

MEETING MINUTES **FOR JANUARY 28, 2013**

A Regular Meeting of the Board of Selectmen was held on Monday, January 28, 2013 in the Conway Hearing Room at 7:00 PM. Present were Selectman Andrew Deslaurier, Chairman, Selectman Michael Rosa, Vice Chairman, Selectman David Gagliardi, Secretary, Selectman Robert Correnti, Member, Selectman Robert Accomando, Member, Town Manager John Curran and Assistant Town Manager Cathleen O'Dea.

CALL TO ORDER

OPEN MICROPHONE

There was no one present who wished to speak at Open Microphone.

PRESENTATION

CONGRESSMAN JOHN TIERNEY

Secretary David Gagliardi stated we have with us tonight Congressman John Tierney who:

- Has recently been re-elected to his eighth term representing Massachusetts Sixth District.
- Continues to be the only member from Massachusetts to serve on the Committee on Education and the Workforce, serving on the Subcommittee on Higher Education, Lifelong Learning and Competitiveness and the Subcommittee on Health, Employment, Labor and Pensions in the 111th Congress.
- Has been an active leader on education and labor issues. He spearheaded efforts to improve education at all levels, including authoring key aspects of the Higher Education Act in an effort to make college more affordable for all students.

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- Has sponsored and authored several key initiatives that have strengthened laws protecting American workers. Such initiatives include the Green Jobs Act and the Emergency Retiree Health Benefits Protection Act.
- Through hard work and commitment, earned himself the Chairmanship of the National Security and Foreign Affairs Subcommittee on the Committee on Oversight and Government Reform from 2007 thru 2010 and a Speaker-appointed seat on the House Permanent Select Committee on Intelligence.
- At his Subcommittee's very first hearing, found glaring deficiencies at the Walter Reed Army Medical Center and in the treatment of our seriously injured soldiers.
- Was born in Salem, MA and attended Salem Public Schools and graduated from Salem State College. He earned a Law Degree from Suffolk University and until he took office in 1997, was a partner in the law firm of Tierney, Kalis and Lucas for over 20 years. He and his wife Patrice continue to make Salem their home.

Congressman John Tierney came to the podium and gave a very informative presentation to the Board regarding Congressional Updates.

The Board thanked Congressman John Tierney for his presentation.

ANNOUNCEMENTS

VACANCIES ON BOARDS AND COMMITTEES

Secretary David Gagliardi stated the Board of Selectmen are accepting applications for the following positions:

<u>POSITION</u>	<u># MEMBERS</u>
<u>Selectmen Appointments</u>	
Arts Council	3
Cabot Land Reuse Committee	3
Commission on Disability	1
Elderly and Disabled Taxation Fund Committee	1
Financial & Compliance Audit Committee	2
Historic Districts Commission	4 alt.
Open Space & Recreation Committee	2
Scholarship Foundation Committee	1
Substance Abuse Prevention Committee	6
Traffic Management Committee	1 (East)

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Town Manager Appointments

Beautification Committee	3
Housing Partnership Committee	2

Moderator Appointments

Composting Committee	6
Financial & Compliance Audit Committee	3
Personnel Board	4
Town Meeting Warrant Action Committee	1

Please note that the above positions are not paid positions. Applicants should have some knowledge of Municipal Government. Brief job descriptions are available at the Selectmen's Office. Applications must be sent to the Board of Selectmen, Town Hall, 365 Boston Road, Billerica.

COUNCIL ON AGING ACTIVITIES

Secretary David Gagliardi stated the Billerica Senior Center is located at 25 Concord Road and their hours are 8:30 AM until 4:00 PM, Monday thru Friday. They have many activities and programs scheduled and for more information on these activities call 978-671-0916 or go to their website www.billericacoa.org.

MERRIMACK VALLEY LEAD PAINT REMOVAL PROGRAM

Secretary David Gagliardi stated the Merrimack Valley Housing Partnership is sponsoring the Merrimack Valley Lead Paint Removal Program. Funds are available for Lead Paint Removal in Billerica. You can receive financial and technical assistance for removing lead paint. Both owner-occupied and investor properties are eligible. Single family homes may receive up to \$20,000 per unit. Multi-family homes may receive up to \$16,000 per unit. All projects will result in a letter of Full De-leading Compliance. This grant is geared towards low-income families with children under six years of age. You do not need to pay back any grant funds. For more information call Ryan DeMoura at 978-446-7200, extension 1440 or visit www.Lowellma.gov/lead for guidelines.

TOWN OF BILLERICA MERCURY RECOVERY PROGRAM

Secretary David Gagliardi stated residents and contractors can bring mercury thermostats to the Town Hall, Board of Health, Room G03, Monday through Friday, from 9:00 AM until 3:00 PM. This is a program sponsored by Wheelabrator of North Andover.

DPW WATER CONSERVATION REBATE PROGRAM

Secretary David Gagliardi stated the Town of Billerica has a Rebate Program for the replacement of toilets, urinals and clothes washers with water conserving features. The “Water Conservation Fund” was established to mitigate the demands on the Town water supply and allows the DPW to offer these rebates. To qualify for the rebate, Billerica water customers must be in good standing and own the property where the fixtures will be changed out. Tenants may participate with written permission from the property owner. Toilets, urinals and clothes washers must be specific models to qualify for the rebate. Go to www.billericadpw.org or contact the DPW Director’s Office for a list of qualifying models. Qualifying toilet rebates are \$100. Qualifying urinal rebates are \$25. Qualifying clothes washer rebates are \$225. All rebates will be applied as a credit on your water bill. Rebate applications can be picked up at the DPW Director’s Office at Town Hall or at the Water Treatment Facility located at 270 Treble Cove Road. Applications must be submitted to the DPW Office within 90 days of purchase.

SUNSHINE GALS KITCHEN – MEALS PREPARED AND SERVED FOR NEEDY FAMILIES LIVING IN BILLERICA

Secretary David Gagliardi stated the Sunshine Gals Kitchen prepares and serves meals on the fourth Saturday of each month between 12:00 Noon and 1:30 PM for needy families living in Billerica. This luncheon is homemade and prepared and served at the First Parish Church located in Billerica Center. If you have any questions, please call Jo Leary at 978-270-4509 or go to sunshinegals@yahoo.com.

PUBLIC SAFETY MEMORIAL

Selectman Robert Correnti stated the Billerica Public Safety Memorial, which will honor Billerica Police, Fire and Paramedics who have died in the line of active duty, will be located in front of Town Hall. It will be built with private funding. The dedication is planned for the Fall of 2013. Help make this memorial possible by making a tax-deductible donation. Donations of \$75.00 or more will be recognized on a plaque in Town Hall. For more information and a copy of the donation form, which is important to insure proper recognition of donors, please go to www.billericapublicsafety Memorial.org. The donation and donation form can be sent to the Billerica Public Safety Memorial Fund, care of the Billerica Board of Selectmen, Billerica Town Hall, 365 Boston Road, Billerica MA 01821.

**MERRIMACK VALLEY HOUSING PARTNERSHIP, PROJECT
GENESIS, HOME BUYER TRAINING CLASSES 2013 SCHEDULE**

Secretary David Gagliardi stated the Merrimack Valley Housing Partnership, Project Genesis, is hosting Home Buyer Training Classes to promote responsible and sustainable home ownership. They will have classes in English, Spanish and Khmer. Classes will be held at Middlesex Community College in downtown Lowell. You can register online at 222.mvhp.org or call 978-459-8490 for more information.

SPRING 2013 TOWN MEETING WARRANT ARTICLES

Secretary David Gagliardi stated Spring 2013 Town Meeting Warrant Articles will be accepted until Monday, March 18th, 2013 prior to 4:00 PM in the Town Manager's Office.

**TOWN CLERK SHIRLEY SCHULT, RE: TOWN MEETING
VACANCIES**

Town Clerk Shirley Schult came to the podium and stated the Annual Spring Election will be April 6th, 2013 and we do have a lot of openings. Our Town Meeting Representative seats are not drawing a lot of attention this year. I urge any resident who has any interest in Town government to come in and take out papers to be a Town Meeting Member. The deadline for returning these papers is February 19th by 5:00 PM. The last day to register to vote for this Town Election is March 15th by 8:00 PM. The Registrar's Office will be open that day from 8:30 AM until 8:00 PM. The Census forms are in the mail and everyone should be receiving one. Please complete your census and return it because that is what we use to make up our voter registration lists. Absentee ballots usually are in about a month before the election. Anyone who cannot get to the polls on Election Day can vote in the Town Clerk's Office or can request an absentee ballot by mail. Please do your civic duty and join us. We will be having some Special Elections in the Spring also and I will be giving out information about all that at a later time.

**TOWN OF BILLERICA PARKING ALL NIGHT PARKING
BAN/SNOW EMERGENCY**

Secretary David Gagliardi stated an All Night Parking Ban will be in full force on all Billerica roadways until March 15, 2013. Vehicles found parked in the roadway longer than two (2) hours between Midnight and 6:00 AM during the above dates will be tagged and subject to a \$25.00 fine. If a vehicle is parked as to interfere with snow removal, a fine will be assessed and will be subject to towing. Upon declaration of a snow emergency by the Town Manager, parking on all public ways will be prohibited.

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Vehicles found parked on public ways will be subject to a \$50.00 fine and towing. The Chief of Police requests the cooperation of all residents to comply with this public safety ordinance to insure that snow plowing operations will not be hampered by illegally parked vehicles.

MINUTES

JANUARY 7, 2013 (REGULAR SESSION)

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to accept the January 7, 2013 Regular Session Meeting Minutes as presented.

It was voted: 5 – In Favor
 0 – Opposed

PRESENTATIONS

PRESENTATION OF CHECKS FOR THE 2012 COMMUNITY FUNDS AWARDS

Chairman Andrew Deslaurier stated to begin with, this Board of Selectmen wishes to thank EMD Serono Inc. and PAREXEL International for funding the 2012 Community Funds for the Town of Billerica. We sincerely appreciate their generosity. We have with us tonight Mr. Joseph Picone from PAREXEL International who will help us hand out these awards.

The following Community Funds for 2012 were presented:

Hajjar School Parent's Association	\$12,708	Promethean Boards
Billerica Historical Society	\$1,000	Adams-Hancock Plaque
Billerica Blast	\$500	Graduation Party
Council on Aging	\$2,000	COA Events
Billerica Adventure Series	\$1,000	Printing
Billerica C.A.R.E.S.	\$7,000	Advisor Position
Boys & Girls Club	\$10,000	Wanna Play
Sunshine Gals Inc.	\$4,000	Meals for the Needy
Kids Konnection Playground	\$4,200	Playground Equipment
Four Paws in Action	\$500	Yankee Doodle Event
Billerica Public Library	\$1,600	13 in 13 Challenge
Billerica Public Library	\$2,000	Summer Program
Billerica Twinning Group	\$2,500	English Tea Party
Paul Grassia	\$1,000	A Stroke of Luck Book

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Safety Memorial Committee	\$8,000	Public Safety Memorial
Billerica Lions Club	\$3,500	Fourth of July Celebration
Bennett Public Library Assn.	\$2,400	Stained Glass Window Repair
Bullying Prevention Committee	\$1,000	Bullying Prevention

Chairman Andrew Deslaurier, on behalf of the entire Board, congratulated everyone and encouraged everyone to reapply next year.

MR. RON BEAUREGARD, RE: BILLERICA BOARD OF HEALTH'S TOBACCO CONTROL PROGRAM

Mr. Ron Beauregard, an Inspector and Educator from the Healthy Communities Tobacco Control Program, came to the podium and gave a very informative presentation regarding the Billerica Board of Health's Tobacco Control Program.

Brief discussions ensued regarding keeping the Board of Selectmen informed of any infractions regarding the illegal sale of tobacco.

OLD BUSINESS

TOWN MANAGER REPORTS

NETWORK AND VOIP MEETING

Town Manager John Curran stated a meeting was held regarding upgrading the Network and establishing VOIP for the Town and Public Safety. It was held at 9:00 AM at the Billerica Police Station on Wednesday, January 9th. It was attended by Police, Fire, EMS, Schools, Library and the Town's IT Department and this office. It was precipitated by the need to upgrade our phone system. This need requires a solid formulation with the Town Network. Currently there are too many domains and servers. The age of these servers is also an issue. The first step will be to update wiring infrastructure in the Town Hall. The VOIP Project will commence after this is complete.

MIDDLESEX HOUSE OF CORRECTION

Town Manager John Curran stated I met with Scott Jordan of Administration and Finance and Liz Minnis and Joe Rull from DCAM on January 11th at the State House. I provided them with the sewer application process they will have to follow as well as the unsubsidized cost for water and sewer. They did seem receptive to paying a high rate to compensate for their not paying taxes. I also provided them with projected Plant Expansion, Infiltration Inflow and Water

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Conservation Fees based on a calculation established by CMR 310. I requested information regarding the size of the proposed cells to determine potential double and triple bunking capacities. I also requested meter flow analysis done by the State that we had not yet received.

FY 2014 BUDGET

Town Manager John Curran stated Budget Meetings have been completed. The budget is being compiled based on these meetings and the direction from the Board of Selectmen. The Governor released his budget before the MMA Convention this year. Billerica will see an increase in Chapter 70 funds and unrestricted aid exceeding \$300,000. However, the assessments have not been released yet.

CABOT LAND

Town Manager John Curran stated I met with the Chairwoman of the Cabot Land Reuse Committee, Selectmen Gagliardi, the Building Commissioner, the Town Planner and our GIS person to go over the information memorialized by the wetlands mapping. The parcel has between 10 and 14 usable acres. There is access from Richardson Street and potentially from River Street. This site has already been vetted by the State for affordable housing and the State has no interest. The Committee Chairman would like me to look into the possibility of Federal affordable housing through the 202 Program. All of this information will be forwarded to the Committee. The plans are available in my office for review.

FISCAL EFFICIENCY

Town Manager John Curran stated I have an email that was received from Greg Katz of the Billerica Police Department. This email stated that in June of 2012, representatives from AXIS Communications, Inc., which is located at 300 Apollo Drive in Chelmsford, visited the Billerica Schools and Police Department to observe how we were deploying their IP camera products. One of the group members was an Engineer from their World Headquarters in Sweden. He was impressed how the Town was using existing Town Fiber Connectivity to roll out their IP cameras and wanted to support future expansion by gifting the Town ten additional camera licenses (a \$750 value). As promised, the Town was given additional licenses in July of 2012, but they actually gave us forty licenses valued at approximately \$1,700 instead of the ten originally promised.

PROFESSIONAL RECOGNITION

Town Manager John Curran stated Fire Chief Thomas Conway received the following letter from Chelmsford Fire Chief Michael Curran dated January 10, 2013:

Dear Chief Conway:

On Saturday, January 5, 2013, around 11:30 PM, the Chelmsford Fire Department responded to an alarm at 181 Littleton Road. This apartment complex consists of roughly five buildings, all four stories high, with several other apartments close by. When Chelmsford arrived at the scene, smoke was showing and very quickly noticed several homeowners on their balcony's waiting to be rescued. Mutual aid was needed from Billerica.

The Fire took several hours to bring under control and was accomplished with the Town of Billerica Fire Department. Thanks to your Engine One crew, Captain Erik Szymanski, Firefighters Dave Silva, Keith McDonald and Steve Morrison going into the building, knocking on doors and going into the units to make sure no one was inside. I would also like to commend the Billerica crew with rescuing a couple who were trapped on their balcony. Your men put the ladder up to the balcony and saved these people. Without everyone's help, we most likely would have had more fatalities that night.

On behalf of the Chelmsford Fire Department and myself, I would like to thank you for all your help that night.

Sincere thanks,

Michael Curran
Chelmsford Fire Chief

Town Manager John Curran and all members of the Board commended Fire Captain Erik Szymanski, Firefighters Dave Silva, Keith McDonald and Steve Morrison for their heroic efforts in battling that fire and saving the lives of those Chelmsford residents.

Town Manager John Curran stated a copy of this letter from Chelmsford Fire Chief Michael Curran will be placed in their personnel files.

PUBLIC HEARING

KBS RIVERTECH, LLC, D/B/A C.B. RICHARD ELLIS-NEW ENGLAND, 129 CONCORD ROAD, RE: INCREASE TO THEIR EXISTING FUEL STORAGE LICENSE

Secretary David Gagliardi stated KBS Rivertech LLC has applied for an increase to its existing Fuel Storage License as follows for CB Richard Ellis located at 129 Concord Road:

- From 8,000 cubic feet of flammable gas to 11,000 cubic feet of flammable gas
- From 2,100 gallons Class 1 flammable liquids to 2,950 gallons of Class 1 flammable liquids

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to open this Public Hearing.

It was voted: 5 – In Favor
 0 – Opposed

Billerica Deputy Fire Chief Thomas Ferraro came to the podium and stated I have reviewed this license application for KBS Rivertech LLC located at 129 Concord Road, Building #2. This facility applied for an increase on their current license in July. In July the Fire Prevention Bureau discovered issues with hydrogen storage. These issues have since been corrected with both the Building and Fire Departments. I would recommend this license with the following conditions:

Facility must comply with the following:

- Massachusetts General Law Chapter 148
- 527 CMR Massachusetts State Fire Code
- 780 CMR Massachusetts State Building Code
- NFPA -2 Hydrogen Technologies
- All applicable NFPA Codes
- Annually this facility shall retain a Massachusetts Registered Professional Engineer to review this facility to determine compliance with the Massachusetts State Fire Code, the Massachusetts State Building Code and the Town of Billerica Permit and License Restrictions. A report shall be submitted to the Fire Prevention Bureau one month prior to the expiration of the annual Fire Department Permit.

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Ms. Daryl Hillsgrove, the Environmental Health and Safety Manager and Michael Bolko, the Corporate Environmental Director, both from Entegris, and Mr. Dave Costello, Property Manager from KBS Rivertech, came to the podium and introduced themselves.

Chairman Andrew Deslaurier asked if there was anyone present who wished to speak at this Public Hearing. There was no one.

Selectman David Gagliardi, seconded by Selectman Robert Correnti, made a motion to close this Public Hearing.

It was voted: 5 – In Favor
 0 – Opposed

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to approve the application for KBS Rivertech LLC located at 129 Concord Road, Building 2, to increase its existing Fuel Storage License from 8,000 cubic feet of flammable gas to 11,000 cubic feet of flammable gas and 2,100 gallons of Class 1 flammable liquid to 2,950 gallons of Class 1 flammable liquid contingent upon the following conditions:

Facility must comply with the following:

- Massachusetts General Law Chapter 148
- 527 CMR Massachusetts State Fire Code
- 780 CMR Massachusetts State Building Code
- NFPA -2 Hydrogen Technologies
- All applicable NFPA Codes
- Annually this facility shall retain a Massachusetts Registered Professional Engineer to review this facility to determine compliance with the Massachusetts State Fire Code, the Massachusetts State Building Code and the Town of Billerica Permit and License Restrictions. A report shall be submitted to the Fire Prevention Bureau one month prior to the expiration of the annual Fire Department Permit.

It was voted: 5 – In Favor
 0 – Opposed

OLD BUSINESS

TOWN MANAGER REPORTS

IRON HORSE PARK

Town Manager John Curran stated I would like Deputy Fire Chief Thomas Ferraro to comment where we are on the Iron Horse Park permitting issue.

Deputy Fire Chief Thomas Ferraro stated they are trying to use the Federal Rail Exemption, which basically gives the railroad, from years ago, a lot of rights just given to them by the nature. We believe they are not in compliance with the Fire Code. They are transferring liquid from railroad tank cars to tank trucks that are driving through town. The tank cars are 30,000 gallons each. There is 8 to 10 of them on the spur and they are transferring them into roughly 10,000 to 15,000 tanker trucks that are coming in and leaving. The problem we have is there is no fire protection up there. They do not meet any of the current codes. The water system in Iron Horse Park is very tough. It is a very old system and we don't have enough water to fight a building fire, let alone what we would need to fight a propane tank car fire. We would need at least 500 to 1,000 gallons of water to keep the tank car cool to keep the fire from spreading. We believe that they require licenses and permits for land use, for storing that propane there. It is one thing if they bring in a rail car tonight and it is being shipped around tomorrow on a different train. We understand that is what happens with the railroad; that is what they do. This is cars that are actually stationed there, roughly for 5 to 7 days, until they empty them, and then they do a load at a time. So they are taking these 8 to 10 cars in and out at one time. They have a vehicle that loads, called a transloader, that unloads the propane from the rail tank car to the tank truck. This goes from basically 7:00 AM until darkness falls. They work basically daylight hours. The Fire Chief and myself are going to sit down and compose a letter and issue them, for lack of a better word, a violation, for failing to comply with the State Fire Code and State Fire Laws.

Selectman Robert Correnti stated may I ask if the Fire Department has considered issuing a Cease and Desist Order.

Deputy Fire Chief Thomas Ferraro stated I did last Friday go with the EPA, the Federal Rail and the State Fire Marshall's Office to the site and we did an inspection. It is very safe in the sense of what they are doing. We just have a lot of other concerns should there be an incident there. Regarding the safety aspect of it, we do have questions regarding the transloader and some of the stuff they do with it. It is relatively safe. They are not doing anything horrific that would make me go in there and say "Hey, you are done!"

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Selectman Robert Correnti stated I want you to know we all trust your professional opinion.

Deputy Fire Chief Thomas Ferraro stated we are trying to work with them. In their defense, they came in August and talked with us and told us about this. Obviously we had some questions and they said they would be back in touch. How I found out about it was I was driving up High Street and saw a propane tanker truck and said to myself what is a propane tanker truck going in there for. So I followed it in and found this operation going on. Deputy Cole and myself spoke with them the other day. They are going to provide training on the rail tank cars and tank trucks. There is some give and take. We also want at least a good fire hydrant up there.

Selectman Robert Correnti stated it is good to know that the professionals in this community are on top of it and you are dealing with the issue and keeping public safety a priority. The public should feel comfortable that this did not slip under the radar.

Town Manager John Curran stated I would also like to mention two points of fact. This is a jurisdictional issue, so that is why we can't just jump on it with a cease and desist order, as well as taking into consideration the Fire Department's feeling about the safety of the site. Second, as a point of information, the hydrants are private hydrants. These are hydrants that are on their property that requires them to fix and pay for any repairs.

Deputy Fire Chief Thomas Ferraro stated another thing we need to take into consideration is that land is very divided in that industrial park. I believe the MBTA owns some of it. I have to sit down with Rich Scanlon. I think Guilford Pam Am leases the property off of the MBTA, but I am not sure. We have to determine who is the land owner and other issues.

Selectman David Gagliardi stated I just want to touch on something that you said earlier, that they were working off a loophole in the Federal law. They believed that they did not even have to come to us for permits and such. Have we had Town Counsel look into that, to see if that is indeed the case.

Deputy Fire Chief Thomas Ferraro stated I think this is a gray area in the State of Massachusetts. I think this actually may be a test case.

Selectman Michael Rosa stated we may want to point out to these folks that we have a Fire Hydrant Maintenance By-Law and accordingly they should be doing certain upkeep to their hydrant on an annual basis.

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Deputy Fire Chief Thomas Ferraro further stated that is true, along with the State Fire Code, the Building Code, etc. It is an interesting down there, because who owns it. Even for the maintenance of the hydrants, who owns it. It is in the street on private property, well if there is no association, whose hydrant is it.

Selectman Michael Rosa stated it might not be a bad idea to send out letters to property owners that have hydrants that are privately owned informing them of the Fire Hydrant Maintenance By-Law. This By-Law does not discriminate between Town or privately owned hydrants; it covers all hydrants.

Brief discussions ensued regarding the Board's confidence in the Fire Department being on top of this issue and all safety concerns.

NEW BUSINESS

MR. DANIEL CUGNO, RE: COMMUNITY CABLE GRANT APPLICATION

Mr. Daniel Cugno, Chairman of the Billerica School Committee, came to the podium and presented the Board with a packet of information.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to accept this new information.

It was voted: 5 – In Favor
 0 – Opposed

Mr. Daniel Cugno stated the paperwork that I have submitted is on behalf of the Billerica School Committee. We have applied for this Community Cable Capital Fund Grant to provide the community of Billerica the ability to watch the School Committee Meetings as they are happening or on a tape delay. When submitted in October 2012, the initial grant request was for \$50,000. The amount was lowered to \$32,624 because we did some due diligence regarding systems; thus resulting in a lower cost. We have also moved our School Committee Meeting venue to the Parker School. They have existing audio visual equipment as well as a fantastic facility. They also have several regional community theatre and choral groups that meet there. These community groups could also be recorded for the pleasure of the public. We are working with BATV and a teacher at the High School, along with his students, who will be providing manpower to help utilize the equipment and bring it to the next level.

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Chairman Andrew Deslaurier stated at their meeting of December 18, 2012, the Cable Advisory Committee voted to recommend the Board of Selectmen approve the Community Cable Capital Fund Grant Proposal of the Billerica Public School's revised requested amount of \$32,624.

Selectman Robert Correnti stated it should be noted that the Cable Advisory Committee also recommends the awarding of this grant be subject to a minimum of two access TV programs, not including School Committee Meetings, be produced through the use of this new equipment in the next 12 months and annually thereafter upon installation.

Brief discussions ensued regarding the Board's full support of this grant to the Billerica Public Schools and various technical issues in general.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to approve the figure of \$32,624.

It was voted: 5 – In Favor
 0 – Opposed

KENT FUND

Selectman Robert Correnti stated Selectman Gagliardi and myself are on the Board's subcommittee to the Kent Fund. Each year the Board votes an amount for scholarships it wishes to award from the Kent Fund. We attached in your packets a page from the Minutes of our January 9th 2012 Meeting, as well as a memorandum written for that Meeting's Agenda. As you will note, the Board voted to reduce the 2013 awards back to four scholarships of \$1,000 each, thereby seeking to rebuild the amount held by the Town to provide a safety cushion should future distributions be reduced. Town Treasurer John Clark has advised us that the December 31, 2012 un-reconciled fund balance is \$23,840.17. We received \$6,400 from the Trustees this year, thus bringing the balance to \$30,240.17. Our recommendation, consistent with the Board's vote last year, is that the Board vote to award four scholarships of \$1,000 each. After awarding these scholarships, the fund balance, held by the Town for scholarship distribution, will be \$26,240.17. It is important to stress that the funds held by the Town represent the interest distribution given to the Town by the Fund Trustees. The principal is held by the Trustees.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to award four (4) Kent Fund Scholarships of \$1,000 each.

It was voted: 5 – In Favor
 0 – Opposed

Selectman Robert Correnti stated I just want to thank Mr. McKenna, the Chairman, and the other trustees of the Kent Fund for annually doing this distribution very promptly.

**NEW ENGLAND PEDIATRIC CARE (NEPC), 78 BOSTON ROAD,
NORTH BILLERICA, RE: 20TH ANNUAL COOL KIDS 5K ROAD
RACE/FUN WALK FOR SUNDAY, APRIL 28, 2013**

Secretary David Gagliardi stated the New England Pediatric Care (NEPC) is organizing their 20th Annual “Cool Kids” 5K Road Race/Fun Walk on Sunday, April 28th, 2013 to benefit the children and young adults of NEPC. They are requesting approval from the Town of Billerica and the Billerica Police Department for this event. The Road Race/Fun Walk will commence at 10:00 AM. The race will begin and end at New England Pediatric Care. If you have any questions, please contact Laura Kirk at NEPC at 978-667-5123.

Chairman Andrew Deslaurier stated we do not have anything in writing from Safety Officer Martin Conway, but I have it on good authority that he has approved this, thus we can make the motion contingent upon his written approval.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to approve the application by New England Pediatric Care located at 78 Boston Road for their 20th Annual “Cool Kids” 5K Road Race/Fun Walk” on Sunday, April 28th, 2013 at 10:00 AM. Race to begin and end at New England Pediatric Care located at 78 Boston Road in North Billerica. This is contingent upon the approval of the route by the Traffic Safety Officer.

It was voted: 5 – In Favor
 0 – Opposed

BOARD OF SELECTMEN APPOINTMENT

SUBSTANCE ABUSE PREVENTION COMMITTEE

Selectman David Gagliardi, seconded by Selectman Robert Correnti, made a motion to appoint Caroline Catlender of 8 Nickerson Road as a Regular Member of the Substance Abuse Prevention Committee.

It was voted: 5 – In Favor
 0 – Opposed

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MEETING SCHEDULE

February 4 and 25, 2013

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board adjourn at 8:16 PM.

It was voted: 5 – In Favor
 0 – Opposed

A TRUE COPY ATTEST

Susan Michelini, Recording Secretary