 p.m. for people to register to vote.

Residents may register in person at the Registrars' Office, on a mail-in application or on line at [www.registertovotema.com](http://www.registertovotema.com).

**REMEMBER: YOU CAN'T VOTE IF YOU AREN'T REGISTERED!**

FOR more information, call the Town Clerk's Office at 978 671-0924

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**MINUTES**

Selectman Rosa asked to have added to the minutes statements he made on page 16 on the water meter item that the Town is not following their own water rules and regulations specifically Article 7 and Article 8. The Town just cannot shut off water by sending of a red post card to a resident. The resident has to be notified by Certified Mail.

Selectman Conway, seconded by Selectman Simolaris made a motion to accept the minutes of February 5, 2018 as amended.

It was voted:

5 – In Favor

0 – Opposed

**PRESENTATIONS**

**Report from Cabot Land Use Committee**

Mary McBride, Chairperson of the Cabot Land Use Committee came to the podium to deliver a report from the Cabot Land Use Committee. Ms. McBride thanked the Board for allowing her to come before them. She also noted that there were several committee members present. Ms. McBride thanked all past and present members of the Cabot Land Use Committee.

History: Article 35 of the Annual Spring Town Meeting of May 1, 2007 requested that Town Meeting representatives establish a committee of 13 members to determine potential uses for the 40-acre parcel of land (bounded by River Street, Richardson Street and the Concord River), which the Town had purchased from the Cabot Corporation. The land is beautiful, and the river view impressive.

This Town Meeting Committee included a representative each from the Board of Selectmen, Conservation Commission, Finance Committee, Housing Authority, Planning Board, Recreation Commission, School Committee, and six members at large appointed by the Board of Selectmen. It was approved by the Town Meeting.

The Cabot Land was considered as a possible location for the Parker Elementary School, and for some of the sports fields at the new Billerica Memorial High School. We heard from representatives of the youth sports leagues in town, from an organization seeking veterans housing, and received the results of a

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grant obtained by Community Development Director Rob Anderson in which consultants explored several different options for developing the site.

Presently a portion of the land is being considered as wetlands mitigation for Phase 3 of the Middlesex Turnpike, and the plan is for that ten acres to be turned over to the stewardship of the Conservation Commission and preserved.

On February 6, 2018, the Committee met to wrap up the current discussions for the use of the land.

The Motion was made by Dave Gagliardi, and seconded by Dan Burns, as follows:

I move that the Cabot Land Re-Use Committee recommend that no action be taken on any of the proposals offered to it at the present time, with the exception of proposed Bike Path, and further recommends that the future focus for the land be steered toward conservation, passive recreation and possible river access to small motor-less boats.

The vote was unanimous to recommend.

Selectman Simolaris expressed his appreciation to the Committee. He also concurred with the Committees' recommendation that this land be kept as conservation land. Selectman Simolaris further stated he would support the Committees' decision

Selectman Conway stated she was a former member of this Committee. She stated that many interesting proposals came before the Committee over time. Selectman Conway encouraged the Town Manager to look for grants and other avenues of funding to perhaps have outdoor classrooms or environmental study areas.

Selectman Rosa stated he was the Board's representative to this Committee. He stated that the Committee's recommendation is a very good one. Selectman Rosa suggested that either at a work session or regularly scheduled meeting that the Board takes action as to what should happen to this property and to look at the map in its totality to see what is going on.

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Selectman Giroux thanked the committee for their work. He fully supports leaving the property in its natural state and he would support that recommendation should it come before the Board.

Chairman Deslaurier thanked all members of the committee as well as members of the public who attended these meetings and contributed their opinions. Chairman Deslaurier stated he agrees with the recommendation, but suggested that the Committee take their report to Town Meeting prior to the Board of Selectmen voting on it.

**BILLERICA SCHOLARSHIP FOUNDATION COMMITTEE REPORT**

Maureen Sullivan and Catherine Schubin from the Billerica Scholarship Foundation Committee came to the podium and gave a history and a report on the Committee. They were also present this evening to encourage people to participate on the Committee. They also updated the Board on upcoming Scholarship Foundation Committee events and the timeline for the Scholarship application process.

Selectman Giroux, a former member of this Committee, thanked the Committee and stated there was a lot of work involved in this Committee, but is well worth the effort on awards night.

Selectman Rosa also thanked the Committee for all of their efforts and reminded people that applications for the Committee may be obtained on line and in the Selectmen's Office.

**PUBLIC HEARINGS**

**9. 7:15 p.m. National Grid and Verizon – Middlesex Turnpike to relocate the following poles 74,75,75-1,76,77,78,79,80,81,82,83,84,85,86,87,88,89,90,91,92,93,94,95,96,96- 1,97,98,98-94,99,100,101,102,103,103-1,103-50,104,105,106,107, and pole 108 and Install poles 73-84,76-84 and pole 90-84 for Mass DOT Project. The location begins approximately NW of the Centerline of the intersection of town line of Billerica and Bedford on Middlesex Turnpike, and continues approximately 5280 feet in a Northwest Direction. Plan #16533328.**

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Selectman Conway, seconded by Selectman Rosa made a motion to open the Public Hearing.

It was voted

5 – In Favor

0 - Opposed

Dave Boucher from National Grid came to the podium for this Agenda item.

Selectman Simolaris commented on remarks made at Open Microphone relative to this item.

Selectman Rosa asked if there any concerns from abutters.

Mr. Boucher stated he was not aware of any abutter concerns.

Selectman Rosa stated his concerns with the maps provided to the Board. He felt it was unreasonable to expect the Board to approve these items with the size of the plans provided.

Mr. Boucher stated he would check with the representative to Billerica on obtaining better plans and noted he would address the concerns put forth by Selectmen Rosa and Simolaris.

Selectman Rosa stated he did not think it was appropriate to move on with any of these pole hearings because of the maps. He suggested continuing the hearings until the next meeting to allow National Grid time to obtain ample sized maps to make sure people are made aware of where these poles are going and if they have any concerns.

Chairman Deslaurier asked Mr. Boucher if he had received any concerns from abutters.

Mr. Boucher replied he was not made aware of any concerns from residents.

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Mr. Curran stated that Selectman Rosa had valid points on the quality of the plans. Mr. Curran further stated that this was a town project that easements were paid for these poles. It was voted in by Town Meeting. He did not want to hold up a project that the Town has fought to have for a number of years.

Chairman Deslaurier asked if anyone from the Public wished to speak.

Mr. Bart Hogan returned to the podium and stated he did reach out to Mr. Fontaine with his concerns and Mr. Fontaine's response was to go to a certain website for the drawings. Mr. Hogan did and there were no drawings there either. It was just this evening he saw the larger plans, but was still not able to make things out. He showed a plan that was provided to him by the Town Engineer and one provided by the consultant.

Mr. Ron Bovio of New England Wheels from 33 Manning Road came to the podium and asked about power interruptions to businesses during the relocation.

Mr. Boucher stated he should contact Mr. Fontaine for information on power interruptions.

Mr. Curran stated there was a note on the plans for National Grid to reach out to property owners to coordinate any outages.

Peter Brouleitte, 820 Middlesex Turnpike came to the podium and stated that he too contacted Mr. Fontaine. Mr. Brouleitte suggested getting Mr. Fontaine on board to address these concerns.

Selectman Simolaris suggested having clearer maps and having Mr. Fontaine make a presentation.

Selectman Conway stated that the fact that three people have come to speak on these pole hearings when typically no one does indicates to her that these hearings should be continued.

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Chairman Deslaurier stated that his concern was the discrepancy with the abutter concerns and the responses to those concerns. He suggested that National Grid take the contact information for these abutters with their specific concerns.

Mr. Boucher stated he would contact Mr. Fontaine with these concerns.

Selectman Conway suggested putting these plans on Social Media for residents to review.

Selectman Rosa suggested putting the expanded plans on the Town's website.

Mr. Curran suggested a meeting with abutters to get definitive answers to their concerns.

Selectman Conway, seconded by Selectman Rosa made a motion to continue the Public Hearing to March 5, 2018 for National Grid and Verizon – Middlesex Turnpike to relocate the following poles 74,75,75-1,76,77,78,79,80,81,82,83,84,85,86,87,88,89,90,91,92,93,94,95,96,96-1,97,98,98-94,99,100,101,102,103,103-1,103-50,104,105,106,107, and pole 108 and Install poles 73-84,76-84 and pole 90-84 for Mass DOT Project. The location begins approximately NW of the Centerline of the intersection of town line of Billerica and Bedford on Middlesex Turnpike, and continues approximately 5280 feet in a Northwest Direction. Plan #16533328.

It was voted:

5 – In Favor  
0 - Opposed

**7:20 p.m. National Grid and Verizon – Lexington Road, National Grid is to relocate The following poles -68,69,70,71,72,73,73-1, 74,78, and 79 on Lexington Road and Install pole 74-84- and 80-84 for Mass DOT project. Location approximately as shown Plan attached. Plan #1653328-1**

Selectman Conway, seconded by Selectman Rosa made a motion to open the Public Hearing.

It was voted:

5 – In Favor  
0 – Opposed



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Selectman Conway, seconded by Selectman Rosa made a motion to continue the Public Hearing to March 5, 2018 for National Grid and Verizon – Lexington Road, to relocate the following poles -68,69,70,71,72,73,73-1, 74,78, and 79 on Lexington Road and Install pole 74-84- and 80-84 for Mass DOT project. Location approximately as show Plan attached. Plan #1653328-1.

It was voted:

5 – In Favor  
0 – Opposed

**7:25 p.m. National Grid and Verizon-Manning Road, to relocate the following pole-4,5,6,7 and pole 8 and install pole 3-84,5-50, and 5-50-84 for Mass DOT project. Plan #1653328-2.**

Selectman Conway, seconded by Selectman Rosa made a motion to open the Public Hearing

It was voted:

5 – In Favor  
0 – Opposed

Selectman Conway, seconded by Selectman Rosa made a motion to continue the Public Hearing for National Grid and Verizon-Manning Road, to relocate the following poles-4,5,6,7 and pole 8 and install pole 3-84,5-50, and 5-50-84 for Mass DOT project Plan #1653328-2 until March 5, 2018.

It was voted:

5 – In Favor  
0 – Opposed

Selectman Rosa pointed that the times for the Public Hearings should remain the same for their continuance until March 5, 2018.

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**7:30 p.m. Triple Sushi, Inc., d/b/a Nana Japanese Steak House, Change of Officers and Directors, Change of Manager, and Transfer of Stock for their Restaurant All Alcoholic License at premises located at 199 Boston Road, Billerica.**

Selectman Conway, seconded by Selectman Rosa made a motion to open the Public Hearing.

It was voted:

4 – In Favor

0 – Opposed

1- Abstention (Selectman Conway)

Selectman Conway recused herself from this Agenda item and left the Hearing Room.

Police Chief Dan Rosa came to the podium and stated he would defer to Mr. Wu's attorney.

Chung Lee, Attorney for Triple Sushi came to the podium. He apologized for not being at the previous hearing due to a commitment at another hearing.

Mr. Lee stated they were appearing before the Board for multiple amendments for Triple Sushi, Inc., d/b/a Nana Japanese Steak House at 199 Boston Road. He explained to the Board the issues that held up these changes. He also reported that those issues have all been resolved.

Chairman Deslaurier asked about Mr. Wu's TIPP Certification..

Attorney Lee responded that Mr. Wu discovered that his TIPP Certification had expired. Mr. Wu has taken the exam and was awaiting the Certification. Attorney Lee explained that the examiner would not be able to forward the Certification until the morning as he is not in a position to do so until later this evening. Attorney Lee explained that all other employees who serve alcohol are TIPP Certified.

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Selectman Rosa referenced the Police Report explaining the TIPP Certification issue and asked if Mr. Wu had received a receipt for the course and exam. Selectman Rosa stated this all goes toward the responsible management and ownership of a liquor license.

Selectman Rosa further stated that this license was renewed in December contingent upon all paperwork for the Manager of Record being completed. Selectman Rosa stated he had never approved a Manager of Record without a current TIPPS Certification. Selectman Rosa also referenced the two citations this establishment has received for serving minors.

Attorney Wu emphasized he would not have been able to come in for the change of Manager until the Corporate issues were resolved. The previous owners left the state with no means of getting in touch with them.

Selectman Rosa referenced the hours that establishments can begin to serve liquor on Sundays and the state statute that allows them serve earlier. Billerica has not adopted that statute. Selectman Rosa stated the hours should go back to where they were on the original license.

Selectman Giroux concurred with his colleagues. The fact that the TIPP certification is not in is disappointing. Selectman Giroux asked if Mr. Wu had a receipt for the class.

Mr. Wu explained that the examiner had the receipt.

Chairman Deslaurier asked if there were any comments from the Public.

Chief Rosa, at Selectman Simolaris' request came to the podium on the TIPP issue.

Chief Rosa stated that through his recommendation, this Board had bent over backward for this establishment. He stated he thought it was up to the Board's discretion. Chief Rosa suggested passing the corporate portion as that has to be advertised for ten days. He re-iterated that if the manager is not approved tonight, the suspension goes into effect tomorrow (February 27, 2018) indefinitely.

Selectman Giroux, seconded by Selectman Rosa made a motion to close the Public Hearing.

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It was voted: 4 – In Favor  
0 – Opposed  
1 –Abstention (Selectman Conway)

Selectman Rosa, seconded by Selectman Giroux made a motion to approve the Articles of Organization for Triple Sushi, Inc., d/b/a Nana Japanese Steak House at 199 Boston Road, N. Billerica, MA 01821.

It was voted: 4 – In Favor  
0 – Opposed  
1 – Abstention (Selectman Conway)

Chairman Deslaurier stated that his opinion is to take no action on the Manager of Record as the application is incomplete. Chairman Deslaurier polled the Board to see if they agreed. Selectmen Giroux, Rosa, and Simolaris concurred with Chairman Deslaurier.

Chairman Deslaurier informed Attorney Lee and Mr. Wu that this item would be continued on the next agenda on March 5, 2018.

Selectman Rosa reminded Attorney Lee the deadline for getting the TIPP certification in.

Chief Rosa reminded Mr. Lee to have the applicant turn their license in to the Selectmen's office tomorrow (2/27/18)

Selectman Conway returned to the Hearing Room.

**Triple Sushi, Inc., d/b/a Nana Japanese Steak, Action on Indefinite Suspension of Restaurant All Alcoholic License**

Selectman Deslaurier stated that the suspension of the Restaurant All Alcoholic License for Triple Sushi, Inc., d/b/a Nana Japanese Steak House takes effect tomorrow, February 27, 2017. The License needs to be turned into the Selectmen's Office. The Office is open at 8:30 a.m.

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Chief Rosa stated that Triple Sushi should turn in their License to the Selectmen's Office tomorrow (February 27, 2018).

### **TOWN MANAGER'S REPORT**

**-Fiscal Efficiency**

**-Professional Recognition**

Town Manager John Curran reviewed for the Board items on his Town Manager's Report; i.e., the March 2, 2018 Tax Taking, Green Community Meeting, Professional Recognition for Billerica Fire Fighters, Town Hall Parking (reconfiguring Handicapped and Senior Parking), the Capital Plan, Alpine Village Meeting, and Aggregate Energy Rates (Chelmsford's Lower Rate. Chelmsford procured that rate a year and a half ago for a longer period of time).

Selectman Giroux stated he agreed with Mr. Curran on the Aggregate Energy rate is lower than most other towns. Selectman Giroux reminded residents that the onus is now on the consumer if they wish to shop around individually for rates.

Selectman Rosa commented that he locked his business in to the Town's rate because it was the cheapest after his research.

Selectman Rosa stated he was very happy with the additional parking spaces being allocated for Seniors and handicapped parking.

Selectman Rosa commended Fire Fighters that recently assisted St. Theresa's Church during a water main break. Selectman Rosa commented that the Fire Department offers other emergency services other than just putting out fires.

Interim Fire Chief Robert Cole came to the podium and recognized Captain Battcock, Lieutenant Feyler, Fire Fighter Evans, Fire Fighter Morrison, Fire Fighter Reo, Fire Fighter Copson, and Fire Fighter DaSilva for their assistance to St. Theresa's.

Chief Cole also commented on the three (3) fundamentals of the Fire Department: life safety, incident mitigation, and property conservation

Selectman Rosa asked if the Board was just going to adopt the Stretch Code.

Mr. Curran stated yes.

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Selectman Rosa also asked if the 91 properties for the tax title were more than usual.

Mr. Curran stated he would check on that.

Selectman Conway asked about the process for Tax Title and how many times residents are notified before their name is published in the newspaper.

Selectman Conway suggested Mr. Curran contact Mr. Dan Burns (who appeared at Open Mic regarding Aggregate Energy and the rate for Billerica/Chelmsford).

Selectman Simolaris clarified with Mr. Curran the additional number of handicapped and senior parking spaces that will be allotted at Town Hall.

Selectman Simolaris commented on some of the low amounts owed by the resident's whose names appeared in the paper relative to tax delinquency.

Mr. Curran explained the process and stated he believe that at least \$10.00 needs to be owed by statute.

Chairman Deslaurier stated he appreciated the Professional Recognition. He also commented that 91% of the Town has not opted out of the Energy Program.

**FY 2019 BUDGET**

Mr. Curran reviewed in detail for the Board the Capital Plan. The Board received a completed Budget Book with the Capital Plan located in the back of the book.

At the conclusion of his review Mr. Curran entertained questions from the Board.

Selectman Conway asked about "Dream Projects"; i.e., new COA facility, elderly housing ,etc.

Mr. Curran explained he only went out five years. There are some dream projects included. However, the COA is not included in this capital plan, but is in the long term capital plan.

Selectman Conway also commented on long term capital planning; i.e. 20 years down the road.

Mr. Curran further commented that Jean Bushnell, the COA Director is going through a visioning process

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this includes developing future needs, not just for Seniors, but from other perspectives as well. After that is completed Mr. Curran said that it might be good to do the same thing that has just been completed with the Fire Department study.

Selectman Rosa stated he liked the new budget books. He asked about the \$200,000 for unaccepted ways.

Mr. Curran said this was put forward by the DPW for future unaccepted ways and getting them accepted.

Selectman Rosa recalled a drive to get streets accepted some years back targeting about 50 streets to the Street Acceptance and Discontinuance Committee and then on to the Board for approval. He cautioned against doing so many streets at one time.

Selectman Simolaris also expressed his approval on the new budget book format. Selectman Simolaris expressed concerns about future senior housing. He suggested the Town finance a senior complex for Billerica residents where the Town had control.

Chairman Deslaurier commented and expressed approval on the investment to parks and trees on key fields in Town that are in need of attention.

Selectman Giroux stated it is careful to note for those who are reviewing this document that the Capital Plan for the most part is a wish list.

Selectman Giroux further stated that this is a huge improvement from previous budget books. It was an excellent presentation.

Mr. Curran thanked Clancy Main who was instrumental in the publication of the new budget book process.

Selectman Conway, seconded by Selectman Rosa, made a motion to approve the FY2019 Budget, excluding Public Safety, for a total of \$131,442,447.00

It was voted:

5 – In Favor

0 – Opposed

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Selectman Conway, seconded by Selectman Rosa, made a motion to approve the Public Safety Budget for a total of \$18,865,659.00.

It was voted:

4 – In Favor  
0 – Opposed  
1 – Abstention (Selectman Conway)

**FIRE DEPARTMENT ASSESSMENT**

Mr. Curran highlighted action items of the assessment such as data analysis, manning, maintenance schedule, re-organization efforts, succession management, and the possibility of a 6<sup>th</sup> station on the Middlesex Turnpike somewhere 15 years out.

Mr. Robert Finn, Senior Manager from Matrix Consulting Firm, Lead Analyst on the project gave a report to the Board on the Risk Management and Facilities Assessment for the Billerica Fire Department. Mr. Finn explained the process they went through and reviewed their key findings and recommendations related to the study.

Interim Chief Bob Cole came to the podium and commented on Mr. Finn's presentation. Chief Cole was instrumental in the assessment process and much of the information came from his office.

Chief Cole stated he did not agree with everything in the study, but understands that from the outside looking in is different from being on the inside and seeing how the nuts and bolts work in the Department.

Selectman Simolaris commented on the Pinehurst Fire Station and asked Mr. Finn about the feasibility of adding on to that station as opposed to moving it.

Mr. Finn replied reconstructing the existing site as well as mechanical facilities.

Selectman Simolaris asked about staffing 8 hour shifts.

Mr. Finn stated it was not a part of the study and explained what would happen with 8 hour shifts.

Selectman Simolaris asked that if the recommendations were implemented, how it would affect the present Fire Department.

Mr. Finn stated that as the recommendations were implemented, you would see more accountability and efficiency overall. Mr. Finn stated some examples.



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Selectman Simolaris stated his appreciation on the mechanic. That would have the mechanic dedicated to that function as opposed to being a part of the shift.

Mr. Finn, at Selectman Simolaris' request, reviewed reorganization of services.

Selectman Conway commented that it was interesting to note that more of the call are medical as opposed to structure fires.

Interim Chief Cole said that was due to the training and knowledge of the Fire Prevention Division.

Selectman Conway stated that it is a compliment to the Department that they are already doing some of the things that the study is recommending. She further stated that it would be great if the Department could accomplish Mr. Curran's concerns.

Selectman Rosa stated that this study has been in the works for quite some time.

Selectman Rosa stated his concern with using the MFP17 standard, which is about 17 years old. There have been changes in population and traffic patterns since that time. He is concerned that the Fire Department did not fare well in response time due to that.

Mr. Finn stated it is not being said that it is a bad performance. It is being compared to an industry standard. It could vary depending on the area of town.

Selectman Rosa stated that perhaps it should be more specific to Billerica.

Mr. Curran stated that there is a reference to that concern in the recommendation.

Selectman Rosa stated that is judging Billerica against Matrix standards that may not fit Billerica. It is important that the study should be specific to Billerica.

Selectman Rosa stated there were 3 options in regards to Station 3. One is to keep it in the current location and raise the building-not recommended. The second is to use the old Ditson School as a location. Also, not recommended. The third and recommended option is to move it north up to Shawsheen Road.

Selectman Rosa stated he thought it should be isolated where on Shawsheen Road the station should be located. Pinehurst is a high density area increasing response to more highly dense areas.

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Selectman Rosa expressed concerns on what would happen in regards to emergency vehicles should the Shawsheen River Bridge flood as it sometimes does.

Mr. Finn stated they were not provided with any information relative to that.

Selectman Rosa explained the procedure that is now used when the water hits the bottom of the Shawsheen River Bridge. Selectman Rosa stated he believes that this is an important factor to consider when making that recommendation to relocate the station north.

Selectman Rosa stated he is disappointed with the questions asked in the study. It is not a truly anonymous situation when people are asked when you ask for station number and how many years of service, etc. Selectman Rosa also had a concern with the category of question "various". It is very vague .

Selectman Giroux asked about response time and how it would affect homeowner's insurance should the station be moved.

Mr. Finn stated that rates are predominantly predicated on historical loss in the area and the homeowner's credit score. It is hard to say if response time could impact insurance.

Selectman Giroux asked Mr. Curran about the timeline and what would be next.

Mr. Curran stated that some of these items are being worked on now such as facility maintenance including further analysis of Station 3, especially the short and long term plans for station 3. Mr. Curran also stated there were some very positive things to come out of this study.

Chairman Deslaurier commented on the plan and also about re-investing in the other Fire Stations in Town, and also the long and short term plans for Station 3.

**KENT SCHOLARSHIP**

Selectman Conway, seconded by Selectman Rosa made a motion that the Board of Selectmen award eight (8) \$1,000 Scholarships to the Class of 2018 to be distributed through the Billerica Scholarship Foundation.

It was voted:

5 – In Favor

0 – Opposed

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**BILLERICA FAST PITCH SOFTBALL, REQUEST TO PLACE TWO (2) PLASTIC TRIANULAR SIGNS IN THE TOWN CENTER TO ADVERTISE SPRING REGISTRATION THE WEEK OF MARCH 4 THOUGH MARCH 11, 2018**

Selectman Conway, seconded by Selectman Rosa made a motion to allow Billerica Fast Pitch Softball to place two (20 Plastic Triangular Signs in the Town Center to Advertise Spring Registration the Week of March 4 through March 11, 2018.

It was voted:

5 – In Favor

0 – Opposed

**UPDATE ON THE COMMISSION ON DISABILITY**

Selectman Simolaris, who is the Selectmen's representative to the Commission, updated the Board on upcoming events and activities of the Commission. He also stated the Commission's function is to provide resources for Billerica citizens who are disabled. Selectman Simolaris explained what is available. If anyone is in need of wheelchairs or any other services to please call Stephen Strykowski at 978-215-2000.

Selectman Simolaris explained there are some wheel chairs available at the Library and there is also a facility in Woburn that takes the surplus. If anyone is in need of a wheel chair or would like to donate to please call the Commission.

**CONSIDER AND ACTION ON PROPOSED LITIGATION AGAINST OPIOID MANUFACTURERS AND DISTRIBUTORS.**

Mr. Curran explained the very serious problems that of opioid addictions and the liability to cities and towns and the danger to public safety personnel and citizens.

Attorney Mark Reich came to the podium and made a presentation on this item and explained what joining this litigation would accomplish. Attorney Reich stated he has been going to many client Board meetings throughout the state regarding the litigation.

Chairman Deslaurier stated it was time for municipalities to stand up where the federal and state laws had failed to protect their citizens from this disease. He encouraged his fellow Board members to support this. The Board as a whole concurred with proceeding with joining this litigation.

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Selectman Simolaris suggested taking it one step further was to sue the major drug companies, the FDA, and the doctors who prescribe the drugs.

Selectman Conway, seconded by Selectman Rosa made a motion to join the proposed litigation against opioid manufacturers and distributors as proposed by Kopelman and Paige, and to authorize the Chairman to sign on their behalf.

It was voted

5 – In favor

0 - Opposed

**APPOINTMENTS**

**Scholarship Foundation**

Selectman Conway, seconded by Selectman Giroux made a motion to appoint Michael Rosa to the Scholarship Foundation Committee

It was voted:

5 – In Favor

0 - Opposed

**RECYCLING PROGRAM**

Selectman Rosa made a presentation to the Board on an opportunity for the town to increase their recycling program to include textiles.

The company Selectman Rosa was referring to is called Waste Zero. They recycle textiles at no expense to the Town and there is an opportunity to make and save money for the Town. Residents would use the pink bags that the company provides for their textiles and put it outside with their trash and recycling. The textiles would be picked up on the resident's trash/recycling day

Residents would still, if they prefer, donate used textiles to charitable organizations.

A discussion among Board members took place.

**MEETING MINUTES**  
**FEBRUARY 26, 2018**

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**MEETING SCHEDULE**

March 5 and March 19, 2018

**ADJOURNMENT**

Selectman Conway, seconded by Selectman Rosa made a motion to adjourn.

It was voted:

5 – In Favor

0 – Opposed

Chairman Deslaurier adjourned the meeting at 11:20 p.m.

**A TRUE COPY ATTEST**

A handwritten signature in cursive script that reads "Sue Aker". The signature is written in black ink and is positioned above a horizontal line.

**Sue Aker Recording Secretary**